

**Reinvent Albany • Common Cause/NY
Community Service Society • Environmental Advocates NY
Make the Road New York • NYPIRG/Straphangers Campaign
Riders Alliance • Permanent Citizens Advisory Committee to the MTA (PCAC)
Sierra Club Atlantic Chapter • StreetsPAC • TransitCenter
Transportation Alternatives • Tri-State Transportation Campaign**

In Support of
**Guardians of Flushing Bay • Riverkeeper
Sensible Way to LGA Coalition**

September 17, 2021

Steve Dickson
Administrator
Federal Aviation Administration
National Engagement and Regional Administration
800 Independence Ave.
Washington, D.C. 20591

Re: Request to halt the proposed LaGuardia (LGA) AirTrain and investigate alleged political manipulation of EIS by ex-NY Governor Andrew Cuomo's administration

Dear Administrator Dickson,

Our groups write to inform you that we are requesting that Governor Kathy Hochul and the State Legislature halt the \$2 billion LaGuardia Airtrain project until a credible and transparent alternatives analysis is performed. A new, transparent alternatives analysis must be undertaken by the Federal Aviation Administration given concerns raised by Port Authority staff, community groups, and your own officials in the process leading up to the issuance of the record of decision.

We are extremely concerned about allegations raised by members of the Port Authority staff to their board of directors in an August 11, 2021 letter¹ that was reported by the *NY Daily News*. The letter alleges that ex-Governor Andrew Cuomo's administration politically influenced the Port Authority to "...manipulate the Environmental Impact Statement process to... guarantee the selection of governor Cuomo's predetermined preferred alternative."

¹ Guse, Clayton. "Cuomo's departure leads Port Authority staffers to demand agency halt his LaGuardia AirTrain plan." August 10, 2021. New York Daily News.
<https://www.nydailynews.com/new-york/ny-port-authority-staff-laguardia-airtrain-protest-20210810-lljd2ohofzaolkzgvj4jvb52eq-story.html>

We note that the Sensible Way to LGA community coalition and the respected environmental group Riverkeeper have also asked for a halt to the project and find the Port Authority's whistleblower's allegations credible enough to warrant an outside investigation.

FAA Concerns About Alternatives Analysis

In April 2021, Riverkeeper published a communication from the Federal Aviation Administration (FAA) showing FAA officials were concerned that the Port Authority's EIS emphasis on certain criteria unfairly eliminated alternatives to the Port Authority's preferred AirTrain. FAA officials wrote that the Port Authority's approach "leads to arbitrary and unevenly applied criteria." The FAA letter added that this type of review "only allows one alternative to possibly meet the criteria."²

Port Authority's Alternatives Analysis Criteria Ruled Out Bus Rapid Transit and Other MTA Options Using a Protected Right-of-Way. Oddly, Only Gondola Service and Other "Fixed Guideway" Airtrain-Type Proposals Came Close

In our review of the Port Authority's alternatives analysis, it appears that the criteria used resulted in gondola service being the only alternative that was closely competitive with the "fixed guideway" airtrain-type proposals. The Port Authority's proposed alternative was the only option which met all the criteria. Bus, ferry, and subway extension alternatives met even fewer of the Port Authority's criteria, with faster buses failing to advance beyond step one of the two-step review.³

Again, we believe that the LGA AirTrain project must be halted until an independent investigation can assess the claim that the alternatives analysis was manipulated by the previous governor's office, and a new and transparent alternatives analysis is performed that can be reviewed again by the FAA.

We thank you for your attention to this matter. Should you have any questions, please contact Rachael Fauss, Senior Research Analyst at Reinvent Albany, rachael@reinventalbany.org or 518-859-5307.

Sincerely,

² Meyer, David. "Docs show Port Authority fudged LGA AirTrain benefits, advocates say." April 7, 2021. New York Post. <https://nypost.com/2021/04/07/documents-show-port-authority-fudged-lga-airtrain-benefits/> See also documents obtained from Riverkeeper, page 302

<https://www.riverkeeper.org/wp-content/uploads/2021/04/Additional-Response-PRA-No.-19796-Redacted.pdf>

³ Port Authority Final EIS Alternatives Analysis. See pages 109-111.

http://ricondoprojects.com/LGAAccess/final/5-LGA_Final%20EIS_02_Alternatives_20210312.pdf

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