

# STAFF RECOMMENDATION

S. Wood  
NCPC File No. 0348



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## DISTRICT OF COLUMBIA CAPITAL IMPROVEMENTS PLAN FISCAL YEARS 2010-2015

Submitted by the Mayor of the District of Columbia

April 30, 2009

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### *Abstract*

The Commission is providing comments to the Mayor and Council of the District of Columbia on the District's Capital Improvements Plan for Fiscal Years (FY) 2010-2015 (CIP). The Commission reviews the District of Columbia Capital Improvements Plan (CIP) pursuant to 40 U.S.C. § 8723 (b). Historically NCPC has undertaken that review to assure that the District's proposed capital improvements comply with the federal interest as expressed in the *Comprehensive Plan for the National Capital*, and other NCPC plans. This year, NCPC's review encompasses how the CIP meets and furthers the Comprehensive Plan, and such-subplans as the *Monumental Core Framework Plan*; the *National Capital Urban Design and Security Plan*, the *Memorials and Museums Master Plan*, and the CapitalSpace plan that NCPC is currently developing with the District and the National Park Service. It also notes the need for further NCPC review, including review of components of the CIP not yet submitted, and review pursuant to NCPC's statutory authority of projects in the CIP as they are further developed.

### *Commission Action Requested*

Approval of comments to the Mayor and the Council of the District of Columbia pursuant to 40 U.S.C. § 8723 (b).

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### *Executive Director's Recommendation*

The Commission:

**Commends** the District of Columbia on inclusion of projects in this CIP that support and implement the federal interest set forth in the *Comprehensive Plan for the National Capital*, such as:

- Projects to improve the public transportation system through continued mass transit investments.
- Projects to develop new parks and recreation centers to enhance parks and open spaces

throughout the city.

- Projects that rehabilitate and/or reuse historic buildings to preserve and promote the historic identity of the nation’s capital through its historic structures.
- Funding of long-term planning efforts linked to important capital projects of federal interest.

**Requests** that the District of Columbia jointly plan and coordinate with NCPC and other federal agencies on projects of special shared interest, including:

- Projects associated with the transfer of federal land to the District (NCPC, General Services Administration, National Park Service).
- Updates to zoning codes and other long-term planning that are a component of the CIP
- Development of a streetcar system (NCPC, Commission of Fine Arts).
- Park and open space improvements, particularly as these projects implement the CapitalSpace Plan (NCPC, NPS, CFA, GSA)

**Notes** the statutory requirement that the District submit for Commission review a number of projects included in the CIP, such as:

- Acquisition or disposition of land or buildings by the District of Columbia government (40 U.S.C. § 8722 (b) (1) and § 8734 (a)).
- Development projects undertaken by the District of Columbia government, including park projects and alterations that affect the exterior of a structure or its grounds (40 U.S.C. §8722 (b) (1) and § 8722(e)).

**Reminds** the District that by statute it is required to submit its entire Capital Improvement Program to NCPC for review and comment by February of each year, and that in future years NCPC’s comments will be more helpful if they can be based on a comprehensive review completed and considered before the District submits the CIP to the Council of the District of Columbia, and notes that the first component of the CIP was submitted to NCPC by letter of April 15, 2009, and that the District still must submit for NCPC review the Highway Trust Fund Program and capital projects for the District of Columbia Water and Sewer Authority (WASA).

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## PROJECT DESCRIPTION

The CIP is part of the Mayor’s FY 2010 Proposed Budget and Financial Plan that is sent to the Council of the District of Columbia for review and adoption, and then to Congress for review and approval. NCPC reviews the District CIP pursuant to 40 U.S.C. § 8723(b), which specifies: “Submission of Multiyear Capital Improvement Plan.—By February 1 of each year, the Mayor of the District of Columbia shall submit to the Commission a copy of the multiyear capital improvements plan for the District of Columbia that the Mayor develops” under [a provision of the Home Rule Act]. The Commission has 30 days in which to comment on the plan but may not change or disapprove of the

plan."

The Commission review of the CIP is an important tool to ensure federal and local coordination and cooperation in the ongoing development of Washington to assure that it is a great capital city. The Commission's review of the CIP may provide the District with valuable feedback about proposed developments and projects well before individual projects in the CIP are moved forward, so that projects strongly supportive of the federal interest may be noted and projects with potential problems identified at an early stage. This approach may facilitate effective cooperation between the District and NCPC, and smooth Commission review of specified projects under its normal project-by-project review procedures. The CIP typically describes projects in much broader terms, providing an opportunity for the Commission's comments before projects enter the more detailed stages of implementation.

As the District describes in its CIP document, "(t)he CIP consists of the appropriated budget authority request for the upcoming fiscal year and projected funding ... for the next five years. ... The CIP is used as the basis for formulating the District's annual capital budget." The range of CIP projects for the coming six years includes renovation, major repair, and maintenance of existing facilities; new construction and equipment; building and land purchases; long-range planning studies; and various technology and database projects. While the District notes that the majority of transportation-related capital projects will be submitted later, this CIP does contain several transportation projects.

In terms of projects and expenditures, this CIP contains 87 ongoing projects and 23 new projects from agencies throughout the District of Columbia government. The total six-year proposed project spending (not including additional transportation projects, court projects, or WASA projects) is \$3.30 billion (compared to a CIP total of a similar set of projects for FYs 2009-2014 of \$3.21 billion). This year's CIP notes that the District is faced with developing a capital budget within the context of the continuing challenge of an economic downturn. The current economic forecast assumes a continuing decline in economic conditions resulting in decreased employment and wages, a rise in commercial property vacancies and delayed construction project starts. The proposed plan incorporates revenue adjustments designed to compensate for the current economic factors, and revenue losses. In addition, the plan notes that funding will be available to the District from the federal American Recovery and Reinvestment Act of 2009 (ARRA). The District anticipates that most of the ARRA funding related to capital projects will be allocated towards the District Department of Transportation, and will be identified in more detail as part of the District's Highway Trust Fund, which becomes available in June 2009.

While the purpose of NCPC's review and comment on the CIP is to take a comprehensive look over a six year period, NCPC notes that this CIP emphasizes expenditures for FY 2010. Here, the District notes that, in response to funding constraints and competing demands for capital funding, it is prioritizing projects to meet the most pressing infrastructure needs, and in particular, is focusing on addressing aging infrastructure. Within the CIP, \$236 million is allocated to school modernization; \$72.7 million is proposed for WMATA as the District's contribution to Metro matters; and \$31.9

million is allocated to the Department of Parks and Recreation, primarily for modernizing recreational facilities. Proposed allocations for improvements to police, fire and library facilities and other needs comprise \$99.5 million. The 2010 budget proposes \$15.7 million for the Department of Mental Health, primarily targeting completion of a new hospital facility and renovations to medical buildings at the Saint Elizabeths East campus. While the District will specify most major transportation projects proposed for FY 2010 funding in its forthcoming document, this FY 2010 budget includes funding for citywide general street improvements and repairs, including lighting, trees, bicycle and pedestrian improvements and bridge repairs. In addition, the District proposes allocation of capital dollars in FY2010 to develop and upgrade information technology, communications and response systems.

Several other capital funding categories that are part of the CIP have not yet been submitted by the Mayor to NCPC or the Council of the District of Columbia:

- The District's capital funds for certain transportation projects will be significantly supplemented by money from the Highway Trust Fund, administered by the Federal Highway Administration through a program that provides 80 percent federal money to match 20 percent local contributions. The Mayor has not included the Highway Trust Fund Program in this CIP document, but will release this information in June 2009 and at that time should submit it to NCPC for review. The information is likely to include funding from ARRA.
- The District has not included capital projects for the District of Columbia court system in the CIP because, DC notes in the CIP submitted, that funding authority for the Courts was transferred in 1997 to OMB and should appear as part of the FCIP.
- Capital projects for the District of Columbia Water and Sewer Authority (WASA) are noted in the CIP but not included in the above totals. The District notes that WASA uses a 10-year capital program due to the long-term nature of many of its projects. WASA's most recent capital improvement program, for FYs 2008-2017, totals \$3.2 billion. However, this 10-year plan has not been submitted to NCPC for comment.

## PROJECT ANALYSIS

Many of the CIP projects outlined in the District's proposal support the federal interest outlined in the Comprehensive Plan and other sub-plans, and the outlined projects do not appear to have any adverse impact on the federal interest.

A large number of the CIP projects involve the rehabilitation and improvement of District public buildings and public space throughout the District of Columbia. Many of these projects are in prominent locations, where such improvements -- in addition to their local impact -- will if designed well enhance the overall image of the nation's capital. Additionally, many of these facilities were originally constructed by the federal government and convey the history of federal involvement in the development of the District of Columbia. Examples (noted by the relevant District agencies) include buildings that form networks of facilities that define the civic character of the capital city:

- Schools (District of Columbia Public Schools and Office of Public Education Facilities

- Management)
- Libraries (District of Columbia Public Library)
  - Parks and recreational centers (Department of Parks and Recreation)
  - Firehouses (Fire and Emergency Medical Services Department)

Many of these projects are intended to improve the city's infrastructure or services that the District offers, including education; parks and recreational amenities; police, fire and emergency response services; information and communications services; and medical facilities. The improved infrastructure system and services will generally benefit both the District of Columbia directly, and federal operations and federal facilities directly and indirectly. These projects strongly support the federal interest.

Several projects seek to reuse District-owned sites for new purposes and to co-locate public uses. Using CapitalSpace approaches as guidance, NCPC encourages the District to incorporate publicly accessible green space into these projects and to consider establishing new park space and recreational amenities, particularly for reuse of school buildings and in areas of the District that are growing or have less access to park resources.

The CIP submission includes proposals for new and rehabilitated facilities that are designed to meet LEED standards and to provide energy efficiency. NCPC supports the District's efforts to provide sustainable, green public facilities. Such approaches are strongly supportive of the federal interest in sustainability and addressing climate change.

The CIP also includes additional enhancements to the capital's image such as the investment in public art (Commission on the Arts and Humanities), and the maintenance and planting of street trees (Department of Transportation). The District government's continued investment in these capital projects helps to assure its role in defining the capital's image, as well as conferring its local benefits. They effectively support the federal interest that is outlined in the Comprehensive Plan.

Many of the rehabilitation projects outlined in the CIP involve historic structures. As these projects move forward, to further both District and federal interests it is important the District respect and enhance their historic character as part of the capital investments. The projects for improving accessibility (in accordance with the Americans with Disabilities Act) in these historic structures should be carefully designed to accommodate both ADA requirements and historic preservation of these public facilities.

Several projects relate to particular historic structures that are listed in the National Register of Historic Places, or are located within federally recognized Historic Districts. The continued investment in these properties helps to preserve and promote their recognized federal significance.

The Commission supports the District's efforts in several projects in the CIP related to areas of special shared interest for District and federal planning efforts. NCPC requests that the District coordinate with NCPC and other federal agencies, and NCPC notes that some projects may be subject to NCPC review.

These projects that reflect special shared interests include:

- Street Car Development, including the Anacostia light rail demonstration project (DDOT). NCPC supports the expansion throughout DC of transportation options that will benefit residents, workers, and visitors. However NCPC is concerned with the visual impacts of the proposed streetcar technology, which operates on overhead wires. Washington, and particularly the part of the District in the L'Enfant City, is built on a plan of open space and views and vistas. These urban design elements are supported by longstanding laws prohibiting overhead wires, including electricity and trolley wires, in the L'Enfant City and in Georgetown. The Anacostia Demonstration Project for the streetcars is outside of the L'Enfant City and Georgetown, and NCPC's Commission has not objected to it, but has noted the existence of laws that prohibit overhead wires in the L'Enfant City and Georgetown. As the District plans streetcar corridors in areas where open vistas are protected by prohibitions against overhead wires, it must take these factors into account. District of Columbia trolley projects must be submitted for review to NCPC, and NCPC encourages the District to undertaking system-wide planning and more extensive public outreach to ensure a fully coordinated transit system that successfully addresses mobility, urban design, open views and vistas, and economic and community objectives. The District is also encouraged to coordinate with other federal agencies that may be served by this system or manage land that may be affected by these projects, including GSA, NPS, and DOD.
- Public Plans and Studies Project. The CIP includes funding for planning studies for large-scale capital projects that the District proposes to undertake, and for efforts of the Office of Planning to rewrite the zoning regulations and undertake various planning studies. NCPC and the District have coordinated planning initiatives that have resulted in capital projects that successfully address federal and local interests. NCPC supports the inclusion of funds for planning in the CIP, and looks forward to continued cooperation and coordination with the District and other federal agencies on planning and zoning studies within the District.
- Park and open space projects (Department of Parks and Recreation and OPEFM). NCPC, in coordination with the District Department of Parks and Recreation, Office of Planning, and the National Park Service, has been for the past four years studying federal and local parks and open spaces in the District under the rubric of the CapitalSpace study. Findings from this study identify the importance of improving the quality of existing parkland and facilities, note the importance of the District's public schools in providing outdoor recreational facilities, and identify the need to address park demands created by growth. The District is encouraged to include schoolyard improvements as a component of school modernization projects. NCPC notes the capital funding identified for District parks and park facilities and looks forward to continued coordination with District agencies to identify and implement strategies to improve Washington's park system. See also comments about reuse of schools above.

- The site of the former Convention Center (Office of the Deputy Mayor for Planning and Economic Development).  
The Commission maintains an interest in planning for the redevelopment of the former convention center site, bounded by 9th, 11th, and H Streets and New York Avenue, NW as supporting the federal interest. The Commission has reviewed the development proposals for this area, and anticipates that the District will re-open 10th and I streets along their historic rights-of-way through the site, as required in the 1995 Memorandum of Agreement for the [Verizon Center] Arena and recorded covenant, and specified in the Commission action.
- Metro (Washington Metropolitan Area Transit Authority (WMATA))  
The CIP includes \$465 million over six years for the District's local contribution to WMATA's Metro Matters capital program (operating funds are not included in the CIP). This funding will support acquisition of new buses and rail cars, rehabilitation of the Metrorail system, and construction and rehabilitation of bus garage facilities. These ongoing investments in transit implement the federal interest in relying on transit for the effective operation of the region's transportation system, and serving the commuting needs of the federal workforce, and transportation for visitors and major special events. Also included in this CIP are continued investments for expansion of the Circulator service into additional neighborhoods such as Adams Morgan. The Circulator—a project identified in NCPC's *Legacy Plan*—strongly furthers the federal interest in effective transit.
- Other transportation projects (Department of Transportation).  
The transportation projects listed in Appendix F of the CIP are mostly for general improvements to roads, alleys, streetlights, curbs, culverts, street trees, and other parts of the transportation infrastructure. These projects serve federal interests by contributing to the operation and character of the nation's capital and enhancing its historic street system. Many additional projects will be included in the forthcoming Highway Trust Fund Program, and according to the District these projects are currently being amended to reflect American Recovery and Reinvestment Act funding awards. NCPC looks forward to review of those projects and encourages the District to look at those projects in conjunction with the CIP as already proposed.

NCPC also notes:

Many of the projects outlined in the CIP must by law be reviewed by NCPC at the project stage, and NCPC urges the appropriate District agencies to work early and cooperatively with NCPC staff to facilitate that review, which serves the interests of both the District and the federal government, and to submit these projects to the Commission at the appropriate stage of detailed siting and design work. NCPC's authority for review of District government projects includes review of: acquisition or disposition of land or buildings; land and building development projects (including park projects); and alterations affecting parks or the exterior of buildings or their grounds. District agencies should consult with Commission staff to determine the submission requirements for particular projects.

NCPC staff notes that it has been working closely with the District and other federal agencies to consider and address flood control infrastructure needs in the Monumental Core, and the Commission commends the District for this activity. We note that no related projects are included in the CIP, and are interested in evaluating the WASA component of the CIP for affect it may have on these projects.

Finally, NCPC notes that its staff and Commission may more effectively carry out its role of commenting on the CIP if the District promptly submits the remaining components of the CIP for FY 2010-2015 (components related to highways) and in future years submits all components of the CIP simultaneously and early enough for NCPC to comment and have its comments taken into account before the District transmits that year's multi-year CIP plan to the Council of the District of Columbia.

#### CONFORMANCE

##### National Environmental Policy Act

The National Environmental Policy Act is not applicable to NCPC's review of this submission, because the Commission does not approve the District CIP.

##### National Historic Preservation Act

The National Historic Preservation Act is not applicable to NCPC's review of this submission, because the Commission does not approve the District CIP.