



COUNCIL OF THE DISTRICT OF COLUMBIA

Committee on Public Works and Transportation

B18-823, the "Transportation Infrastructure Amendment Act of 2010"

Statement of
Monte Edwards

On behalf of the
Capitol Hill Restoration Society

Tuesday, June 22, 2010

The Capitol Hill Restoration Society (CHRS) supports the proposed streetcar segment for H Street and Benning Road. CHRS supports a reasonable compromise to make this streetcar route operational as soon as possible. While that is the stated purpose of B18-823, several of the provisions of B18-823 are inappropriate to achieve this objective and, therefore, CHRS opposes B18-823.

DDOT now has three cars the agency purchased in 2005 as part of a planned Anacostia Streetcar demonstration project that did not occur. Now DDOT is designing the initial segment of our streetcar system around the capabilities of those three older cars -- cars purchased in 2005 for a system that will probably not enter service until 2012 or later. These three cars -- and the additional cars DDOT proposes to acquire -- are incapable of operating without overhead wires and could never be adapted for wireless technology because the roofs of these cars are not strong enough nor designed to accommodate batteries and capacitors. Thus, these cars can never achieve the goals of DDOT's claimed "hybrid" system.

CHRS has objected to the lack of planning that is allowing those three cars, incapable of operating without overhead wires, to control the design of this initial segment of the streetcar system. Nonetheless, DDOT has laid track, constructed foundations for cable supports and installed other infrastructure elements on H Street and Benning Road based on that design and subjected the residents, merchants and property owners to hardships, business losses, and inconveniences associated with construction. H Street residents, merchants and property owners

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are entitled to the end of road construction and to the beginning of the promised reality of streetcars on H Street. CHRS recognizes that some compromise on the decision whether to use overhead wires is needed in order for this project to progress.

But B18-823 is not the way to achieve that objective. An analysis of the Bill prepared by Dick Wolf, Chair of the City Planning Committee of CHRS, is attached. That analysis states, in part:

The use of wired streetcars in the rest of the city [beyond H Street-Benning Road], including historic districts, including the Capitol Hill historic district, would be allowed. There is not even a prohibition in the bill on allowing overhead wires in the Mall and other important Federal enclaves. The only recognition of this as an issue is the language in the bill at Section 2 (b)(2) which states that streetcars using aerial wires outside of the H St/Benning Rd route could be used with action by the Mayor and Council "with special attention paid to the view corridors of the *federal monumental core*". (emphasis supplied).

B18-823 would set the stage for wires throughout the City and would seek a partial repeal of the 1889 overhead wire prohibition. In seeking a partial repeal of the 1889 law, B18-823 would again raise the arguments that were presented in *Techworld Dev. Corp. v. D.C. Preservation League*, 648 F. Supp. 106, 1986 U.S. Dist. LEXIS 21851 (D.D.C., 1986): the Federal interest versus the Home Rule interest for DC to control its own streets. The *Techworld* decision is not precedent because the District Court decision was vacated, and thus the issues in *Techworld* can be re-litigated. If B18-823 goes forward in its present form, there could be time-consuming delay associated with the legislative debate at the Council and Congress and potential judicial challenges. In the *Techworld* case, that time was about three years.

Whatever the outcome of those challenges, they would delay, rather than advance streetcar operations. To avoid that, CHRS supports a compromise in the language of B18-823 that would allow overhead wires for H Street until non-overhead wire technology becomes practicable.

Non-overhead wire technology, while being installed in Europe, has not yet been introduced in the US and DDOT is reluctant to be the first. The lead time required for ordering the equipment necessary to make H Street operational by 2012 will likely result in equipment that will be powered by overhead wires. Faced with this situation, some form of temporary authorization for overhead wires on H Street-Benning Road appears necessary. In return for allowing overhead wires on a temporary basis for H Street-Benning Road, all future streetcars would use non-overhead wire technology, AND, H Street-Benning Road would be retrofitted to that same technology.

CHRS continues to advocate for more thorough evaluation, analysis and planning, but that does not mean that the Streetcar Project must stop while they move forward. The City needs to conduct an independent analysis and evaluation of the initial capital and long-term (operating and maintenance) costs of all aspects of the streetcar system. The City should also consider

working jointly with neighboring communities, especially Alexandria, that are also planning streetcar systems. Joint studies would likely result in savings in both costs and time.

Currently, there is no systematic independent engineering study of the range of technologies and their applicability to our City. The good news is that wireless technology is in use, and our City can build on the evaluations of that technology that have been done by others. Charlotte, NC, has prepared a report evaluating non-overhead wire technology. Kawasaki has been operating the SWIMO system in Japan since 2007. CAF of Spain initiated non-overhead wire service in Seville, Spain, and is now installing a non-overhead wire system in Saragossa. Bombardier is installing a non-overhead wire system in Germany this summer. These systems were evaluated and determined to be reliable and economically viable and the real world experience with various technologies can provide DC with a baseline and significant time savings in planning and evaluating streetcar technology.

Our City deserves a 21st Century streetcar system, likely to attract the best of the streetcar suppliers as well as substantial Congressional funding. With that as our ultimate goal, CHRS will accept overhead wires on a temporary basis for H Street and Benning Road.

I will be glad to answer any questions you may have.