



STREETCAR PLANNING REQUIREMENTS

For DC Budgets - 2010/2011 and 2011/2012

**Prepared by Transportation Subcommittee, Committee of 100 on the Federal City
June 14, 2010**

Introduction to the Report

The Committee of 100 Subcommittee on Transportation has prepared this report to assist the DC City Council in drafting strong planning and collaborative public participation requirements for the streetcar system (Streetcar Plan). The report focuses on six planning requirements, with the current status as we understand it to be; background on the issue; DDOT's statements; the implications for H St./Benning Rd., NE; and recommendations for Council Action:

- I. Streetcar Business, Financial And Governance Plan**
- II. Streetcar Facilities & Equipment Plan**
- III. Detailed Streetcar Route & Scaled Street Plan -Phase 1**
- IV. Environmental And Historic Preservation Review**
- V. Streetcar Technology Assessment & Contracting For Streetcars**
- VI. Collaborative Planning Process**

(Sources include, among others: the Request for Qualifications (RFQ issued by DDOT in early 2010); DDOT May 14, 2010 response to Chairman Gray's questions; letters from AMTRAK and Potomac Development regarding tunnel under H St. Overpass.)

While the 2005 *DC Transit Improvement Alternatives Analysis* named streetcars as an element within the city's overall transportation system, that document in no way constitutes a plan for financing, operating or maintaining the system. Currently, the city is proceeding with a \$1.5+ billion commitment without a documented plan to fund or operate the streetcar system. The public is justifiably confused.

It is imperative that Council launch this promising system well. We propose *Streetcar Right Start*, an comprehensive initiative with H St./Benning Road as the first model demonstration project for the best wireless technologies and innovations available; the best planning practices that comply with applicable laws and fulfill to goals of the *Comprehensive Plan*; and financing practices that are fair and equitable.

Please feel free to call us to discuss these ideas further: George Clark (202-331-3200); Meg Maguire (202-546-7077); Monte Edwards (202-543-3504)

Summary of Recommendations for DC City Council Legislation

PROPOSED LANGUAGE TO INCLUDE IN BUDGET ACT:

Provision #1: Prior to the expansion of streetcar transit beyond the H Street/Benning Road corridor, within one year from the date of enactment of this bill and prior to any expenditure of funds in FY 2011/12, the Mayor shall develop a comprehensive citywide plan for a streetcar system (**Streetcar Plan**). This Plan shall be subject to public notice and comment, and subsequently submitted to Council for approval by resolution, but it shall be deemed approved if the Council fails to take any action to post an ANC notice or a public notice, or to hold a hearing within 60 days after submission. The Streetcar Plan will detail the planning, financing and construction of any and all streetcar lines and routes, with special attention paid to any adverse impacts on the view corridors of the L'Enfant City, historic districts, and the boulevards and streetscapes throughout the city. The **Streetcar Plan** shall be in compliance with the *Comprehensive Plan for the National Capital* and all applicable laws of the United States and the District of Columbia, including, but not limited to, the District of Columbia Environmental Policy Act, the District of Columbia Historic Landmark and Historic District Protection Act, the National Capital Planning Act, the National Environmental Policy Act, and the National Historic Preservation Act; and that it furthers the policies of the Comprehensive Plan Future Land Use Map.

Provision #2: The City Council shall appoint an independent commission for three years with potential for renewal, composed of professionally qualified individuals with industry expertise (including planning professionals, engineers, architects, lawyers with environmental/historic preservation expertise and environmental scientists) and affected community groups whose members reside in DC to monitor, review, comment and report to Council on:

- All aspects of planning for the streetcar system to lay the foundation for the nation's best streetcar system;
- Collaboration with affected communities in all aspects of planning for the project;
- The city's compliance with all the environmental and historic preservation review requirements of local and federal law;
- The land use plan; and
- Components under contract or assigned to staff.

The Commission will have no operating authority or responsibility and will advise the Council, reporting monthly on progress towards goals. The Commission will serve as a collaborative framework with the DC Department of Transportation (DDOT), the Office of Planning (OP) and the public to review and comment on the tasks to be performed. Commission members will be provided DC-standard cost reimbursements, honoraria, etc., as applicable.

SUMMARY OF REQUIREMENTS FOR STREETCAR PLAN

Below is a summary of the proposed requirements the **Streetcar Plan** to which the legislation above refers. The intent is to make clear to DDOT what is expected in the Plan. The background for these recommended requirements is discussed at greater length in the body of this report following this Summary.

Requirement I. STREETCAR BUSINESS, FINANCIAL & GOVERNANCE PLAN

1. Assess all potential funding sources, and requirements to participate in that funding, to finance the capital, operating and maintenance requirements of the system. Include a realistic analysis of various scenarios and conditions for: federal funds, DC bonding authority for capital projects, private investment and return, fare box revenue, and special business and other property assessments.
2. Council should carefully evaluate the **assumptions** that DDOT is using to plan the streetcar system including:
 - a. Distribution of costs to complete:
 - Phase 1, 32% local; 20% federal; 48% private (\$270M)
 - Phase 2, 23% local; 24% federal; and 53% private (\$254M)
 - Has the federal government given the city any assurance that it will give city this funding?
 - Is Council committing to a high cost system that even at a 32% funding level will be unachievable? What if other funding sources and levels are not accurate?
 - Is DDOT safe in assuming that it can assess landowners along routes upwards of \$520M for capital costs reasonable since they have only talked to some developers? Will these developers and other land owners attempt to transfer costs by seeking tax exemptions or tax abatements
 - What is the likely impact on small, minority, or other existing businesses? What, if any, is the potential for the streetcar system to destabilize neighborhoods by raising property assessments and taxes and forcing existing residents and businesses to leave, ushering in gentrification?
 - b. Distribution of costs to operate: 33% farebox; 66 % from what other revenues? Or no charge?
 - Council must know what the fare will likely be in order to determine the viability of public funding.
 - How much of the city's costs will come from dedicated revenue stream based on property assessments or tax increment financing? Will this push out current residents and businesses and replace with gentrification and franchises replacing local business owners?
 - Determine what merchants, homeowners and other land holders along all streetcar corridors will be expected to pay under various funding models and economic scenarios related to property values assuming increases, decreases and static property values.
3. Build on DC Surface Transit's financing options study, *VALUE CAPTURE AND TAX-INCREMENT FINANCING OPTIONS FOR STREETCAR CONSTRUCTION*, *The Brookings Institution, HDR, Re-Connecting America, RCLCO, June 2009*, selecting and updating the most promising potential financing options, and developing specific numbers for properties along H St./Benning Road.
4. Fully engage merchants and ANCs along the route in determining the most promising financial options to cover debt service and long-term operations and maintenance.
5. Assess the pros and cons of alternative governance plans in light of the experience with Metro and DC Surface Transit's experience with the Circulator.

Requirement II. STREETCAR FACILITIES & EQUIPMENT PLAN

1. Develop a detailed system-wide master plan for operating and maintenance facilities, streetcar equipment and contracts to service the capital investment in the system.
2. Determine all right-of-way ownerships and begin early discussion with private owners whose property may be affected adversely by the location of these facilities. Assess the costs of condemnation in terms of time, money and good will.
3. Develop a detailed budget for facilities and equipment including land acquisition; payments for condemnation; equipment and labor associated with road construction and laying of tracks; equipment and labor associated with operation and maintenance of the streetcars, tracks, equipment and facilities; and address the cost of various options for borrowing necessary funds.
4. Assess whether the three existing streetcars are the best long-term investment for the city including *whether they can be adapted to new battery/capacitor or other non-overhead wire technologies*. Should they be kept with adaptation in order to be compatible with the streetcars that will be used on the rest of the system or sold? Demonstrate any benefit from acquisition of new cars based on technology that has advanced since these three were purchased.

Requirement III. DETAILED STREETCAR ROUTE & SCALED STREET PLAN -PHASE 1

1. For the entire system, show how the streetcar routes are consistent with the Council-adopted *Comprehensive Plan for the National Capital* goals for economic development, neighborhood conservation, historic preservation and other values expressed in the *Comprehensive Plan*.
2. Visually represent the following information in plan and elevations for all corridors in Phase I first, followed by Phases II and III:
 - Layout of tracks and shelters on all streets;
 - Impact of overhead wires on streetscape in terms of fire access, tree planting, safety, etc.;
 - Impact on bus routes and bus traffic, bus stops and requirements for buses to turn;
 - Location of streetcar stops
 - How/where parking and loading of freight will be accommodated;
 - Pedestrian crosswalks;
 - Bike lanes;
 - Turnarounds/turnbacks; and
 - Transformers
3. Review the selection of routes that DDOT made in light of the Comprehensive Plan. Some proposed routes run through or adjacent to neighborhood conservation areas per the Generalized Land Use Map, which shows how different parts of the city might change by 2025. The neighborhood conservation areas are not supposed to change, which calls into question how DDOT selected the routes. DDOT stated to Chairman Gray that the purpose of streetcars is to improve connectivity to metro and bus systems resulting in added capacity.
 - What is current usage at the metro stops that overlap with streetcars?

DDOT also says that streetcars will attract new development and new residents. The latter is an Office of Planning function and not DDOT function. Yet, DDOT says that OP's Master Land Use Plan will not change the routes.

- Who or what agency is now planning the city?

- Does DDOT have the authority to make land use decisions and if so, what kinds of decisions?
- Is DDOT assuming new development where land use maps show new development isn't warranted and that adjacent neighborhoods should be protected

4. For the system as a whole, show how the streetcars will function as part of each street, especially when those streets are quite narrow and the businesses do not have rear access to their properties for deliveries, as in Anacostia, and where inclines are significant, such as if the tracks are, in the future, to run over bridges.

5. Examine routes for areas where dedicated lanes might be possible and desirable to avoid congestion.

6. Give priority to streetcar routes that can be shown to provide immediate relief from high passenger demand and along streets where large-scale development is expected to occur, and where existing mass transit is inadequate and neighborhoods are underserved.

Requirement IV. ENVIRONMENTAL & HISTORIC PRESERVATION REVIEW

1. Reopen the Section 106 review of H St./Benning Road. (See rationale in discussion below.)

2. Relate all aspects of the streetcar system including location of maintenance and other streetcar facilities to the Council-adopted *Comprehensive Plan for the National Capital*.

3. Develop a full Environmental Impact Statement for the entire streetcar system. Identify all likely system-wide impacts including parking, overhead wires, sidewalk widths necessary to accommodate shelters, medians, electrical power generation required in relation to gasoline/diesel fuel combustion reduced, etc. Study the effects on traffic flow of automobiles and commercial vehicles if the streetcar breaks down. Consider issues related to pedestrians and cyclists including conflicts between bike wheels and tracks. (See below for discussion of the Federal Transit Administration's position on a system EIS vs. segmentation.)

4. Map the entire streetcar system including, but not limited to, the following mapping elements: streetcar routes, facilities projected in the Comprehensive Plan, historic districts, economic development districts, L'Enfant City boundaries and all other information related to economic, environmental and historic preservation concerns both now and in the foreseeable future.

5. Identify all environmental and historic preservation laws that pertain to these areas and detail how the city will comply with both study and mitigation requirements. Provide a timeline to accomplish these reviews and a well-articulated plan of public involvement in this review well in advance of announcing contracts for construction beginning on any segment.

6. Street construction to lay tracks may result in economic losses as other street improvements have in the recent past along H St./Benning Road and 8th St., SE. Determine how many anticipated and realized commercial economic losses that result from street improvements will be mitigated.

Requirement V. STREETCAR TECHNOLOGY ASSESSMENT & CONTRACTING FOR STREETCARS

1. The Council should contract with an outside independent consultant with expertise in mass transportation planning and funding who has no recent ties to DDOT to:

- Assess existing and emerging technologies worldwide with emphasis on non-overhead wire systems in light of the climate, operating conditions and special requirements for view protection in DC;
- Critique “open source” technology with analysis of its pros and cons;
- Lay out a clear strategy for competition among a variety of vendors and actively solicit their interest in the DC streetcar system;
- Examine system costs of various technologies including first-time and life-cycle costs of each feasible system;
- Place a premium on those technologies that are capable of moving substantial distances without wires.

2. DDOT should also consider a joint technology assessment with neighboring communities, especially Alexandria, that are also planning streetcar systems and have not yet determined what system they will implement. Such a joint study could result in saving both cost and time to address basic technological questions.

3. DDOT should spell out clearly the performance criteria for the system and detail how the agency will open up competition to a variety of propulsion technologies.

Requirement VI. COLLABORATIVE PLANNING PROCESS

The Federal Highway Administration (FHWA) has adopted as one of its Vital Few Goals, a planning process known as “context sensitive solutions” (CSS)¹. Research on this process shows that it results in better satisfaction for both the community and the professional practitioners, and in projects that can be accomplished without rancor and delay. A great deal of how-to literature exists on this process.

To facilitate a CSS process and achieve the tremendous benefits of CSS outcomes, Council should appoint an independent commission to exist for three years with potential for renewal, composed of professionally qualified individuals with industry expertise (including planning professionals, engineers, architects, lawyers with environmental/historic preservation expertise and environmental scientists) and affected community groups whose members reside in DC to monitor, review, comment and report to Council on:

- All aspects of planning for the streetcar system to lay the foundation for the nation’s best streetcar system;
- Collaboration with affected communities in all aspects of planning for the project;
- The city’s compliance with all the environmental and historic preservation review requirements of local and federal law;
- The land use plan; and
- Components under contract or assigned to staff.

¹ See, for example, the CSS home page, www.fhwa.dot.gov/planning/csstp/, and the fact sheet on *Guiding Principles for Integrating Context Sensitive Solutions in Transportation Planning*, www.fhwa.dot.gov/planning/csstp/cssprinc.pdf.

The Commission would have no operating authority or responsibility and would be advisory to the Council, reporting monthly on progress towards goals.

The Commission would serve as a collaborative framework with DDOT, OP and the public to review and comment on the tasks to be performed, ensuring that the right questions are asked and answered and that timelines are met.

Commission members should be provided DC-standard cost reimbursements, honoraria, etc., as applicable.

COMPLETE REPORT

STREETCAR PLANNING REQUIREMENTS

(Sources include, among others: the Request for Qualifications (RFQ issued by DDOT in early 2010); DDOT's May 14, 2010 response to Chairman Gray's questions; letters regarding tunnel under H St. Overpass from AMTRAK and Potomac Development)

Requirement I. STREETCAR BUSINESS, FINANCIAL & GOVERNANCE PLAN

Status: As of June 10, 2010, DDOT had not prepared a basic business or financial plan for the streetcar system.

DDOT's Statements:

RFQ: "The District will need a broad range of financial expertise, including but not limited to: financial planning and identifying, negotiating and securing funding for the streetcar system from the federal government and private sector."

Responses to Chairman Gray's Questions:

- *Question #1:* DDOT estimated the cost to complete the H Street-Benning Road would be \$18M for 6 more streetcars and \$45M for design/construction. The operating costs for that section are \$3M a year, about 1/3 from farebox revenues.
- *Question #2:* For the entire system, about half the project cost would come from private funding, likely in the form of a tax on the properties along the route.
- *Question #1 & #3:* DDOT assumes about a fourth of the project cost will be local funding, an equal amount from federal funding and about half funded privately, likely from a tax on the adjacent property owners.
- *Question #7:* DDOT has not yet developed a governance structure, but is committed to doing so.
- *Question #8:* DDOT expects the operator to negotiate wages.
- *Question #9:* DDOT has not developed a fare structure.

Immediate Problems and Issues for H St./Benning Rd., Phase 1, Segment 1

Merchants along H St./Benning Rd. do not understand how much they will be assessed to pay for the streetcar line. There appears to have been little if any formal discussion of assessment models with local property owners along this corridor.

WHAT COUNCIL SHOULD REQUIRE DDOT TO DO:

I. DEVELOP STREETCAR BUSINESS, FINANCIAL & GOVERNANCE PLANS

1. Assess all potential funding sources, and requirements to participate in that funding, to finance the capital, operating and maintenance requirements of the system. Include a realistic analysis of various scenarios and conditions for: federal funds, DC bonding authority for capital projects, private investment and return, fare box revenue, and special business and other property assessments.
2. Council should carefully evaluate the **assumptions** that DDOT is using to plan the streetcar system including:
 - a. Distribution of costs to complete:
 - Phase 1, 32% local; 20% federal; 48% private (\$270M)
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 - Has the federal government given the city any assurance that it will give city this funding?
 - Is Council committing to a high cost system that even at a 32% funding level will be unachievable? What if other funding sources and levels are not accurate?
 - Is DDOT safe in assuming that it can assess landowners along routes upwards of \$520M for capital costs reasonable since they have only talked to some developers? Will these developers and other land owners attempt to transfer costs by seeking tax exemptions or tax abatements
 - What is the likely impact on small, minority, or other existing businesses? What, if any, is the potential for the streetcar system to destabilize neighborhoods by raising property assessments and taxes and forcing existing residents and businesses to leave, ushering in gentrification?
 - b. Distribution of costs to operate: 33% farebox; 66 % from what other revenues? Or no charge?
 - Council must know what the fare will likely be in order to determine the viability of public funding.
 - How much of the city's costs will come from dedicated revenue stream based on property assessments or tax increment financing? Will this push out current residents and businesses and replace with gentrification and franchises replacing local business owners?
 - Determine what merchants, homeowners and other land holders along all streetcar corridors will be expected to pay under various funding models and economic scenarios related to property values assuming increases, decreases and static property values.
3. Build on DC Surface Transit's financing options study, *VALUE CAPTURE AND TAX-INCREMENT FINANCING OPTIONS FOR STREETCAR CONSTRUCTION*, *The Brookings Institution, HDR, Re-Connecting America, RCLCO, June 2009*, selecting and updating the most promising potential financing options, and developing specific numbers for properties along H St./Benning Road.
4. Fully engage merchants and ANCs along the route in determining the most promising financial options to cover debt service and long-term operations and maintenance.
5. Assess the pros and cons of alternative governance plans in light of the experience with Metro and DC Surface Transit's experience with the Circulator.

Requirement II. STREETCAR FACILITIES & EQUIPMENT PLAN

Status: As of June 10, 2010, DDOT had not prepared a Facilities and Equipment Plan for the streetcar system.

DDOT's Statements:

RFQ: "The District will need assistance in developing operating plans for streetcar segments. In addition, it will require support in developing and procuring a long-term operating and maintenance contract for the DC Streetcar system. It is also seeking assistance in creating a safety plan for the streetcar systems. In addition, it will need assistance in reviewing the work of Design/Build contractors to ensure that all segments designed and constructed as part of the DC Streetcar system are operable, efficient and safe."

"In addition, it (the city) will need assistance in reviewing the work of Design/Build contractors to ensure that all segments designed and constructed as part of the DC Streetcar system are operable, efficient and safe."

Responses to Chairman Gray's Questions:

- *Question #11:* DC plans to operate a hybrid system that can operate with and without wires. DDOT did not answer subpart c of Question 11 that asked about retrofitting the three cars already purchased by DC. (Note: The April 10, 2009 Portland Streetcar *Battery Drive Feasibility Study* determined these cars cannot be retrofitted for hybrid operation.)
- *Questions #13 & #16:* The preferred plan for storage and a maintenance facility is under the H Street Overpass referred to in "Western Terminus Options." Those facilities would be accessed through the tunnel under the AMTRAK tracks. DDOT described the H St. Bridge surface route as an excessively expensive option that would require significant reconstruction of the bridge.

DDOT's Plans to Use Land Owned by AMTRAK and Potomac Development Corp.

- DDOT plans to use the area under the H St. Overpass across 2nd St., NE, through the tunnel under Union Station owned by Potomac Development Corporation and AMTRAK, and across 1st St. on a temporary basis as a passenger connection to Union Station; and, on a permanent basis, as a secondary maintenance facility on city-owned land between 1st and North Capitol Streets. Passengers would be temporarily discharged in the AMTRAK portion of the tunnel to connect with Metro until such time as the H Street overpass is reconstructed to extend the system to the west towards K Street.
- DDOT is seeking permission to use areas owned by Potomac Development and AMTRAK for these purposes.

Immediate Problems and Issues for H St./Benning Rd., Phase I, Segment 1

1. Current DDOT plans promise more extensive long-term disruptions and additional expenses from construction on or near the H St. Bridge.

The apparent need for running the streetcar tracks in under the H Street Bridge and the Union Station tunnels appears to be driven by DDOT's need for a maintenance and storage facility for

this initial segment. Once the Anacostia streetcar segment is connected, the principal maintenance and storage facility is planned for east of the river.

DDOT plans to use the underpass area for passenger service on a temporary basis, only until such time as the streetcar route is extended to the west. In order to connect to Union Station and the as-yet-to-be-approved Ackridge development, the streetcar tracks will eventually be duplicated over the overpass, and the Union Station passenger stop will be rebuilt near the top of the overpass. The proposed maintenance facility west of 1st St. would continue as a secondary facility. While the intensity of use of the tunnel would change, it would not be eliminated.

The bridge over the tracks is not in good condition and is scheduled to be rebuilt to bear the load of streetcar rails and cars and to accommodate cutting the paving to recess the rails and their separators and insulation (which the existing bridge cannot handle). Note DDOT's Response 13, "Western Terminus Options" in which DDOT describes the bridge surface route as an excessively expensive option that would require significant reconstruction of the bridge.

2. DDOT has not obtained authorization from either AMTRAK or PDC to use the tunnel and serious questions remain about the viability of this option. This casts uncertainty about where and how the H St./Benning Road line will negotiate a turn back, where cars will be stored and maintained, and how various side streets will be affected by delay and construction.

PDC has told DDOT that this plan would "unreasonably interfere with our use of said tunnel and the adjacent public space, which is critical for access to our garage and loading dock, and essential to the operation of our building." DDOT has said the City may have to resort to a taking/condemnation that PDC has said it will fight.

AMTRAK has raised serious questions about security and their own long-term plans for use of this area that will be very difficult for DDOT to address.

WHAT COUNCIL SHOULD REQUIRE DDOT TO DO:

II. DEVELOP A STREETCAR FACILITIES & EQUIPMENT PLAN

1. Develop a detailed system-wide master plan for operating and maintenance facilities, streetcar equipment and contracts to service the capital investment in the system.
2. Determine all right-of-way ownerships and begin early discussion with private owners whose property may be affected adversely by the location of these facilities. Assess the costs of condemnation in terms of time, money and good will.
3. Develop a detailed budget for facilities and equipment including land acquisition; payments for condemnation; equipment and labor associated with road construction and laying of tracks; equipment and labor associated with operation and maintenance of the streetcars, tracks, equipment and facilities; and address the cost of various options for borrowing necessary funds.
4. Assess whether the three existing streetcars are the best long-term investment for the city including *whether they can be adapted to new battery/capacitor or other non-overhead wire technologies.* Should they be kept with adaptation in order to be compatible with the streetcars that will be used on the rest of the system or sold? Demonstrate any benefit from acquisition of new cars based on technology that has advanced since these three were purchased.

Requirement III. DETAILED STREETCAR ROUTE & SCALED STREET PLAN -PHASE 1

Status: As of June 10, 2010, DDOT has prepared maps showing 37 miles of streetcar routes to be constructed in three phases. DDOT has laid out the basic routes, but has not addressed where the tracks will be placed along these routes, how they will affect parking or deliveries to businesses, or effects on pedestrians and cyclists. For example, the K St. Transit Way was proposed and approved without a streetcar. How will streetcars affect that plan?

The routes in Anacostia, part of Phase 1, have met with some opposition because of narrow street widths and because there has been no analysis of how residential and business parking and loading requirements would be met, or how existing bus service along these routes would be affected by the addition of a streetcar. The 8th St., SE corridor has met with opposition based on various factors including the current plan to use overhead wire technology through the historic district. DDOT needs to further study and modify these and other routes.

DDOT's Statements:

RFQ: "DDOT faces several legal challenges to developing and operating its streetcar system. The District currently bans overhead wires within the original L'Enfant City and Georgetown. Overturning these bans will require action at both the local and federal level."

Responses to Chairman Gray's Questions:

- *Questions #13 and #16:* Only parts of the H-Street-Benning Road and Anacostia Initial Segment have been designed and are under construction. There are significant obstacles to the maintenance and storage facilities needed to support these segments.
- *Question #15:* There are issues about the viability of the MLK portion of the Anacostia segment.

Immediate Problems and Issues for H St./Benning Rd., Phase 1, Segment 1

The tracks are laid on this corridor and, when construction is completed, this segment of the route will be ready for operation. However, a few issues remain to be clarified:

- Number, size, placement and design of substations and their compliance with the H Street Design Guidelines
- Long-term plan for planting trees along this virtually treeless corridor, assuming the presence of overhead wires and the existing sidewalk widths are maintained
- Fire Marshal's plan to ensure access to upper stories of buildings if needed

WHAT COUNCIL SHOULD REQUIRE DDOT TO DO:

III. DEVELOP A DETAILED STREETCAR ROUTE & SCALED STREET PLAN -PHASE 1

1. For the entire system, show how the streetcar routes are consistent with the Council-adopted *Comprehensive Plan for the National Capital* goals for economic development, neighborhood conservation, historic preservation and other values expressed in the *Comprehensive Plan*.
2. Visually represent the following information in plan and elevations for all corridors in Phase I first, followed by Phases II and III:
 - Layout of tracks and shelters on all streets;
 - Impact of overhead wires on streetscape in terms of fire access, tree planting, safety, etc.;
 - Impact on bus routes and bus traffic, bus stops and requirements for buses to turn;
 - Location of streetcar stops
 - How/where parking and loading of freight will be accommodated;
 - Pedestrian crosswalks;
 - Bike lanes;
 - Turnarounds/turnbacks; and
 - Transformers
3. Review the selection of routes that DDOT made in light of the Comprehensive Plan. Some proposed routes run through or adjacent to neighborhood conservation areas per the Generalized Land Use Map, which shows how different parts of the city might change by 2025. The neighborhood conservation areas are not supposed to change, which calls into question how DDOT selected the routes. DDOT stated to Chairman Gray that the purpose of streetcars is to improve connectivity to metro and bus systems resulting in added capacity.
 - What is current usage at the metro stops that overlap with streetcars?

DDOT also says that streetcars will attract new development and new residents. The latter is an Office of Planning function and not DDOT function. Yet, DDOT says that OP's Master Land Use Plan will not change the routes.

- Who or what agency is now planning the city?
 - Does DDOT have the authority to make land use decisions and if so, what kinds of decisions?
 - Is DDOT assuming new development where land use maps show new development isn't warranted and that adjacent neighborhoods should be protected
4. For the system as a whole, show how the streetcars will function as part of each street, especially when those streets are quite narrow and the businesses do not have rear access to their properties for deliveries, as in Anacostia, and where inclines are significant, such as if the tracks are, in the future, to run over bridges.
 5. Examine routes for areas where dedicated lanes might be possible and desirable to avoid congestion.
 6. Give priority to streetcar routes that can be shown to provide immediate relief from high passenger demand and along streets where large-scale development is expected to occur, and where existing mass transit is inadequate and neighborhoods are underserved.

Requirement IV. ENVIRONMENTAL & HISTORIC PRESERVATION REVIEW

Status: As of June 2010, DDOT has said that there will be no system-wide environmental review since, the agency reports, FTA will not fund it and does not believe it to be necessary; therefore, DDOT plans formal environmental and historic preservation review only segment-by-segment where federal funds are involved.

The Office of Planning is conducting a Master Land Use study three blocks deep on either side of the proposed tracks for the full system. It is unclear how this study will address historic and environmental issues, how the public will participate, how the study will be framed, and how the contractor on the study will be selected, e.g., full and open competition.

DDOT's Statements

Response to Gray:

- *Question #5:* DDOT intends to begin NEPA assessments in the summer of 2010 for Anacostia Phase II, the Benning Road Extension and the K Street Transitway.
- *Question #6:* DDOT is in consultation with FTA to determine the level of environmental review for future segments.
- *Question #10:* OP is undertaking a Master Land Use Plan for the streetcar system that will address historic and cultural resources.

Immediate Problems and Issues for H St./Benning Rd., Phase 1, Segment 1

Since laying the tracks was added into a federally funded project (H St. streetscape improvements), the project's 106 review should have been re-opened whether the funds for tracks were local or federal, because the project was no longer being carried out as reviewed by the Historic Preservation Officer (HPO). When the HPO conducted Section 106 review of the H Street/Benning Rd. streetscape improvement project, the streetcar tracks were not part of the project. The review resulted in a finding of No Adverse Effect.

Streetcar tracks were added to the project later, at which time Section 106 review should have been reopened per section 800.5(d)(1) of the Section 106 regs [36 CFR Part 800 -- Protection of Historic Properties], where the last sentence says, "If the agency official will not conduct the undertaking as proposed in the finding, the agency official shall reopen consultation under paragraph (a) of this section." Adding streetcar tracks to the project was a sufficiently substantial change to the project as reviewed by HPO that Section 106 consultation should have been reopened.

Examples of adverse effects in the 106 regs at 800.5(a)(2) include "Change in the character of the property's use or of physical features within the property's setting that contribute to its historic significance" and "Introduction of visual...elements that diminish the integrity of the property's significant historic features." Further, when considering whether a project could have adverse effects, the Sec. 800.5(a)(1) of the regulations state that "Adverse effects may include reasonably foreseeable

effects caused by the undertaking that may occur later in time, be farther removed in distance or be cumulative."

Certainly a "reasonably foreseeable" effect of laying streetcar tracks for streetcars that will be dependent on overhead wires is the introduction of visual elements to the streetscape that could have adverse effects in historic areas. Also, adding streetcars and their tracks and support structures comprises a change in the property's use from its present use by only cars, trucks, and buses.

WHAT COUNCIL SHOULD REQUIRE DDOT TO DO:

IV. CONDUCT ENVIRONMENTAL & HISTORIC PRESERVATION REVIEW

1. Reopen the Section 106 review of H St./Benning Road. (See rationale in discussion below.)
2. Relate all aspects of the streetcar system including location of maintenance and other streetcar facilities to the Council-adopted *Comprehensive Plan for the National Capital*.
3. Develop a full Environmental Impact Statement for the entire streetcar system. Identify all likely system-wide impacts including parking, overhead wires, sidewalk widths necessary to accommodate shelters, medians, electrical power generation required in relation to gasoline/diesel fuel combustion reduced, etc. Study the effects on traffic flow of automobiles and commercial vehicles if the streetcar breaks down. Consider issues related to pedestrians and cyclists including conflicts between bike wheels and tracks. (See below for discussion of the Federal Transit Administration's position on a system EIS vs. segmentation.)
4. Map the entire streetcar system including, but not limited to, the following mapping elements: streetcar routes, facilities projected in the Comprehensive Plan, historic districts, economic development districts, L'Enfant City boundaries and all other information related to economic, environmental and historic preservation concerns both now and in the foreseeable future.
5. Identify all environmental and historic preservation laws that pertain to these areas and detail how the city will comply with both study and mitigation requirements. Provide a timeline to accomplish these reviews and a well-articulated plan of public involvement in this review well in advance of announcing contracts for construction beginning on any segment.
6. Street construction to lay tracks may result in economic losses as other street improvements have in the recent past along H St./Benning Road and 8th St., SE. Determine how many anticipated and realized commercial economic losses that result from street improvements will be mitigated.

Requirement V. STREETCAR TECHNOLOGY ASSESSMENT & CONTRACTING FOR STREETCARS

Status: As of June 10, 2010, DDOT had produced no plan or rationale for its choice of overhead wire streetcar technology – including a full explanation of the benefits of open-source technology as opposed to proprietary technology -- in spite of the fact that overhead wires do not comply with the 1889 law and do not meet the concerns expressed by the National Capital Planning Commission (NCPC) in 2007 and more recently in meetings.

DC Surface Transit held a very informative panel session with representatives from the American Public Transit Association to review the state of technology and hear the opinions of some industry and association experts on technology developments.

On June 22, 2010, the Council will hold hearings on a bill sponsored by Council Member Wells to overturn the 1889 law.

DDOT's Statements

RFQ: “DDOT is committed to utilizing a vehicle that can operate for limited distances (up to 1 mile) without the benefit of overhead power supply. This is critical to addressing the concerns of key stakeholders concerning the preservation of critical viewsheds or areas of particular scenic or historical value.”

Responses to Chairman Gray's Questions:

- *Question #11:* DDOT is committed to operating a hybrid system that can run wireless for limited distances.
- *Question #12:* DC is collaborating with the City of Portland and United Streetcar to develop a hybrid propulsion system.

Immediate Problems and Issues for H St./Benning Rd., Phase 1, Segment 1

DDOT is determined to move forward with an overhead-wire system on H St. and to acquire six more cars immediately to operate along this entire route. This raises questions of competitive bidding that have not been addressed.

Whereas there is general agreement that “open source” battery/ultracapacitor or other non-overhead wire technology has not reached the point where it can power streetcar systems for all but short distances; and whereas there are concerns about installation of 3rd rail systems, why is the city limiting its options to as-yet-to-be-developed technology from United Streetcars? Further, the design-build contract with United Streetcar would be a sole-source contract and would not benefit from competition from other technologies already available and installed in Europe and Japan.

WHAT COUNCIL SHOULD REQUIRE DDOT TO DO:

V. CONDUCT A STREETCAR TECHNOLOGY ASSESSMENT & DEVELOP GUIDELINES FOR CONTRACTING FOR STREETCARS

1. The Council should contract with an outside independent consultant with expertise in mass transportation planning and funding who has no recent ties to DDOT to:

- Assess existing and emerging technologies worldwide with emphasis on non-overhead wire systems in light of the climate, operating conditions and special requirements for view protection in DC;
- Critique “open source” technology with analysis of its pros and cons;
- Lay out a clear strategy for competition among a variety of vendors and actively solicit their interest in the DC streetcar system;
- Examine system costs of various technologies including first-time and life-cycle costs of each feasible system;
- Place a premium on those technologies that are capable of moving substantial distances without wires.

2. DDOT should also consider a joint technology assessment with neighboring communities, especially Alexandria, that are also planning streetcar systems and have not yet determined what system they will implement. Such a joint study could result in saving both cost and time to address basic technological questions.

3. DDOT should spell out clearly the performance criteria for the system and detail how the agency will open up competition to a variety of propulsion technologies.

Requirement VI. COLLABORATIVE PLANNING PROCESS (a.k.a. Context-Sensitive Solutions – one of FHWA’s Vital Few Goals)

Status As of June 10, 2010, DDOT had previewed all routes in public meetings and has been available for follow-up meetings in neighborhoods and with interested groups as requested. In late summer/fall of 2009 DDOT held meetings in every ward to share the proposed streetcar routes. These gatherings were primarily to review display boards and were not accompanied by facilitated group discussion and dialogue about the structure and financing of the system as a whole, the effects of any particular route on the community, or other questions fundamental to the system.

DDOT is engaging the public through very limited means in shaping the streetcar system. Community meetings have been mostly top-down presentations of pre-determined routes without real dialogue or field assessment with community members along those routes. Further, DDOT has submitted sketchy background information on the business aspects of the system to the public. A number of routes raise serious questions that need to be addressed *collaboratively*, particularly on narrow streets where parking and loading would be adversely affected (especially so in Anacostia).

The Land Use study related to streetcars that the Office of Planning (OP) will conduct will focus on a corridor three blocks wide on each side of the streetcar line. The study will be “informational” in nature, with any zoning or Comprehensive Plan changes going through the usual approval channels. It is unclear how the public will participate in the study. This study should be informed by active community dialogue, fulfill the goals and intentions of the Comprehensive Plan; it should not be driven primarily by a desire for building density that would adversely impact many residential areas.

To date, DDOT and OP have produced no plan for collaborative and transparent public participation in the many planning tasks outlined above. The failure to lay out basic financial, operations and maintenance, technology and other ideas for *public discussion*; and the failure to contact affected property owners in a transparent and timely manner and bring them into a collaborative planning process is causing many people to feel frustrated and cynical about the entire streetcar effort.

DDOT’s Statements

RFQ: “The District has not developed a strategic communications plan for the streetcar system. In addition, the project has not developed a project communications plan. The lack of both of these has made it difficult for DDOT to communicate the progress of individual projects and the program to the community and interested stakeholders.

The District will need assistance in developing and managing a strategic and project communications plan, developing communications collateral, and engaging key stakeholders in the community and in the local and federal government.”

Responses to Chairman Gray’s Questions:

- *Question #7:* DDOT states that it will work with the Council to develop a structured, transparent decision-making process for the Streetcar system. DDOT is initiating a planning study that will engage the public.

- *Question #10:* The Streetcar Master Land Use Plan will hold public briefings during Phase 2.

- *Question #19:* DDOT supports efforts to insure the streetcar planning process has substantial public engagement.

Immediate Problems and Issues for H St./Benning Rd., Phase 1, Segment 1

A number of business owners along H St. feel that they do not understand how the system will be financed and how it can be expected to improve their bottom line. Some express resignation that the city will once again assess them and that they will just have to pass it along to customers.

WHAT COUNCIL SHOULD REQUIRE DDOT TO DO:

VI. ESTABLISH A COLLABORATIVE PLANNING PROCESS

The Federal Highway Administration (FHWA) has adopted as one of its Vital Few Goals, a planning process known as “context sensitive solutions” (CSS)². Research on this process shows that it results in better satisfaction for both the community and the professional practitioners, and in projects that can be accomplished without rancor and delay. A great deal of how-to literature exists on this process.

To facilitate a CSS process and achieve the tremendous benefits of CSS outcomes, Council should appoint an independent commission to exist for three years with potential for renewal, composed of professionally qualified individuals with industry expertise (including planning professionals, engineers, architects, lawyers with environmental/historic preservation expertise and environmental scientists) and affected community groups whose members reside in DC to monitor, review, comment and report to Council on:

- All aspects of planning for the streetcar system to lay the foundation for the nation’s best streetcar system;
- Collaboration with affected communities in all aspects of planning for the project;
- The city’s compliance with all the environmental and historic preservation review requirements of local and federal law;
- The land use plan; and
- Components under contract or assigned to staff.

The Commission would have no operating authority or responsibility and would be advisory to the Council, reporting monthly on progress towards goals.

The Commission would serve as a collaborative framework with DDOT, OP and the public to review and comment on the tasks to be performed, ensuring that the right questions are asked and answered and that timelines are met.

Commission members should be provided DC-standard cost reimbursements, honoraria, etc., as applicable.

² See, for example, the CSS home page, www.fhwa.dot.gov/planning/csstp/, and the fact sheet on *Guiding Principles for Integrating Context Sensitive Solutions in Transportation Planning*, www.fhwa.dot.gov/planning/csstp/cssprinc.pdf.