

NATIONAL CAPITAL PLANNING COMMISSION

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COMMISSION MEETING

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OPEN SESSION

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THURSDAY,
JULY 9, 2009

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The meeting convened in Room 5115, Suite
500, 401 9th Street, N.W., Washington, D.C.

20004, at 12:30 p.m., John V. Cogbill, III,
Chairman, presiding.

NATIONAL CAPITAL PLANNING COMMISSION MEMBERS
PRESENT:

JOHN V. COGBILL, III, Chairman
HERBERT F. AMES, Presidential Appointee

JOHN M. HART, Presidential Appointee
PETER MAY, Department of Interior
MICHAEL S. MCGILL, General Services
Administration
WILLIAM MILES, Committee on Government
Oversight and Reform,
U.S. House of Representatives

ROBERT E. MILLER, Council of the District
Of Columbia

RALPH NEWTON, Department of Defense
HARRIET TREGONING, Office of the Mayor of
the District of Columbia

NCPC STAFF PRESENT:

MARCEL C. ACOSTA, Executive Director

LOIS J. SCHIFFER, General Counsel

DEBORAH B. YOUNG, Secretariat

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1 P-R-O-C-E-E-D-I-N-G-S

2 12:36 p.m.

3 CHAIRMAN COGBILL: Noting the
4 presence of a quorum, I'll call the meeting to
5 order.

6 If there is no objection, the open
7 session agenda will be adopted as the order of
8 business. Seeing and hearing no objection,
9 the open session agenda is adopted.

10 [INSERT - Open Session Agenda]

1 REPORT OF THE CHAIRMAN

2 CHAIRMAN COGBILL: Item No. 1 is
3 the Report of the Chair.

4 The Chair has no report at this
5 time.

6 Agenda Item No. 2 is the Report of
7 the Executive Director, Mr. Acosta.

8 REPORT OF THE EXECUTIVE DIRECTOR

9 EXECUTIVE DIRECTOR ACOSTA: Thank
10 you, Mr. Chairman, and good afternoon.

11 In lieu of my regular report
12 today, I'd like to take this opportunity to
13 have staff brief the Commission on our
14 progress on the Federal Triangle Heritage
15 Trail, which was one of the short-term
16 initiatives of our Monumental Core Framework
17 Plan.

18 And so, what I'd like to do is
19 invite Shane Dettman, who is the Project
20 Manager, to come up and give you a brief
21 status report.

22 [INSERT - Executive Director's Report]

1 [INSERT - Embassy of the Hashemite Kingdom
2 of Jordan]

1 MR. DETTMAN: Good afternoon, Mr.
2 Chairman, and Members of the Commission.

3 I'd like to briefly discuss a
4 project that staff is currently undertaking to
5 put together an assessment report that will
6 look at what it will take to develop a
7 Heritage Trail in and around the Federal
8 Triangle.

9 The assessment report is being
10 prepared in partnership with a local non-
11 profit organization called Cultural Tourism
12 D.C., and upon completion will be used to
13 garner support and funding for a follow-up
14 initiative to design and implement the actual
15 Heritage Trail.

16 Staff has bene working closely
17 with the General Services Administration,
18 National Park Service, and the D.C. Office of
19 Planning, and would like to thank them for
20 their continued support on this project.

21 Before I discuss the specifics of
22 the assessment report, I'd like to start off

1 by briefly describing what a heritage trail
2 is, and what could be accomplished if one was
3 developed for the Federal Triangle area.

4 A heritage trail is a collection
5 of signs that together make up a self-guided
6 walking tour for a neighborhood. The signs
7 combine stories, photography, maps, and
8 information to tell neighborhood history,
9 highlight cultural assets, and focus on
10 visible art and architecture.

11 The existing series of heritage
12 trails that are located around the City
13 average around 1.8 to 2 miles in length,
14 contain, approximately, 18 signs each, and
15 take about two years to fully implement.

16 The image you see here is an
17 example of a downtown heritage trail sign, and
18 is located near 10th Street and Pennsylvania
19 Avenue.

20 The idea of developing a heritage
21 trail in the Federal Triangle dates back to
22 1982, when it was first recommended in the

1 Federal Triangle Master Plan of that same
2 year.

3 The image you see here is taken
4 from that master plan and identifies a
5 conceptual heritage trail route connecting
6 many of the public spaces, courtyards, and
7 other points of interest throughout the
8 Federal Triangle.

9 Support for this idea was
10 reinforced in the 1988 Revision to the Master
11 Plan, as well as in the urban design
12 guidelines prepared in 1998 to address issues
13 related to perimeter and entrance security.

14 Most recently, the development of
15 a heritage trail was recommended in the
16 recently adopted Monumental Core Framework
17 Plan as a near-term initiative to improve the
18 accessibility of the Federal Triangle, and
19 weave together its parks, public spaces and
20 civic art.

21 Subsequent to the Commission's
22 adoption of the Framework Plan, the Federal

1 Triangle Heritage Trail was one of the first
2 initiatives being advanced by staff through
3 the development of this assessment report.

4 Successful implementation of the
5 Federal Triangle Heritage Trail will
6 accomplish several goals. It will improve
7 pedestrian connections between downtown and
8 the National Mall, and facilitate better
9 east/west circulation. It will enliven and
10 further the programming of the public spaces
11 within the area. It will connect and extend
12 the existing system of heritage trails, and
13 encourage people to venture off the National
14 Mall and into the City's neighborhoods and
15 businesses.

16 It will be able to showcase the
17 history, public art and civic architecture of
18 this area, and educate the public on the
19 history and mission of past and present
20 government agencies.

21 In addition to highlighting the
22 government agencies, it will provide us with

1 an opportunity to recognize government
2 employees and the important work they do for
3 the American public.

4 As I've already stated, NCPC has
5 partnered with Cultural Tourism D.C., to
6 complete an assessment report that provides a
7 preliminary look at the research, outreach and
8 collaboration that will be necessary to
9 implement the heritage trail.

10 The list you have before you
11 describes the topics that will be touched upon
12 in the final report. It will address
13 stakeholder and community coordination,
14 provide a broad survey of the area's cultural
15 assets, address relevant Federal and local
16 regulations, and provide an implementation
17 time line with cost estimates.

18 Upon completion, this report will
19 be used to build support and identify funding
20 for the trail, as well as guide the process of
21 the trail's future design and implementation.

22 This follow-up process will be

1 driven by input from stakeholder agencies,
2 government employees, as well as the general
3 public.

4 The study area boundary will be
5 used to prepare the assessment report, and the
6 study report being used to prepare the
7 assessment report is the same area used for
8 the Framework Plan's Federal Triangle Precinct
9 and it's indicated in yellow on this graphic.
10 This boundary encompasses the area that is
11 commonly regarded as the Federal Triangle
12 shown in blue, as well as the areas
13 immediately to the north of Pennsylvania
14 Avenue and the south of Constitution Avenue.

15 Including these areas will allow
16 us to weave together the existing downtown
17 heritage trail indicated in red, with the
18 future Federal Triangle Heritage Trail, as
19 well as help to blur the perceived boundaries
20 between the downtown Federal Triangle and the
21 National Mall.

22 Thus far, staff has hosted two

1 stakeholder meetings with many local and
2 Federal agencies, and will hold a third
3 meeting on July 15th.

4 The purpose of these meetings is
5 to conduct a preliminary survey of potential
6 themes and topics that could be incorporated
7 into the heritage trail.

8 To help facilitate these
9 discussions, participants are asked to answer
10 three basic questions. What stories do we
11 want to tell along the trail? Where within
12 the public space in or near the Federal
13 Triangle should we tell these stories? And,
14 what resources are available to help tell
15 these stories?

16 The graphic you see here is a
17 product of our last meeting, where
18 participants were asked to identify on a map
19 where a particular story could be told.

20 I'd like to thank GSA for their
21 support in assisting staff to reach out to
22 each agency inside the Federal Triangle. As

1 this project progresses, their support and
2 participation will be essential to the success
3 of this effort.

4 These next few graphics describe
5 some of the stories that were suggested by the
6 stakeholders, and offers a glimpse of the
7 content that could, ultimately, be included in
8 the heritage trail. Stakeholders suggested
9 that we could tell the story of when a canal
10 ran along what is today Constitution Avenue,
11 and talk about how a major train station used
12 to be located on the National Mall, and was
13 the scene of a presidential assassination.

14 We could recall how important
15 government documents were cared for prior to
16 the construction of the National Archives, and
17 talk about the efforts of the Pennsylvania
18 Avenue Development Corporation to revitalize
19 and beautify America's main street.

20 And finally, we can inform people
21 of the ceremonial role Pennsylvania Avenue has
22 played in the shaping of the history of our

1 Nation.

2 To conclude, here is the time line
3 for the completion of the Federal Triangle
4 Heritage Trail assessment report. Between now
5 and the end of September, staff will continue
6 working closely with the stakeholders and
7 begin drafting the report.

8 It is anticipated that the final
9 report will be submitted to the Commission at
10 the October meeting, and will be submitted in
11 accordance with the Commission's new adoption
12 and review policies.

13 Mr. Chairman, that concludes my
14 presentation, and I am available to answer any
15 questions that the Commission may have.

16 CHAIRMAN COGBILL: Thank you very
17 much.

18 Are there questions from the
19 Commission? Comments?

20 That's a very good report,
21 appreciate that, and, Mr. Costa, I think this
22 is a good idea to allow us to have incite into

1 some of the things you are doing with this
2 type of report. This is very helpful.

3 And, I do commend to each of you
4 the other items in the Executive Director's
5 Report. It's always got a lot of good
6 information about what the Commission is
7 doing.

8 Back to you, sir.

9 EXECUTIVE DIRECTOR ACOSTA: Thank
10 you. I just have one more announcement to
11 make.

12 I'd like to introduce a new staff
13 member to the Commission, Andrea Lytle, that
14 is joining us for four months as a community
15 planner. Ms. Lytle has a new graduate degree
16 from Davidson College. She also holds a
17 Master's degree in City and Regional Planning
18 from the Georgia Institute of Technology, and
19 has worked as a planner for a local
20 jurisdiction and a regional council of
21 government in North Carolina and Georgia.

22 So, I'd like to welcome Andrea to

1 our Commission.

2 CHAIRMAN COGBILL: Welcome, glad
3 to have you.

4 EXECUTIVE DIRECTOR ACOSTA: And,
5 that concludes my report.

6 CHAIRMAN COGBILL: Thank you.

7 CONSENT CALENDAR

8 All right. We'll move to Agenda
9 Item No. 3, which is the Consent Calendar.
10 Are there any questions or concerns about the
11 consent calendar?

12 I'll entertain a motion.

13 COMMISSIONER AMES: So moved, Mr.
14 Chairman.

15 CHAIRMAN COGBILL: All right.
16 There is a motion made to approve Items 3A
17 through 3H on the Consent Calendar. Is there
18 a second?

19 COMMISSIONER HART: Second.

20 CHAIRMAN COGBILL: Seconded by Mr.
21 Hart.

22 Further discussion?

1 All those in favor of the motion
2 please signify by saying aye.

3 (Ayes.)

4 CHAIRMAN COGBILL: Opposed?

5 None.

6 Abstentions?

7 None.

8 The motion carries.

9 I neglected to mention that on the
10 delegated items we did have a letter that came
11 in from the National Law Enforcement Officers
12 Memorial Fund, which, basically, concurred
13 with the action we are taking, was very
14 complimentary of the working relationship that
15 now exists between the parties, so I wanted to
16 point that out, because that's good news and
17 I'm glad to hear that.

18 [INSERT - National Law Enforcement Officers
19 Memorial Fund Letter]

1 [INSERT - Consent Items]

1 ACTION ITEMS - 4A

2 CHAIRMAN COGBILL: Agenda Item No.

3 4A is the Wayfinding and Sign Program --
4 Pedestrian Guide Pylons and Map Kiosks for the
5 National Mall and East Potomac Park.

6 Ms. Witherell.

7 MS. WITHERELL: Good afternoon,
8 Mr. Chairman and members of the Commission.

9 The National Park Service has
10 returned for our review of the second
11 component of their proposed sign program for
12 the National Mall, and these are the signs
13 designed for wayfinding and orientation, and
14 are the signs that compliment the District's
15 wayfinding signs, which are the blue DDOT
16 signs, and the orientation maps of the
17 Smithsonian and the architect of the Capitol,
18 and they are returning for final site
19 development review today.

20 The sign program will be
21 implemented in the area managed by the
22 National Park Service shown here in green, but

1 also including all of the Potomac Park.

2 From the inception of its
3 planning, the Park Service has envisioned its
4 sign program in the context of other signs on
5 the National Mall and in surrounding city
6 blocks. The Park Service has been working
7 with others on and around the Mall, to ensure
8 that visitors see layers of information, and
9 that the Mall visitors are appropriately
10 handed off to other areas, especially, to the
11 District's wayfinding signs.

12 Park Service has worked with the
13 Smithsonian and is continuing to work with the
14 D.C. Office of Planning and its partners,
15 including the bids, destination D.C., among
16 others, to develop the content for both the
17 pylons and the maps.

18 The use of the maps in conjunction
19 with the pylons is crucial since each format
20 provides information useful to understanding
21 the other format.

22 These are the signs to be

1 replaced. The congestion of pole-mounted
2 signs on the left, which includes destinations
3 and rules, and on the right is the present map
4 kiosk, which, although attractive, contains a
5 smaller map than what the Park Service is
6 proposing.

7 And, these are some of the
8 conditions that the Park Service is designing
9 for, the trees and vegetation, especially,
10 during the height of the summer tourist
11 season, has led to the proposal for pylons
12 with pictograms for major destinations placed
13 at path and street intersections. That is at
14 decision points, rather than signs posted
15 along the way, as you see in the upper left
16 photo. The pylons provide information on all
17 four sides, making them much more compact
18 means of conveying directions at intersections
19 than using several flat signs on posts.

20 And, just to refresh your memory,
21 two months ago at the May 7th meeting, you
22 reviewed and approved Park Service operational

1 and regulation signs, some examples of which
2 are shown here. And, as a result of your
3 comments on your site visit last month, when
4 you looked at a mock up of this regulatory
5 sign at the Lincoln, the Park Service is now
6 going to be fabricating that six inches higher
7 than what you saw, and you saw it at 4.6, and
8 it will be fabricated at 5 feet.

9 And then, last month at the June
10 4th meeting, you gave preliminary approval to
11 the wayfinding pylons and the map kiosks, and
12 you added suggestions for improving the signs,
13 both the content and the size. And, one of
14 your actions last month was to streamline the
15 form of this, and again, based on your
16 comments on the other smaller pylon this is
17 then increased in height.

18 These are, basically, the four
19 signs that you are looking at today. And, you
20 also made specific comments about increasing
21 the wayside map, which has been done.

22 So again, here are the appropriate

1 approximate numbers of the sign program: 102
2 signs, serving the purposes of wayfinding
3 orientation would be removed; and 113 pylons
4 and maps would be installed.

5 As with the operational signs, the
6 number of signs to be installed will depend
7 upon further review in the field on the part
8 of Federal agencies, including Commission
9 staff, so there may be a slight adjustment to
10 this number.

11 And, the identification sign
12 category has not been submitted for our review
13 yet.

14 And, just to refresh, this is the
15 proposed site plan for a large portion of the
16 Mall. And, at this scale we see the general
17 distributions of pylons and maps across the
18 mall. And again, in East Potomac Park, and
19 again, these are the four primary signs that
20 will be used, and last month, when some of the
21 Commissioners were on a site visit, they
22 looked at this pylon and again at this smaller

1 regulatory sign in this location.

2 \ And, just to refresh your memory,
3 there is one example of the large map sign
4 that will be used at the top of the
5 escalators, or near the escalator, at the
6 Smithsonian Metro Station that's on the Mall,
7 and then there's one example of a map that's
8 placed on the side of an accessory building.

9 And then, the other place where
10 you went to the site visit was in the Elm
11 Panel across from the American Indian Museum,
12 and you looked at a wayside sign, that is the
13 smaller of the maps, in relation to a pylon.

14 And again, here are the maps. The
15 vertical map, the tall vertical map on the
16 left, is 7'8" in height, almost 8 feet, and on
17 the reverse it says, "Plan Your Visit
18 Information," for sites on and off the Mall,
19 both Park Service and non-Park Service. It
20 includes website addresses, phone numbers and
21 photographs, so that visitors will be able to
22 identify the buildings some more easily.

1 And, the wayside maps are the
2 shorter ones, and you had quite a bit of
3 discussion on that last month, and you asked
4 that the maps be made larger, and they've been
5 made about 30 percent larger. The wayside,
6 the whole structure itself has been increased
7 from 4 to 5 feet in length, and so the map has
8 been increased correspondingly from 3 feet to
9 4 feet in, I guess I should say width, in this
10 direction.

11 The one on the right is the large
12 one to use at the Metro Station.

13 Now, moving on to the maps
14 themselves, the map kiosks will contain one of
15 two maps, oriented to the visitor's view.
16 This is the north facing map, which will be
17 used on the south side of the Mall, and
18 includes Park Service and non-Park Service
19 destinations, again, on and off the Mall. It
20 includes an inset map shown here, that
21 includes walking distances across the Mall
22 shown in concentric circles, centered on the

1 Washington Monument. It's indicated with
2 five-minute walking increments.

3 Several Commissioners suggested
4 last month that the inset map be drawn from
5 the location of each map kiosk. The Park
6 Service consultants have considered this, but
7 would prefer to use a standard inset map in
8 order to avoid the expense of creating
9 separate art work for each location and
10 fabricating it for each sign, and staff's view
11 was that this was a reasonable response.

12 And, here's the other map that
13 faces south, so here's the inset map and the
14 legend up in the top. And, the legend also
15 contains information about visitor facilities,
16 including restrooms and food and so forth, and
17 has contact information for the TourMobile,
18 and it also marks, as does the other map,
19 marks all the locations of Metro Rail Stations
20 on and around the Mall, the red line being a
21 station, the yellow and green line, and then
22 the blue and orange line on the south side.

1 The TourMobile route is also
2 indicated on the map with a dotted line, which
3 is hard to see here, but it's a blue dotted
4 line.

5 As you know, the Executive
6 Director recommends that the D.C. circulators,
7 two Mall routes, also be included on this map,
8 along with the Metro Rail and the TourMobile,
9 and I'll return to this shortly.

10 This is the taller of the two
11 pylons that's before you today for your final
12 review. It's 9'2" in height. As you voted
13 last month, it has four panels with pictograms
14 and text. The smaller pylon, which is not
15 shown here, has been made 6 inches taller, so
16 it's now 5'6", and the pylon cladding is
17 aluminum, the posts are -- excuse me, the
18 panels would be porcelain enamel, and the
19 bases are dark grey granite.

20 Now, in the past month, since the
21 June Commission meeting, it's been a period of
22 project development for the Park Service and

1 its sign consultant, and they are working out
2 the content, the messaging, of each of the
3 signs, pylons and maps. And, staff will
4 review this material when it becomes
5 available, expected now to be this fall.

6 And, the Park Service has convened
7 a group to work with the Office of Planning,
8 and some of its partners, and when the content
9 of the signs has been developed further, with
10 input from the group, the next meeting will be
11 scheduled. The group will review sheets like
12 this, to study how the pylons and maps will
13 work together.

14 And, a mock up at 7th and Madison
15 has been proposed, so that the group can see
16 in the field how information for Penn
17 Corridor, a particularly rich area for
18 destinations, might be displayed on the
19 pylons.

20 Now, turning to issues identified
21 by staff, primarily, design and transit, the
22 design issues include the size of some of the

1 signs, following your comments last month.

2 Staff believes that the Park

3 Service has responded to your concerns

4 satisfactorily, and unless you have further

5 comments today staff is recommending final

6 approval of the wayfinding component, the

7 overall sign program. That is, the

8 installation of pylons in two heights,

9 primarily, two heights with the map kiosks,

10 located as generally indicated on the site

11 plan, and the stipulations that you've heard

12 before for field checking final locations

13 continue to apply.

14 Park Service proposes to use a

15 four-color system for the messaging panels on

16 the pylons, so the visitor can sort types of

17 destinations more easily by color, in addition

18 to text and the pictograms.

19 On the left are representative

20 pylons using the Park Service's four color

21 scheme, and the actual colors are more vivid

22 than the muted shades shown here.

1 Now, CFA has recently voted to not
2 approve the Park Service's proposed pylon
3 colors, and you have the CFA's letter. They
4 voted to approve a monochromatic grey scheme,
5 such as you see on the right, as being
6 timeless and elegant, stating that the
7 pictograms are strong enough to convey the
8 content without also needing a range of
9 colors, which they found to be inappropriate
10 for the Mall.

11 CFA's response was, primarily,
12 aesthetics, but they made their comments in
13 the context of minimizing jurisdictional
14 distinctions on the Mall, and in minimizing
15 distinctions between on mall and off mall
16 locations.

17 Park Service continues to support
18 its four color scheme as the best way for
19 visitors to sort information. They are
20 studying the matter further, in light of CFA's
21 recommendation, and is deciding how to
22 respond.

1 Staff agrees with CFA that the
2 monochromatic grey scheme is more
3 aesthetically pleasing an appearance for the
4 Mall, and concurs that some of CFA's judgment
5 about the symbolism inherent in a one-color
6 scheme.

7 The staff also views the Park
8 Service's preferred four-color scheme as
9 providing information that might make the
10 pylons more informative, and, therefore, more
11 useful for Mall visitors.

12 Given the recent data of the CFA
13 action, staff recommends that the Commission
14 defer a final decision on color to allow the
15 Park Service time to respond with further
16 staff and field work, and to see if any
17 adjustments to the proposal would satisfy the
18 goals of all the agencies.

19 Park Service has informed staff
20 that the deferral of the panel colors does not
21 affect its project schedule at this point,
22 since the content of the pylons and the maps

1 is still being development.

2 However, the Park Service does
3 need to obligate the Centennial Fund for this
4 project before the end of this fiscal year.
5 They would like to proceed with the
6 fabrication of the pylons and map kiosks, the
7 structures themselves.

8 So, subject to any further
9 comments today by Commissioners, staff
10 believes that the Park Service has taken into
11 account and responded to recommendations on
12 the size and form of the pylon sand maps, and
13 that's why staff recommends final approval
14 with the elements of the sign program.

15 The staff recommends that the Mall
16 routes of the D.C. Circulator be included in
17 the sign program, in addition to Metro Rail
18 and TourMobile, both of which the Park Service
19 does propose to show on the map, and I'm
20 showing the Circulator map so that you can see
21 where the two Mall routes are, and this is one
22 of them, which runs on summer weekends, goes

1 from the back -- teh east side of the Capitol,
2 the Capitol Visitor Center, down to 17th
3 Street, and then the other map, primarily, on
4 -- excuse me, route, primarily, on 7th Street
5 runs north/south across the Mall.

6 The Commission first proposed a
7 circulator to serve the Mall and the
8 Monumental Core in 1997 in the Legacy Plan,
9 and continues to be an active participant in
10 planning for D.C. Circulator service today.

11 The Park Service's 2003 Visitor
12 Transportation Survey found that about 80
13 percent of visitors to teh Mall wanted a
14 transit-like service to get around the Mall.

15 Staff regards the D.C. Circulator
16 as the only premium public transit service
17 providing access to points on or near the
18 Mall.

19 Premium Transit, the term commonly
20 used by transportation planners, and it means
21 transit service that provides more frequent
22 and regular stops, has easily recognized

1 vehicles with multiple doors for convenient on
2 and off access, and that travels a simplified
3 loop route that is easy to understand. The
4 vehicles are branded to appeal to riders who
5 wouldn't normally use transit. It's a high
6 quality and unique public transit. It's
7 designed for visitors to Washington, who will
8 feel confident taking easily identifiable
9 transit on a loop route.

10 The Circulator was designed with
11 visitors to the Mall and the Monumental Core
12 in mind. The Circulator is different from the
13 TourMobile, which is the Park Service's
14 concessioner, responsible for interpretive
15 visitor tour service on the National Mall and
16 in the Monumental Core.

17 As the Park Concessioner, the
18 TourMobile is appropriately shown on the map,
19 the Park Service's map. It offers guided
20 interpretation of sites on and near the Mall,
21 and there are private companies, such as D.C.
22 Docks and others, that also sell interpretive

1 tours to visitors, and they would not be shown
2 on the Park Service map.

3 Information about these companies
4 can be found in various venues and on line,
5 but the Circulator is a public transit service
6 that's been designed for the Mall and the
7 Core. It's funded by DDOT and managed by
8 Metro. The Circulator routes are designed to
9 function in conjunction with Metro Rail, the
10 stations the Park Service does include on the
11 map.

12 Millions of visitors annually
13 arrive at or near the Mall by Metro Rail, and
14 then can use the Circulator to get to the Mall
15 or to get to destinations around the mall.

16 Again, the Circulator is a
17 publicly-funded transit service, not
18 interpretive service, and it's, therefore,
19 distinct from TourMobile and other tourist
20 services, and is distinct from Metro Bus as
21 well, because it's a simplified premium
22 transit designed for the needs of visitors.

1 Like Metro Rail stations, the
2 Circulator should be included on the map.

3 At present, these are the two
4 routes serving the Mall, again, the summer
5 weekend loop, that runs east or west, and the
6 north/south route that crosses the Mall at
7 7th.

8 South view is that the Park
9 Service is proposing a wayfinding and
10 orientation system for the National Mall as a
11 whole and beyond, not solely for Park Service
12 destinations. The staff appreciates the
13 intentionally broad scope and utility of the
14 sign program, given the centrality of the
15 National Mall and the planning framework of
16 Washington. And, in addition, the Monumental
17 Core Framework Plan envisions greater
18 integration of the National Mall with
19 surrounding Federal precincts and cities.

20 So, in that spirit, the
21 representation on the map of the Circulator's
22 Mall routes will benefit visitors to the Mall

1 and to the Monumental Core.

2 For conformance, for the
3 Comprehensive Plan, the proposed project is
4 not inconsistent with the Comprehensive Plan
5 for the National Capitol, since it will
6 improve efficiency and visitor experience, as
7 well as the appearance and image of the
8 National Mall and the Monumental Core, and
9 applicable policies are found in the
10 preservation and historic features element,
11 and in the transportation element, and I'll
12 read that element in the transportation --
13 I'll read that transportation policy, which
14 is: "In order to create an integrated network
15 of complimentary transit services, the Federal
16 Government should support the design and
17 implementation of new expanded and innovative
18 transit services that supplement existing
19 transit and fill unmet needs, such as the
20 downtown Circulator."

21 While the applicant is here today
22 for a sign program, staff feels that showing

1 the Circulator's Mall routes on the map will
2 support the implementation of the transit
3 service to the benefit of visitors.

4 And then, Master Plan, a
5 comprehensive wayfinding and sign program to
6 improve the appearance of and visitor
7 experience on the National Mall, is included
8 in all alternatives for the National Mall
9 Plan, which is currently in development.

10 Both Park Service and NCPD are
11 reviewing a project as categorically excluded.
12 The D.C. SHPO has completed its determination
13 that there are no adverse effects, but will be
14 involved in field checking some of the
15 locations when installation occurs,
16 especially, near memorials.

17 And, therefore, the Executive
18 Director's recommendation is that the
19 Commission commend the Park Service for
20 proposing a comprehensive sign program that
21 includes wayfinding, a sign function that has
22 not heretofore been implemented on the

1 National Mall, approves final site development
2 plans for the fabrication and installation of
3 pedestrian guide wayfinding pylons and map
4 kiosks, as a coordinated system of providing
5 information to visitors to the National Mall
6 and East Potomac Park, and to the Monumental
7 Core and adjacent areas; defers final approval
8 of the pylon panel colors pending further
9 consultation by the Park Service with staff
10 and with CFA; recommends that the D.C.
11 Circulator's National Mall routes be included
12 in the sign program; and further notes that
13 the Commission of Fine Arts approved a
14 monochromatic grey scheme for the pylons and
15 destination panels at its June 18, 2009
16 meeting; and disapproved the National Park
17 Service's preferred four-color pylon panel
18 scheme; that transportation planning and
19 analysis will be a component of the National
20 Mall Plan; that the specific content of the
21 pylon panels and map remains in discussion and
22 will be finalized by the Park Service in

1 consultation with Commission staff, the D.C.
2 Office of Planning, and other interested
3 entities; and that the Commission has
4 previously approved the installation of
5 operational signs on the National Mall; and
6 that the Park Service has not submitted
7 monument identification signs.

8 And, that concludes the
9 presentation, and the Park Service here -- is
10 here, and available to answer any questions
11 you might have.

12 [INSERT - Wayfinding and Sign Program]

1 CHAIRMAN COGBILL: Thank you very
2 much.

3 Does the Park Service have
4 anything they need to -- want to add at this
5 time?

6 MR. LORENZETTI: Steve Lorenzetti,
7 the Deputy Superintendent for Planning at
8 National Mall Memorial Parks.

9 I want to thank staff for all the
10 help they've given us in getting this project
11 to the point it is now.

12 I do want to address just the one
13 point that seems to be in everyone's mind, and
14 that is the D.C. Circulator. It is an awkward
15 situation for us, it's an awkward situation
16 for you.

17 Our hands are relatively tied. We
18 have a concessioner who by law has full rights
19 in the Park. As you may recall, we had a
20 great number of discussions with this Board on
21 how to allow the D.C. Circulator to even pick
22 up in the Park.

1 Currently, it is not allowed for
2 anyone except for Metro Bus to collect fees in
3 the Park. We were able to work around that to
4 make it possible for the D.C. Circulator to
5 pick up at a few locations. But, I am
6 extremely concerned that if we add them to the
7 map at this point we would leave ourselves
8 wide open to charges from our concessioner,
9 that we are violating his contract.

10 Now, his contract is in an
11 extension right now. We have, like Nancy has
12 mentioned, a visitor transportation study that
13 we have just restarted, and we are working on
14 the FONSI now, and it is something we can look
15 at again when that contract is rewritten, to
16 find creative ways to have the D.C. Circulator
17 get more information in the Park. Plus, we
18 know that when we do have a new concessioner
19 we are going to have to change the maps
20 anyway, so at that time we can relook at how
21 we can include the D.C. Circulator.

22 But, at this point, with the

1 current contract we have with our
2 concessioner, I just don't know how we could
3 do it legally.

4 CHAIRMAN COGBILL: Mr. Ames?

5 COMMISSIONER AMES: That deeply
6 concerns me about the Circulator, and I think
7 that, you know, from the gist of the report
8 that was given to us, how long has this
9 contract got left on it with your vendor?

10 MR. LORENZETTI: The current
11 extension runs out this December.

12 COMMISSIONER AMES: This December?

13 MR. LORENZETTI: Yes.

14 COMMISSIONER AMES: Well,
15 obviously, these signs are not going to be in
16 place by this December, are they?

17 MR. LORENZETTI: Well, I was about
18 to say, I can't swear we are going to have a
19 new contract by this December. It's very
20 likely we'll extend it another year.

21 COMMISSIONER AMES: But, don't you
22 have the right, before you extend it, to make

1 some changes to it?

2 And, the reason I say that, the
3 Circulator is a part of the City, am I
4 correct? It is a part of a Master Plan study
5 that was done that was something the City
6 needed.

7 Now, my question is this, if we
8 don't include it with your signage, which one
9 of the things I think you've done, and I
10 commend you for this, is you've gotten away
11 from what down south we call tackiness, where
12 you've got 19,000 different kinds of signs,
13 and people get confused and whatever, and I
14 commend you wholeheartedly for your effort to
15 become a more standard situation.

16 But, to me, you are leaving out
17 one of the most important things you could
18 have, which is public transportation to and
19 from the Mall.

20 So, what I see you coming up with
21 is, if you are not in a position to put them
22 on these signs, then I'm going to recommend to

1 the City that they come to us with a
2 recommendation that Circulator signs be put on
3 the right-a-ways throughout the parks. Those
4 are public right-a-ways going through there.

5 I don't want to see that happen.

6 I want the beautification effort. I think
7 part of what you are doing is a serious
8 beautification effort, and by the way, your
9 color thing that the other people objected to,
10 I don't go along with that objection. I think
11 you've done a great job with that color
12 situation, and I go on record supporting your
13 color scheme there.

14 But, my question back to our staff
15 is, I do understand your contractual
16 obligations. They are serious, and you have
17 to take them into consideration. But, you
18 have got a window of opportunity here in
19 December, and now is the time to plan for
20 that, you know, to work on that window of
21 opportunity.

22 Let's let Marcel and the attorney

1 listen to what I'm saying. Do we have the
2 right to require the National Park Service, if
3 we don't that's fine, but do we have the right
4 to require that they include the Circulator,
5 not only in the sign program that they have,
6 obviously, they are going to have to work out
7 something with their agreement with their
8 vendor, but I would also like to know why we
9 don't have more routes running on the public
10 streets through the area, because everybody is
11 not going to pay \$27 or whatever it is to ride
12 the TourMobiles and so forth and so on, plus
13 everybody going down, you know, is only
14 looking for one specific thing or whatever.

15 But, to me, the whole point of it
16 is to attract more visitors there, and if the
17 Circulator was more used I believe it would be
18 a great tool to attract more visitors.

19 Going back, do we have the right
20 to require this to be put on these signs, as
21 an approval process?

22 CHAIRMAN COGBILL: Let me jump in.

1 One thing I don't want to do is to
2 prejudice or to influence what may be a very,
3 very important legal point. So, while we
4 could render an opinion here, and staff, I
5 think, might be the one to do that, I don't
6 want to sort of put us in the position of
7 taking a position on a contract that, (1) we
8 don't administer, we don't see, and as to our
9 authority, I think our authority is pretty
10 clear in terms of our approval process.

11 But again, I really wouldn't want
12 to sort of get into the point of making that
13 such a sensitive pressure point.

14 COMMISSIONER AMES: Well, let me
15 say this then, Mr. Chairman.

16 You know, without getting an
17 answer to that question, then I would be
18 prepared to make an amendment to the Executive
19 Director's recommendation, that we require
20 them to do it, and then let them work out the
21 contractual part of it, because I think that
22 we are taking no action and making a

1 recommendation doesn't mean anything. That's
2 my problem with it.

3 CHAIRMAN COGBILL: Well, I would
4 say that, and I'll let the Park Service speak
5 for themselves, but they take our guidance
6 very seriously. I think everyone who comes
7 here does.

8 And, my point is that, when we
9 recommend something, and we've had this
10 discussion, at least as we looked at their
11 mock ups on the Mall, I think they are
12 listening to us and trying to do the best they
13 can within the legal constraints they have.

14 Now that being said, I have -- I
15 have some questions about the --

16 COMMISSIONER AMES: Well, I'm not
17 through.

18 CHAIRMAN COGBILL: I know, all
19 right, go ahead. I just wanted to let you
20 know I was going to jump in too.

21 COMMISSIONER AMES: I understand
22 that. Well, okay, then why would we not wait

1 until December and let them get their deal
2 worked out one way or the other and then we'll
3 take up the approval of this process?

4 CHAIRMAN COGBILL: Well, I think
5 the process is here, it's before us. They've
6 asked us to opine or to give our
7 recommendation on what we've seen thus far,
8 just as the Commission of Fine Arts has done.
9 And, I am prepared to give that guidance as a
10 Commission.

11 COMMISSIONER AMES: Well, but my
12 problem is, is to give guidance is one thing,
13 to direct is another.

14 We are here for the betterment of
15 the Washington, D.C. area, this Commission is.
16 Their City interests, their Federal interests,
17 there's congressional interest, there's all
18 kinds of interests, but if we are going to
19 take away -- I mean, look, the problem is, if
20 you told me that you had this contract for
21 another year or two, I'd say, fine, we'll go
22 ahead and vote on what you got right now, and

1 we're going to make a recommendation.

2 But, I'm ready to pursue the
3 issue, because I know how contracts are. I
4 know how -- it's no different than a local
5 contract in my city.

6 If one is coming up, and you've
7 got to renew it just as it is, you don't have
8 to renew it just as it is, there can be
9 changes made to it.

10 What assurance do I have from you
11 that you are going to change your contract
12 with your vendor to allow the Circulator signs
13 to be put up, and to increase the routes of
14 the Circulator in the Mall area?

15 MR. LORENZETTI: Well, at this
16 point I have no idea exactly what the new
17 contract will look like. Our plan has been,
18 and we have worked with your staff in the past
19 on our visitor transportation study, to make
20 it that whatever transport comes into the Park
21 can go to off-site stops also. That's what
22 we've been working toward.

1 Now, like I said, the contract
2 expires this December. My hunch, my very
3 strong hunch, is it's going to be extended a
4 year. My other extremely strong hunch is we
5 are not going to be able to change that
6 contract.

7 COMMISSIONER AMES: Why?

8 MR. LORENZETTI: Because they are
9 doing us a favor by extending it, and not
10 walking. You know, they walk, we are in a
11 bigger problem, because somehow we have to get
12 a bus service going.

13 So, in the end the odds are the
14 contract will not change. We can make an
15 attempt, but my hunch is that contract will
16 not change.

17 COMMISSIONER AMES: Why would they
18 walk from -- obviously, it's profitable, or
19 they wouldn't want to stay.

20 MR. LORENZETTI: Because they know
21 they are a short-term operator now. They've
22 seen the visitor transportation plan, it's a

1 different system than the one they currently
2 operate.

3 COMMISSIONER AMES: That doesn't
4 make sense to me, living under the threat.

5 MR. LORENZETTI: We've had trouble
6 -- we've had trouble keeping their employees
7 on board, because they think they are going
8 out of business any time because of the new
9 plan.

10 So, my hunch is we are pretty much
11 stuck with the existing contract for another
12 year.

13 COMMISSIONER MAY: Yes, I want to
14 add that -- reinforce that point. The fact
15 that this current extension expires in
16 December is sort of a false hope that we could
17 open the door to some realistic changes.

18 I think that if we were to
19 introduce new factors like this, and require
20 them of the new contract, we -- not only do we
21 run the risk of that provider walking away
22 from the contract, but it also further

1 complicates the continuing negotiations we
2 have with them.

3 The contractor, in this
4 circumstance, has been doing this for many
5 years, and has built up a substantial value
6 within their operation, and the Park Service
7 cannot simply say, shut down and go away, we
8 would have to -- we would be responsible for
9 some of the interest that they've built up.
10 In other words, we'd have to pay them a
11 settlement for buses or facilities or things
12 like that.

13 We haven't worked those things
14 out, and if we try to introduce a condition
15 like this it further complicates our
16 negotiation with them, and it makes it more
17 likely that the actual implementation of a new
18 system will be pushed further down the road.

19 We see a light at the end of the
20 tunnel. It may not be in December when this
21 contract is done, but there is -- we are going
22 through the process, we are eventually going

1 to make this change, and it may not be that
2 far out into the future that the new
3 transportation system will be implemented, and
4 it will be mapped appropriately on these maps.

5 But, if we take action to make it
6 a requirement right now, it could either push
7 that further out, or it could wind up with us
8 not being able to implement these maps for
9 some period of time.

10 COMMISSIONER AMES: Well then, I
11 feel like that I'm being held hostage, and I
12 have no other choice but to support this.

13 But, I will also say that I'll
14 support it, but I am totally disappointed that
15 whoever, and I don't care whose toe I step on
16 on this, whoever negotiated this contract,
17 left the Park Service in the position of being
18 held liable for expenses after a contract
19 expires, should be fired. And, that's the
20 bottom line.

21 MR. LORENZETTI: And, in the end
22 you are right, because in 1998 we changed the

1 whole system. This is one of the old
2 contracts that was done, I believe, in 1969.
3 We are operating under very old rules that no
4 one in the Park Service likes any longer, and
5 the new contract will be under the new 1998
6 policy, which gets around just that issue.

7 CHAIRMAN COGBILL: What was the
8 original -- when did -- what was the original
9 termination of this contract, what was the
10 termination date?

11 MR. LORENZETTI: I believe it
12 expired two, maybe three years ago.

13 CHAIRMAN COGBILL: Okay, so we are
14 in our 4th extension at this point?

15 MR. LORENZETTI: But the good news
16 is, we had internal issues getting the FONSI
17 out, the study, we have met in the last month
18 with the new Regional Director. She is in
19 agreement with the direction we are going, and
20 we are hoping to have that out before the end
21 of the year.

22 CHAIRMAN COGBILL: I know we've

1 been through a number of studies on this. I
2 thought we were ready to come back out with a
3 request for proposals.

4 MR. LORENZETTI: That would be
5 part of this.

6 CHAIRMAN COGBILL: Why didn't that
7 come out last year?

8 MR. LORENZETTI: We had to
9 finalize issues with the FONSI, both with our
10 local and our national office.

11 COMMISSIONER MAY: I would also
12 add that the idea of the request for proposals
13 was actually -- it was softer than that, it
14 was expressions of interest or something like
15 that, and at least it was to try to understand
16 better what the market is. And, we've now, I
17 think, made the determination that we could go
18 directly to a request for proposals, which
19 would, hopefully, result in a contract faster.

20 CHAIRMAN COGBILL: Well, I have to
21 say, I share Mr. Ames' concern about this. I
22 mean, I know, just from coming up here for the

1 dedication of the World War II Memorial, with
2 my 80-year old father, walking up and down the
3 Mall is a chore for the elderly and for the
4 young, and \$27 to go on a tour that you don't
5 want to go on is not an answer.

6 The ability to have economical,
7 convenient, and reliable service in that area
8 is absolutely critical, and I think the fact
9 that it's not there now, with that contract
10 expired, is problematic.

11 So, I really believe that you all
12 have to redouble your efforts on this, because
13 I have a limited patience on this as well.
14 So, I would ask you to work very, very hard to
15 get this done, because I think right now it's
16 not providing what we, ultimately, will need.

17 And, I know that you are doing
18 that, and I understand the legal constraints
19 that you have, but I really wish you could
20 move that forward as soon as possible.

21 COMMISSIONER MCGILL: I've got a
22 couple of questions for you.

1 How expensive and time consuming
2 is it to -- will it be to change these signs?

3 MR. LORENZETTI: I don't know
4 that, Mike, I'm afraid.

5 COMMISSIONER MCGILL: Well, I
6 mean, are they -- are they being designed in
7 a way where you've got modular panels that can
8 be taken out and popped back in?

9 MR. LORENZETTI: We'll have to
10 replace the whole map, and that's what we are
11 planning on doing when the new system comes
12 out.

13 COMMISSIONER MCGILL: Well, it
14 seems to me that there's another option you
15 might consider at this point, given the
16 transitional nature of the Circulator -- of
17 the TourMobile, and that would be not -- if
18 you can't put the Circulator map and
19 information on the sign, don't put the
20 TourMobile information on it either, because,
21 essentially, you are giving them free
22 advertising for the TourMobile.

1 MR. LORENZETTI: Well, the
2 TourMobile is our concessioner, so it's not
3 advertising, it's advertising the service that
4 we provide. They are us.

5 And, until they go away, it would
6 make sense to leave them on the sign.

7 COMMISSIONER MCGILL: Well, the
8 other thing --

9 MR. LORENZETTI: We have the
10 funding now for the signs, if we don't use the
11 money, it's not that we can use it for
12 something else, if we use it now for the signs
13 at least our visitors have the ability of
14 having new signs and new maps in the Park,
15 until they are changed.

16 COMMISSIONER MCGILL: But then --

17 MR. LORENZETTI: Rather than
18 waiting until that point.

19 COMMISSIONER MCGILL: -- but then
20 if you don't have the money when they are
21 changed, then you have TourMobile maps and
22 information on the signs that is no longer

1 valid.

2 MR. LORENZETTI: When they are
3 changed, they will come out of Park funds, and
4 we'll make the money available at that point.

5 But, it doesn't seem to make a lot
6 of sense to leave our visitors without any
7 maps for a year or two, while we have the
8 funding now to do that.

9 When the new system comes in, we
10 are going to have to replace all of this,
11 because there will be no TourMobile as such,
12 more than likely.

13 COMMISSIONER MCGILL: Okay, and
14 then --

15 MR. LORENZETTI: It's a service to
16 our visitors to have a map.

17 COMMISSIONER MCGILL: Right.

18 Now, as your concessioner, does
19 the TourMobile generate annual revenues for
20 the Park Service?

21 MR. LORENZETTI: Yes, they do.

22 COMMISSIONER MCGILL: Okay,

1 because I remember the other thought we
2 discussed among ourselves when we approved the
3 Circulator, was that, hopefully, one day the
4 Circulator would replace the TourMobile, and
5 John Parsons explained that the TourMobile
6 contract was coming up, and when it was
7 expired the Park Service would have options
8 about how to proceed.

9 But, it sounds, from the
10 discussion we've had thus far, that the way
11 the Park Service is planning on proceeding is,
12 perhaps, a different concept in
13 transportation, but a new concessioner.

14 MR. LORENZETTI: Not necessarily.

15 We had talks with your staff when
16 the D.C. Circulator was developed, because we
17 were thinking about our long-term plan, we
18 weren't in a position then to make changes,
19 but as part of the new process we'll be
20 talking with the D.C. Circulator folks again
21 as a possibility of somehow either combining
22 this or somehow working it into our system.

1 It's a discussion we started
2 having years ago, and we look forward to
3 having again.

4 CHAIRMAN COGBILL: I want to get
5 the motion on the floor, I think, just --
6 we'll continue the discussion, unless there is
7 someone who has an objection to that.

8 I'm going to do this, because I
9 think this is important, I'm going to move the
10 EDR, Executive Director's recommendation,
11 myself. Is there a second to the --

12 COMMISSIONER MAY: Second.

13 CHAIRMAN COGBILL: -- okay, a
14 motion is a made and seconded, open now for
15 further discussion.

16 Ms. Tregoning?

17 COMMISSIONER TREGONING: I
18 promised Mr. May I wouldn't pile on, so I'll
19 try not to do that.

20 I will just point out, I don't --
21 is the \$27 figure the right figure for a
22 TourMobile ticket?

1 MR. LORENZETTI: It's about that,
2 depending on your age, and the time, I
3 believe.

4 COMMISSIONER TREGONING: Compared
5 to \$1.00 for the Circulator?

6 MR. LORENZETTI: I don't know what
7 the Circulator is.

8 COMMISSIONER TREGONING: \$1.00.

9 MR. LORENZETTI: In the new FONSI
10 we are looking at a much cheaper system. This
11 system is that expensive because we have --
12 well, one of the reasons is because we have a
13 live interpreter on each bus. There are other
14 reasons, and we are looking at decreasing that
15 cost tremendously, to the point that we are
16 looking at increased parking revenues that
17 would be used to subsidize the bus service, to
18 make it even cheaper.

19 COMMISSIONER TREGONING: Okay.
20 All I will say is that, I will take the Park
21 Service at its word that it's looking to
22 resolve these issues.

1 I will just say that this -- these
2 are conversations that have been going on for
3 a very long time, and that it seems somewhat
4 bizarre to me that the rules that the Park
5 Services uses would prohibit inexpensive,
6 public transportation from running through teh
7 National Mall, which is part of Washington,
8 D.C., and providing a service that the
9 visitors would very much like to avail
10 themselves of.

11 But, I do understand that you are
12 making this transition, so I won't rake you
13 over the harrow about it, but I think it's
14 very important, I think it's something that
15 people very much desire.

16 The District recently announced
17 that we now even have information about
18 routes, and the location of our Circulator
19 buses that are available on cell phones. So,
20 you know, how convenient would it be for
21 visitors to be able to get this information
22 and know when they need to step out of the

1 National Gallery, or step out of, you know,
2 the Washington Monument, to be able to get on
3 a bus to get to where they need to go next.

4 `So, I'll continue to encourage
5 you to figure out ways that we can, you know,
6 make visitors to the Mall aware of the
7 increasingly convenient and broad array of
8 transportation choices that we are offering
9 here in the District, very much to their
10 benefit.

11 CHAIRMAN COGBILL: Mr. Hart?

12 COMMISSIONER HART: Just for
13 clarification, the main reason why the
14 Circulator bus is not going to be shown on the
15 signs is because of the conflict with a
16 current contract.

17 MR. LORENZETTI: Correct.

18 COMMISSIONER HART: Does the Park
19 Service have any objection when the contract
20 is renewed with some new operator, to go ahead
21 and exclude that sort of language so that the
22 Circulator bus can be shown?

1 MR. LORENZETTI: That's one of the
2 things we'll look at.

3 We have to make sure that whatever
4 contract is in place to run the service for
5 the Park Service, that it's viable. Anything
6 that will make our service viable and allow
7 other services to work we'll be able to
8 include.

9 COMMISSIONER HART: Does the Park
10 Service have any objection to showing the
11 Circulator on the map, independent of any
12 contract issues, assuming the contract can be
13 drawn up so that that's not a problem?

14 MR. LORENZETTI: Like I said, if
15 we can come up with a way of making our
16 contract viable and allow that, we will.

17 COMMISSIONER HART: Does that mean
18 that you suspect that the Circulator would be
19 in competition and, therefore, make the other
20 service less viable?

21 MR. LORENZETTI: Currently,
22 TourMobile views the Circulator as their

1 competition.

2 Now, I'm not a concessions person,
3 I couldn't tell you for sure what kind of
4 competition is or isn't given to TourMobile,
5 but I know in concession law that's one of the
6 things they look at.

7 COMMISSIONER HART: I'd feel a lot
8 better if I had a clearer answer on that, but
9 --

10 MR. LORENZETTI: I'm struggling
11 with this because there is case law, we've
12 been sued by the predecessor, the Metro Bus,
13 because they wanted to be able to stop
14 everywhere in the Park, and the court said
15 they could not. And, it was because of the
16 TourMobile contract, and it was because the
17 Park Service has the right to control what
18 runs and collects money in its area.

19 So, there's a lot of case law on
20 this, there's a lot of contract law. That's
21 all the stuff we are looking at in the new
22 transportation study that we are trying to get

1 around.

2 Like Nancy said, this whole
3 process has been trying to make these signs
4 not just Park-centric, and our goal is to make
5 the transportation system not just Park-
6 centric, but we do have to work in the box
7 they've given us, so I can't say with a
8 straight face exactly what we can do yet. All
9 I can tell you is, our intent is to make this,
10 not just an insular Park in the middle of a
11 City, we want it to be part of the City, and
12 that's our goal.

13 COMMISSIONER HART: Okay, thank
14 you, and I want to reiterate what Mr. Ames
15 said about the colors, I do like the color
16 code more than the monochromatic as well.

17 MR. LORENZETTI: I appreciate
18 that. We'll get you to come with us to the
19 Fine Arts Commission next time.

20 COMMISSIONER HART: Be glad to.

21 COMMISSIONER MCGILL: Just one
22 other area of questioning, and you might not

1 be able to answer this.

2 Does the Park Service have any
3 other concessionaires in urban parks providing
4 this kind of service, or are they all in rural
5 parks?

6 MR. LORENZETTI: Mike, I don't
7 know for sure. Most of the other urban parks
8 are -- don't have as big a continuous land
9 mass as we do.

10 COMMISSIONER MCGILL: I mean, I
11 don't think -- you know, I don't think the
12 GGNRA has a tour bus service.

13 MR. LORENZETTI: Yes.

14 COMMISSIONER MCGILL: It occurs to
15 me that the Park Service might be using a
16 rural model for an urban service, and that
17 could be one of your problems.

18 MR. LORENZETTI: The closest thing
19 we have is probably -- it's not a direct
20 comparison -- and that is the ferry that runs
21 to the Statue of Liberty, and that's
22 different.

1 But, the Park Service,
2 traditionally, always controls what comes into
3 the Park that collects money. All the tour
4 buses you see in the park, such as the double
5 deckers, are not allowed to collect money in
6 the Park. They can pick up people, but they
7 are not allowed to collect any money in the
8 Park.

9 COMMISSIONER MCGILL: They can
10 collect money ten blocks away.

11 MR. LORENZETTI: If they are
12 outside of the Park, you know, we don't fool
13 around with private enterprise outside of the
14 Park.

15 COMMISSIONER MCGILL: Okay.

16 CHAIRMAN COGBILL: Ms. Tregoning?

17 COMMISSIONER TREGONING: Just one
18 last thing. I mean, it does seem a little, I
19 mean, I know that this is an ancient contract,
20 and it, you know, was inked when there wasn't
21 anything like a Circulator even contemplated.
22 But, it does seem that the Park Service has a

1 lot of interests that are beyond the revenue
2 that might be generated from a concession,
3 when it comes to visitors to the National
4 Mall.

5 And, that includes reducing
6 traffic congestion, providing cheap and
7 convenient access, reducing air pollution, all
8 of those things are really important things in
9 the Park, and that are things that Mr. May and
10 others have talked about.

11 I would wonder if you did let this
12 contract lapse, I will put this out there,
13 that we'd be very happy to work with you to
14 re-route the Circulator slightly, so that it
15 would be obvious and convenient for visitors
16 to the National Mall to be able to use that
17 service in the breach, until you were able to
18 find a new contract.

19 I don't know if that would be a
20 tragedy. It just seems like this contract is
21 very much at odds with both our goals for the
22 City, and I think your own goals for

1 transportation, and how the Park is accessed.

2 MR. LORENZETTI: The current
3 contract does generate a very small profit for
4 the Service.

5 We envision the new contract being
6 neutral. When I say viable, we want to get
7 the cost down to the lowest point possible,
8 and to viable it has to be high enough that
9 we'll get someone to bid, whoever that is.

10 But, our goal here is not to make
11 money for the Service, it's to supply the
12 cheapest, reliable, premium-type service we
13 can for our visitors.

14 COMMISSIONER TREGONING: Have you
15 evaluated sort of the no action option in
16 this? I mean, does the Circulator meet that
17 need or an expanded Circulator service? That
18 would be my question.

19 Not necessarily interpretive
20 services, I grant you that, but just for
21 transportation.

22 MR. LORENZETTI: Well, as part of

1 the FONSI, we are looking at a new service.

2 We haven't looked at stop gap services.

3 COMMISSIONER MAY: Steve, correct
4 me if I'm wrong, but in the EA that was
5 originally done wasn't there an examination of
6 expanded Circulator type service, either one
7 of the -- as one of the alternatives, or
8 something like that?

9 MR. LORENZETTI: That EA came out,
10 or was developed, before the Circulator
11 started running. So, a lot of the thought
12 that went into the Circulator is reflected in
13 our preferred alternative.

14 COMMISSIONER MAY: Okay.

15 CHAIRMAN COGBILL: Mr. Miller.

16 COMMISSIONER MILLER: Yes, I just
17 wanted to associate myself with the remarks of
18 Commissioner Ames, both on the Circulator, and
19 on the color scheme for the pylons.

20 And, I was looking forward to
21 supporting an alternative motion that you were
22 about to make, and I still would support it.

1 CHAIRMAN COGBILL: Yes, sir, Mr.
2 Miles.

3 COMMISSIONER MILES: And, I don't
4 know if this is permissible or not, but these
5 are less questions and more so maybe requests
6 for information, and I'm not sure how that
7 works.

8 You said that you have a small
9 profit that's usually generated from the
10 current arrangement, and I don't know if that
11 information, or generalized information, could
12 be provided to either the Commission or,
13 obviously, I can ask for it from Mr. May if
14 need be.

15 And then secondly, do you do any
16 assessments or evaluations, probably not, post
17 a tourist on the TourMobile currently?

18 MR. LORENZETTI: We have a
19 concession survey that's done once a year, and
20 it includes transportation questions.

21 COMMISSIONER MILES: Okay.

22 MR. LORENZETTI: About the

1 concessions in general.

2 COMMISSIONER MILES: All right.

3 CHAIRMAN COGBILL: Mr. Ames?

4 COMMISSIONER AMES: The streets
5 that run through the Park, are those Park
6 Service streets, or are they City streets,
7 whose streets are they?

8 MR. LORENZETTI: The streets
9 themselves vary. Some are, actually, Park
10 Service streets. 17th Street would be a Park
11 Service Street. 7th Street is a D.C. right-a-
12 way. The curb and land behind it is all Park.

13 COMMISSIONER AMES: The reason I
14 ask that, I mean, what prevents the City from
15 increasing the Circulator routes through the
16 Park? I guess you can't go on their streets.

17 MR. LORENZETTI: Well again, that
18 would be the case law I was referring to. The
19 predecessor, the Metro Bus, did try that.
20 They were taken to court, and they were
21 prohibited from doing that.

22 There are a set number of spaces

1 that predated the agreement, those remain.
2 After much discussion with NCPC, we were able
3 to allow the D.C. Circulator to use some of
4 those stops. That is why they can't stop
5 anywhere else.

6 COMMISSIONER AMES: And, that's
7 because of this contract you have with the
8 present vendor.

9 MR. LORENZETTI: That's one of the
10 things, like I said previously, that we hope
11 to change.

12 COMMISSIONER AMES: And, the
13 present vendor has some kind of payment if
14 they are eliminated at the end of their
15 contract, is that correct?

16 MR. LORENZETTI: It's something we
17 call a possessory interest, various things
18 that they have invested in over the life of
19 the contract. It's something we will have to
20 pay, something we are working with them now.

21 COMMISSIONER AMES: You would
22 probably have to pay anyway if you changed

1 from these people.

2 MR. LORENZETTI: We will have to
3 pay it regardless, but I can't pay tomorrow.

4 COMMISSIONER MCGILL: Is it not
5 true that taxi cabs deliver people to the
6 World War II Memorial on 17th Street and
7 collect fare when they drop them off?

8 MR. LORENZETTI: Yes.

9 COMMISSIONER MCGILL: Well, that's
10 collecting a fare on Park Service property.

11 MR. LORENZETTI: They are the one
12 exception. There is some law that allows them
13 to do that. I can't quote it to you, Mike.

14 CHAIRMAN COGBILL: I would hope,
15 too, that there's some depreciation that
16 factors into this.

17 MR. LORENZETTI: We hope so, too.

18 CHAIRMAN COGBILL: I can add, this
19 is a nationwide problem for the Park Service,
20 not just with transportation, but hotels and
21 all sorts of things.

22 I'd like to know a little bit more

1 about this, but I don't think this is the
2 forum to do it. I think this would be a good
3 topic for an Executive Session for us.

4 I'd like to work with the Park
5 Service to learn more about that, because the
6 reason I made the motion is because I, too,
7 believe that you are doing the best you can,
8 but I also believe that we need to do
9 something different.

10 So, again --

11 COMMISSIONER TREGONING: Since we
12 are not -- we are deferring action on the
13 colors, which, presumably, means nothing is
14 going to be going forward until we take an
15 action on the colors. We are giving the Park
16 Service some time to do that.

17 I'm wondering if the questions
18 that have been raised about the consequences
19 of allowing the contract to lapse, and the
20 costs, and the implications, perhaps, in next
21 month's Executive Session if we couldn't cover
22 those and then just have -- conclude this

1 matter next month.

2 MR. LORENZETTI: Well, we have no
3 plan to let the contract lapse. We are
4 planning to keep this contract in place until
5 we have a new solution ready to go.

6 COMMISSIONER TREGONING: I hear
7 you. I think what we are asking is, what are
8 the consequences of letting the contract
9 lapse?

10 COMMISSIONER MAY: I'm sorry, I
11 want to get some clarity on this, because what
12 you are suggesting is that as of the result of
13 the action today that we would not be able to
14 move forward with implementing the signage
15 program, or the wayfinding program. And, in
16 fact, if we -- if the EDR is approved, we will
17 move ahead with everything, except for
18 fabricating the color tiles that would go on
19 the pylons. And, that's very important to us,
20 to try to move that ahead immediately.

21 So, if you are asking for, you
22 know, since we are -- if you are assuming that

1 we wouldn't be able to move ahead until the
2 color issue was resolved, that's not really
3 the case.

4 COMMISSIONER TREGONING: Okay. I
5 hear that, although it does seem like there
6 are many physical parts to the maps and the
7 pylons that need to be constructed before you
8 end up either with final colors to put on the
9 pylons, or final maps to put on the tops or
10 the sides of the map cases.

11 CHAIRMAN COGBILL: Well, just to
12 finish up the point, you know, I really do
13 want this resolved, and I think it is a
14 problem for the people of the District and the
15 visitors who come here.

16 And, I commend you all, recommend
17 that you all, and I know that you are, I
18 shouldn't -- I shouldn't use that word -- I
19 know that you are doing the best you can under
20 the circumstances, but this is something I've
21 been monitoring since I've been here. I think
22 I've been monitoring it too long, and I'm

1 ready to move on to the next phase.

2 So, with that, if there's no
3 further discussion, all those in favor of the
4 motion please signify by saying aye.

5 (Ayes.)

6 CHAIRMAN COGBILL: Opposed?

7 One opposed. Two opposed. Three
8 opposed.

9 Any abstentions?

10 We still have a majority don't we?

11 Okay.

12 Thank you.

13 And, I do want to point out --
14 thank you for your presentation, thank you for
15 your work.

16 MR. LORENZETTI: Thank you,
17 Commissioners.

18 CHAIRMAN COGBILL: I also want to
19 point out that the National Coalition to Save
20 Our Mall did submit a letter in connection
21 with this, which will be made a part of the
22 official file.

1 [INSERT - Letter from Save Our Mall]

1 All right, we move on then to
2 Agenda Item 4B, this is a request for
3 authorization to circulate for comment the
4 proposed Federal Capital Improvement Program
5 for Fiscal Years 2010-2015.

6 ACTION ITEMS - 4B

7 MR. WOOD: Good afternoon, Mr.
8 Chairman, members.

9 NCPC is required, under the
10 Planning Act, to prepare an annual capital
11 improvements program for Federal projects in
12 the National Capital Region. Today, we are
13 requesting your authorization to circulate the
14 Federal Capital Improvements Program for
15 Fiscal Years 2010-2015 for a 45-day public
16 review period.

17 Normally, we would present this
18 document to you in June for authorization.
19 However, this year we provided contributing
20 agencies additional time to adjust their
21 requests for projects to accommodate the
22 American Recovery and Reinvestment Act impact

1 on their capital budget request.

2 During the public comment and
3 review period, we are anticipating receiving
4 additional information from several agencies
5 and will post the information on our website
6 and mail out an addendum.

7 I would like to begin with a brief
8 introduction regarding the purpose of the
9 FCIP.

10 NCPC is congressionally mandated
11 to prepare an FCIP annually. The capital
12 projects we submit are submitted by Federal
13 agencies in the region, and NCPC proposes
14 capital projects for future programming.

15 NCPC reviews all projects and
16 provides one of four recommendations.
17 Recommended and strongly endorsed projects, or
18 major or significant new projects that may do
19 one or more of the following: contribute to
20 the operational efficiency of the Federal
21 Government; improve the Federal workplace
22 security; protect and unify historic and

1 symbolic infrastructure and monumental core of
2 the District; restore the quality of the
3 Anacostia and Potomac Rivers; advance regional
4 and public transportation and other
5 infrastructure and encourage transportation
6 alternatives; and contribute to significantly
7 protecting the environment and natural
8 resources, as well as promoting community
9 development and economic improvement in
10 surrounding areas.

11 Recommended and strongly endorse
12 projects are considered to be in conformance
13 with NCPC and local planning policies and
14 initiatives, approved master plans or site
15 plans, and identify Federal interest and
16 objectives.

17 Projects that are categorized as
18 requiring -- excuse me -- projects that are
19 recommended are considered to be in
20 conformance with the National Capital Planning
21 Commission's local planning policies and
22 initiatives, and Master Plan and planning

1 policies.

2 Projects categorized as requiring
3 additional planning coordination may be in the
4 very early stages of development, and may not
5 conform to the approved Master Plan or it may
6 have significant unresolved planning issues.

7 Projects that are recommended for
8 future programming have not been submitted by
9 Federal agencies, but the Commission believes
10 should be submitted by particular agencies in
11 future programming to advance and implement
12 NCPC local planning policies and Federal
13 interests.

14 This year, the FCIP has 194 total
15 projects. One hundred sixty-two of these
16 projects were submitted by Federal agencies,
17 and NCPC has submitted 32 projects that it
18 believes are consistent with its planning
19 efforts.

20 Requested funding for these
21 capital projects totals \$7.9 billion, and this
22 budget total is subject to change during the

1 public comment period as agencies adjust their
2 submissions.

3 Last year, the FCIP contained 195
4 projects, totaling \$8.6 billion. The decline
5 in requested funding from last year is due
6 primarily to the impact of several issues to
7 be explained later, and include the Stimulus
8 Act and BRAC, and that several agencies are
9 anticipated to provide updated budget
10 information.

11 This year, 15 agencies have
12 submitted projects for the proposed FCIP. The
13 largest total request for capital funding in
14 this year's program is GSA, with \$3.6 billion,
15 followed by the Department of the Army at \$1.9
16 billion, in requested capital funding.

17 This graphic provides some of the
18 largest projects or concentrations of projects
19 proposed around the region, and they include
20 the Federal -- or, excuse me, the Food and
21 Drug Administration's consolidation at White
22 Oak, with a total request of \$223 million,

1 several projects at Ft. Belvoir, which include
2 the National Museum of the United States Army,
3 and the National Geospatial Intelligence
4 Agency, and the Washington Headquarters
5 Services for a total of \$966 million in
6 capital requests.

7 The Pentagon renovation requested
8 by the Department of Defense, is requesting
9 \$351`million, and the Woodrow Wilson Bridge
10 project, which was submitted by the Department
11 of Transportation, Federal Highway
12 Administration, is requesting \$305 million.

13 NCPC offers recommendations on the
14 various projects agencies submit each year.
15 This year, we have a total of 28 projects that
16 were recommended and strongly endorsed, 100
17 that are recommended, and 34 projects that are
18 categorized as projects requiring additional
19 planning coordination.

20 No new submitted projects received
21 this year were recommended and strongly
22 endorsed. However, I would like to note that

1 this year's adoption of the Master Plan, two
2 of the four submitted projects for the
3 Department of Homeland Security's
4 consolidation at St. Elizabeth's campus are
5 now categorized as recommended and strongly
6 endorsed, while the remaining two projects
7 remain in the category, requiring additional
8 planning coordination.

9 In addition, last year we
10 highlighted two flood control projects as
11 recommended and strongly endorsed Commission
12 projects. These projects remain in this
13 category this year, for those interested in
14 their current status.

15 Of the 24 projects submitted by
16 agencies, 13 are proposed as recommended.
17 These projects were submitted by the
18 Department of the Army, Commerce, Defense,
19 Energy, NASA and Transportation.

20 Eleven projects require additional
21 planning coordination, and many of these
22 projects are located at sites, and updating

1 their master plans in response to BRAC
2 activities.

3 There are 32 NCPC submitted
4 projects recommended for future programming,
5 and 21 of these projects are strongly
6 endorsed, and they include 12 new projects
7 resulting from the recently adopted Monumental
8 Core Framework Plan. Several of these projects
9 are studies or detailed planning, or plans,
10 leading to future capital projects. The
11 projects that are submitted by NCPC do not
12 have capital budgets, and NCPC encourages
13 agencies who submit these projects for future
14 programming to advance implemented NCPC and/or
15 local planning policies.

16 This year four issues have shaped
17 a number of the projects and the estimated
18 cost of projects in the FCIP. In February of
19 2009, the President signed the American
20 Recovery and Reinvestment, or ARRA, to
21 stimulate the economy. Significant FY 2009
22 dollars were directed to Federal agencies for

1 construction, renovation, and preservation
2 projects.

3 Due to the concentration of
4 Federal facilities in the National capital
5 Region, Federal agencies in the region have
6 received considerable funding for these
7 projects.

8 Since ARRA funds were allocated in
9 2009, they are not captured by this year's
10 programs. Many agencies have fully funded or
11 accelerated the phasing of projects, making
12 the number of projects in their capital
13 requests somewhat less than this year's FCIP.

14 An example of this is the Porter
15 Neuroscience Research Center, Phase II, which
16 is located at the National Institutes of
17 Health in Montgomery County, Maryland. This
18 project received \$266 million in FY 2009 ARRA
19 funds, which accelerated the capital project.

20 The 2005 base realignment,
21 enclosure or BRAC action by Congress, resulted
22 in a number of capital programming activities

1 at the Department of Defense facilities around
2 the region, and most notably at Ft. Belvoir in
3 Fairfax County, and Alexandria, Virginia, the
4 renamed Walter Reed National Medical Military
5 Center in Montgomery County, and Andrews Air
6 Force Base in Prince Georges County, Maryland,
7 while BRAC continues to influence the proposed
8 number and funding requests for the capital
9 projects at these facilities, many of the
10 BRAC-related capital projects have already
11 received funding and are being implemented.

12 The four projects identified for
13 the new Department of Homeland Security Campus
14 and the infrastructure total nearly \$1.1
15 billion, or, roughly, 14 percent of the total
16 FCIP program this year.

17 And finally, the Monumental Core
18 Framework Plan, which was released by NCPC,
19 together with the Commission of Fine Arts,
20 adds 12 new projects to the FCIP submitted
21 this year.

22 The largest share of capital

1 project funding requests is in the District of
2 Columbia, or continues to be in the District
3 of Columbia, with \$4.1 billion, or, roughly,
4 51 percent of the total FCIP program.

5 Following this is the Fairfax
6 County total of \$1.9 billion, and Arlington
7 County with \$687 million in capital project
8 funding requests.

9 In the final version of the FCIP,
10 it will also include Federal employment
11 statistics, which will address the 60/40
12 policy for distribution of Federal employment.

13 This graphic shows the
14 distribution or geographic distribution of
15 FCIP projects by number throughout the region.
16 The largest number of projects remains within
17 the District, with 69.

18 And with that, we would like to
19 request the Commission authorize circulation
20 of the proposed Federal Capital Improvements
21 Program for the National Capital Region for
22 Fiscal Years 2010-2015 for a 45-day review and

1 comment period by Federal departments and
2 agencies, regional agencies, state and local
3 governments, and interested organizations and
4 individuals.

5 And, at this time, Mr. Chairman,
6 I'd be happy to answer any questions you may
7 have.

8 [INSERT - Proposed Capital Improvements Program
9 for the National Capital Region FY 2010-2015
10 Staff Recommendation]

- 1 [INSERT - Draft Federal Capital Improvments
- 2 Program for the National Capital Region
- 3 FY 2010-2015]

1 CHAIRMAN COGBILL: Thank you very
2 much.

3 Are there any questions for Mr.
4 Wood?

5 Mr. McGill?

6 COMMISSIONER MCGILL: First of
7 all, I think -- I think I'm correct in saying
8 this, the ARRA money is not Fiscal Year 9,
9 '09.

10 MR. WOOD: No, it's not.

11 COMMISSIONER MCGILL: There's a
12 Fiscal Year '09 Omnibus Appropriations Act,
13 and that funds the activities of the various
14 agencies, other than Defense and DHS, that
15 were funded by individual appropriations.

16 The ARRA funds must be spent by
17 the end of Fiscal Year '10, with one
18 exception, and so far as I can tell they are
19 considered non-specific fiscal year money.

20 It's a minor technical point.

21 I've got a question about the
22 classification for two of the St. Elizabeth's

1 projects.

2 I would submit that the St.
3 Elizabeth's project, in general, complies with
4 all the criteria you identify that are used to
5 determine that a project is recommended and
6 strongly endorsed.

7 I am pleased to see that two of
8 the four St. Elizabeth's projects have now
9 been shifted from recommended to strongly
10 recommended, or strongly endorsed, but two
11 remain under the category of projects
12 requiring additional planning coordination.

13 Now, these two projects include,
14 one, the purchase of additional land at Firth
15 Sterling, and the acquisition of a right-of-
16 way at Shepherds Parkway, for additional
17 access points to the site.

18 The Firth Sterling acquisition is
19 part of the Fiscal Year '09 Omnibus
20 Appropriations Act. If we do not provide this
21 kind of access to the site, then the project
22 doesn't work.

1 In the Commission's approval of
2 our Master Plan it stated that we had to show
3 we were going to go ahead and do it. So, it
4 seems to me that this is not an issue
5 requiring additional planning coordination, it
6 should be recommended and strongly endorsed.

7 We also had a meeting recently
8 with staff to -- along with the Federal
9 Highway Administration, to explain to them the
10 process we are going through with FHWA and the
11 National Park Service to get the Shepherds
12 Parkway right-of-way, and I believe we
13 provided a persuasive case that we are far
14 along in acquiring control of that property.

15 With regard to the development of
16 East Campus, the other item, the Commission
17 conditioned its approval of the Master Plan on
18 our proceeding with an East Campus
19 development. The Commission asked us to make
20 sure that we were going to amend the Master
21 Plan, and we are now circulating a request for
22 proposals to hire a consultant to amend the

1 Master Plan.

2 So, it seems to me that in each of
3 these cases we are doing things the Commission
4 strongly urged or required us to do, we are
5 making progress in meeting those demands, and
6 as the general explanation staff had provided
7 in the past about this FCIP, the FCIP itself
8 does not indicate pre-approval of any projects
9 included within it.

10 So, you are including these as
11 recommended and strongly endorsed would not be
12 pre-approval, you would still have the right
13 to say whether or not we've met all the
14 conditions, but, logically, it would seem to
15 me that all four St. Elizabeth's projects
16 should be recommended and strongly endorsed.

17 MR. WOOD: The decision on those
18 two projects involved considerable other
19 information, so I'm going to defer the answer
20 to that to the Director of my division, Julia
21 Koster.

22 MS. KOSTER: Thank you, Members of

1 the Commission and Mr. McGill, for your
2 comments.

3 I think that on the two projects
4 that you've noted, I have a couple of
5 comments. The first is that in regards to the
6 East Campus, our understanding, when we were
7 developing these recommendations, is that NEPA
8 and 106 have yet to be completed. The Master
9 Plan, I believe, is still in process.

10 So, we had continued to designate
11 those as projects requiring additional
12 planning coordination. As we've noted in the
13 past, this designation is not prejudicial, in
14 that at some point when those issues are
15 resolved we very much could see that a
16 different recommendation category would be
17 appropriate.

18 I think, and in regards to the
19 other project, which is the one that has the
20 Shepherds Parkway in it, we -- based on our
21 conversations today, it's clear that you have
22 met with some of our staff within, I believe,

1 the last week. Unfortunately, both you and
2 that staff member were out, so we have not had
3 time to incorporate or evaluate that
4 information. I think we'd be happy to look at
5 the points that you've raised during the
6 public comment period, and see if that can be
7 addressed before we bring the final FCIP back
8 to the Commission in September.

9 COMMISSIONER MCGILL: Well, if I
10 can elaborate then.

11 You have other projects in our
12 package that are recommended and strongly
13 endorsed, for instance, the renovation of the
14 Federal Trade Commission building. There's no
15 money appropriated for that, that's probably
16 three or four fiscal years in the future.
17 We've done nothing with regard to a
18 categorical exemption to comply with NEPA.
19 We've done nothing with regard to Section 106
20 consultation, because they are far in the
21 future.

22 My impression, from discussions

1 you and I have had, and looking at this
2 document in the past, is that projects of
3 major importance are normally included in the
4 recommended and strongly endorsed, and
5 projects that are more routine, modest in
6 scope, perhaps, mainly internal, involving
7 basic systems, might not be qualified as
8 having overwhelming consequences for society
9 at large, but rather are good for the project
10 and, therefore, just recommended.

11 So, you don't say that recommended
12 and strongly endorsed is pre-approval. You
13 don't require 106 and NEPA compliance to
14 qualify for a recommended and strongly
15 endorsed. You do require a master plan for
16 multi-building projects, which we've prepared
17 and had approved.

18 Therefore, I just don't understand
19 why either of these projects should not be
20 recommended and strongly endorsed.

21 MS. KOSTER: Well again, Mr.
22 McGill, I think on the -- we would be happy to

1 continue this discussion with you during the
2 public comment period, and see if it merits a
3 change in the recommendation.

4 I think that the challenge
5 sometimes of the FCIP is that we do, in fact,
6 look at projects at varying stages in their
7 development, and where they are in terms of
8 their submittal to the Commission. And so, we
9 have to strike a balance between projects that
10 we feel are very important conceptually, as
11 well as projects for which we know that there
12 are significant planning work that's occurred
13 in it, and the resolution, and that there are
14 a number of issues that are being worked out
15 and resolved.

16 I think, you know again, what I
17 think would be an appropriate course is, for
18 us to work with you over the next month or so
19 to see if we could reevaluate the
20 recommendation category for those last two
21 projects, since some of the information that
22 you've raised is very recent.

1 CHAIRMAN COGBILL: Mr. Acosta, you
2 wanted to add something?

3 EXECUTIVE DIRECTOR ACOSTA: Yes.

4 I just wanted to note that, with certain
5 projects like St. Elizabeth's, the Commission
6 has taken very specific actions with, you
7 know, a series of conditions or
8 accommodations, which are spelled out, and in
9 the case of St. Elizabeth's, obviously, there
10 were many conditions attached to it.

11 With other projects, such as FTC,
12 the Commission has not taken action yet, so
13 there are no known issues on record.

14 So, I think that's one way to
15 distinguish between the two. But, I also would
16 point out that, again, as Ms. Koster said,
17 this is a draft that is going out to the
18 public, in addition to other public and
19 Federal agencies, for comments. So, over the
20 next few weeks we will, of course, meet with
21 you and other agencies that may have questions
22 about the proposed recommendations, and again,

1 as you've noted, in the past we have made some
2 changes to the documents before it comes back
3 to the Commission in September.

4 So, over the next few weeks we can
5 try to resolve some of these issues, but
6 again, some of these things were brought up
7 last week, and we still need some time to back
8 check and also talk to the other agencies
9 involved, to make sure that that is their
10 understanding.

11 CHAIRMAN COGBILL: Thank you.

12 Other questions or comments?

13 Mr. May?

14 COMMISSIONER MAY: Yes. I just
15 wanted to comment on Shepherds Parkway, which
16 is that I understand exactly where GSA and
17 Federal Highways are in the process, and I
18 would just note that second 4F process is not
19 complete, there's not been a decision by the
20 Administrator of Federal Highways that the
21 land is available for that purpose, and
22 Section 106 is not complete.

1 And, all those things, I expect,
2 will come in time, but it's not -- that's not
3 the current state of things.

4 CHAIRMAN COGBILL: Anything else,
5 Ms. Koster?

6 MS. KOSTER: No. Thank you, Mr.
7 Chairman.

8 CHAIRMAN COGBILL: Mr. Wood,
9 anything else from you?

10 MR. WOOD: No.

11 CHAIRMAN COGBILL: All right. I
12 think that's it. I'd entertain a motion.

13 Mr. Hart?

14 COMMISSIONER HART: So moved.

15 CHAIRMAN COGBILL: Okay, there's
16 been a motion made to approve the Executive
17 Director's recommendation.

18 COMMISSIONER AMES: Second.

19 CHAIRMAN COGBILL: Okay, seconded.

20 We'll release this for public
21 comment, 45-day comment period, and then we'll
22 have this back before us in September.

1 Okay, everyone understand the
2 motion?

3 All those in favor of the motion
4 please signify by saying aye.

5 (Ayes.)

6 CHAIRMAN COGBILL: Opposed?

7 COMMISSIONER MCGILL: No.

8 CHAIRMAN COGBILL: No, one no.

9 Abstentions? Abstention.

10 One no, one abstention, the motion
11 carries, and that concludes our open session
12 agenda.

13 If there's no other business then,
14 we stand adjourned.

15 (Whereupon, the above-entitled
16 matter was concluded at 1:59 p.m.)

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