

NATIONAL CAPITAL PLANNING COMMISSION

AGENCY: National Capital Planning Commission.

48 FR 9095

March 3, 1983

Revised Procedures for Public Participation
ACTION: Notice of adopted procedures.

SUMMARY: The Commission's Revised Procedures for Citizen Participation were published in the Federal Register on September 3, 1980 (45 FR 58450). These procedures are being revised again as part of the Commission's on-going effort to facilitate public input into its deliberations. By substituting "public" for "citizen," these revisions reflect a shift from a more narrow focus on citizen groups to a broader effort on the part of the Commission to solicit views and comments on proposed plans from a wide range of public and private entities. Aside from editorial changes and reorganization of the material, the only substantive change in these revised procedures is in the section dealing with Federal elements of the Comprehensive Plan. The Commission's current procedures refer to preliminary staff reports and background studies developed prior to the draft of a proposed element and solicit public comments on those early reports and studies. These revisions omit a specific reference to the material developed at the pre-draft stage. The revisions represent the Commission's current practice in considering Federal elements of the Comprehensive Plan, but do not preclude public input in the pre-draft stage.

EFFECTIVE DATE: March 3, 1983.

FOR FURTHER INFORMATION CONTACT: Samuel K. Frazier, Jr., Public Affairs Officer, **National Capital Planning Commission**, 1325 G Street NW., Washington, D.C. 20576, telephone 202/724-0174.

TEXT:

SUPPLEMENTARY INFORMATION: The proposed procedures were published for comment in the Federal Register on October 22, 1982 (47 FR 46910) with a deadline for comment of November 22, 1982. No comments were received.

Revised Procedures for Public Participation

The following procedures are designed to help members of the public make their views known to the **National Capital Planning Commission** on planning and related matters which come before it.

With what matters does the Commission deal?

The Commission is the central planning agency for the Federal Government in the National Capital Region, which includes the District of Columbia; Montgomery and Prince George's Counties in Maryland; Arlington, Fairfax, Loudoun, and Prince William Counties in Virginia; and all cities within the geographic area bounded by such counties. It reviews and acts upon development plans and programs submitted by Federal agencies, the District of Columbia Government and, in some cases, regional agencies and local governments in the Washington suburbs. It also acts on plans and programs prepared by its staff. For the sake of simplicity, these procedures use the word "plan" to cover all matters reviewed and acted upon by the Commission.

How would you know when the Commission will consider a plan in which you are interested?

The Secretary to the Commission (telephone: 202/724-0206) provides scheduling information regarding items on the Commission's agenda. The office of the Secretary can tell you when a particular plan will be considered by the Commission and, upon request, will provide an annual schedule of Commission meeting dates. Each month, approximately three weeks before a Commission meeting, the Secretary issues a notice called "Tentative Agenda Items" (TAI). It lists items the Commission is tentatively scheduled to act upon at one of its next several meetings. There is no charge for the TAI. Those wishing to be placed on the mailing list should contact the Public Affairs Officer (telephone: 202/724-0174).

What documents are available?

Many plans are accompanied by supporting documents, including environmental information in the form of an assessment or impact statement. An environmental assessment contains a brief discussion of the plan, of alternatives, and of the environmental impacts of the plan and alternatives. An environmental impact statement covers in more detail the items specified for an environmental assessment. The public may review these documents at the Commission's offices and may obtain copies in accordance with its Freedom of Information Act regulations. Each agenda item before the Commission for action is accompanied by a written recommendation by the Commission's Executive Director. The document, called an Executive Director's Recommendation or EDR, includes the rationale for the recommendation, a description of the plan, and a summary of environmental information. The EDR is ordinarily available from the Public Affairs Officer on the Monday before each Commission meeting.

Other helpful documents are located in the Commission's Central Files. They may be obtained from the Commission's Records Management Officer by requesting materials by file number as shown on the TAI.

How do you express your views to the Commission?

Approximately two weeks after the TAI is published, the Executive Director's Recommendations (EDR) is prepared for each item scheduled for action at the next Commission meeting. All written comments received in a timely fashion will be considered by the Executive Director in the preparation of the EDR.

Anyone who wishes to speak at a Commission meeting must notify the Public Affairs Officer prior to the date specified in the TAI. Agenda items on which no member of the public has asked to speak and the Executive Director has recommended Commission approval may be placed on the "Consent Calendar" and acted upon without presentation or discussion at the Commission meeting. Registering to speak prior to the deadline in the TAI insures that the Commission will hear oral presentations and that registrants will be notified if an item has been removed from the agenda for a particular meeting.

What if you wish to express your views on an item but cannot attend the meeting at which it will be discussed?

Submission of written views on any item is welcomed up to the time of its consideration by the Commission. However, the Secretary to the Commission can insure that copies of written statements will be reproduced and distributed to each member of the Commission only if such statements are received by noon of the day preceding the day of the meeting.

What should your statement contain?

A wide variety of plans come before the Commission. Members of the public can effectively make their views known to the Commission if they understand the scope of the Commission's authority and direct their comments accordingly. Therefore, the following is a brief description of the Commission's major functions and, for each function, the type of review the Commission will give the item.

(a) Comprehensive Plan for the National Capital

The Comprehensive Plan for the National Capital consists of: (1) "Federal elements" prepared and adopted by the Commission, and (2) "District elements" prepared by the Mayor, adopted by the Council of the District of Columbia, and reviewed by the Commission.

(1) *Federal Elements and Amendments Thereto.* Federal elements deal with Federal activities and interests in the development of the National Capital. When a proposed element or amendment is prepared, the Commission authorizes its circulation for review and comment Federal, District, regional, and local agencies and those organizations and individuals who have expressed an interest in the element. Public comments, written and oral, are welcome at this stage.

(2) *District Elements and Amendments Thereto.* District elements deal with land use, transportation, public works, and other issues related to the development of the District of Columbia. Following adoption by the Council of the District of Columbia, District elements are reviewed by the Commission to determine their effect on Federal activities and interests in the National Capital Region.

The Commission will entertain comments from the public only on the impact a District element or amendment would have on Federal interests or functions. Comments on other aspects of such elements or amendments should be presented to the Mayor and/or the Council during the District's preparation and adoption of such elements or amendments.

(b) Federal Capital Improvements Program

Each year the Commission prepares and adopts a Federal Capital Improvements Program which contains the Commission's recommended capital program for Federal agencies in the National Capital Region over the next five years. Members of the public are invited to make planning-related comments, either orally or in writing, during the circulation and adoption stages.

(c) Federal and District of Columbia and Other Local Plans

(1) *Federal Plans.* Federal agencies are urged to develop a process for public participation where there is a potential for the Federal plans to have an impact on adjacent communities. Where appropriate and as requested by the sponsoring agency, Commission staff may be involved in such a process. In addition, members of the public may express their views before the Commission when it reviews the agency submission.

(2) *District Plans.* Various plans are submitted by the District to the Commission for recommendation or approval. Consistent with the objectives of the District of Columbia Self-Government and Governmental Reorganization Act (the "Home Rule" Act), the Commission limits its review of most District plans to a "Federal interest" review. Accordingly, public comments on such plans should be correspondingly limited. There is, however, no such limitation on plans for District public buildings in the central area of the District of Columbia.

The Commission may participate in zoning cases either at the Zoning Commission's prehearing or public hearing stage or after the hearing, when proposed Zoning Commission action has been referred to the Commission as required by law. The Commission may also participate in cases before the Board of Zoning Adjustment. Commission review of zoning matters is limited to: (1) The effect of the proposed zoning on Federal activities and interests in the National Capital and (2) the consistency of the proposed zoning with adopted elements of the Comprehensive Plan for the National Capital. Written or oral comments within these limits are welcomed.

(3) *Other Local Plans in the Maryland and Virginia Portions of the Region.* On occasion the Commission reviews plans prepared by local jurisdictions in the Region and proposed zoning actions where there may be an impact on Federal facilities or interests. Its role is to make recommendations only. Comments by members of the public should be limited to the effect on the plan or proposed zoning on the Federal Establishment or other Federal interests in the National Capital Region. The Commission has approval powers over plans for certain parklands purchased with Federal grant-in-aid funds. If such a plan is before the Commission for approval, comments from members of the public are not so limited.

Daniel H. Shear,

Secretary to the Commission.