



GreaterWashington2050

COMPACT TASK FORCE

Summary of First Meeting - June 27, 2008

Next Meeting – Teleconference, Monday, July 14, 2008, 10:00-11:30 am

Dial in 1-800-605-5167; password 574789

Attendees of First Meeting:

Catherine Hudgins – Chair	Fairfax County Board of Supervisors
Lee Quill – Co-Chair	Cunningham Quill Architects
Bill Schechter	Washington Regional Equity Network
Lee Schoenecker	American Planning Association
Stuart Freudberg	COG – Director, Environmental Programs
Diana Farina	COG – DCPS Staff
John Mataya	COG – DCPS Staff
Lee Ruck	COG – General Counsel

“Charge from full Coalition: *Can COG, which is a voluntary association of local governments, be effective in marshaling support for a new agreement to promote and track progress in achieving regional goals or principles? How can non-governmental stakeholders be more effective in advocating and supporting regionalism? What best practices have worked in other regions that could be effective in our tri-state metropolitan region? The Compact Task Force will examine agreements or structures successfully used in other regions to promote greater regional collaboration, goal setting and assessing progress and begin to draft a compact or agreement for the National Capital Region.”*

Prior to the June 27th meeting, the Task Force reviewed several regional compacts and inter-local agreements and considered certain elements of Interstate Compacts.

Included were: “

- Compacts” from Denver, Utah, Atlanta, Puget Sound, Boston, and North Texas.
- Interlocal agreements for planning or service agreement from Tampa Bay, Pittsburgh, and Sacramento.
- Interstate Compacts, including WMATA, and the Council of State Governments interstate compact toolkit.

The Task Force acknowledged that much of its work would be dependent on analyses and recommendations from the Planning Principals Task Force and the Planning Tools Task Force. Preliminary efforts would consist of review and consideration of other model compacts and interlocal agreements; potential participants; desired levels of

specificity for goals, strategies, and tactics; procedures for encouraging regional consideration or review. These preliminary efforts will also address templates for presentation.

Specific Items Discussed and Preliminary/Interim Directions

- How specific should the Compact be? *The Compact should consist of several (5-8?) major principles or goals, with more specific subset goals or objectives.*
- Should the Compact address strategies for accomplishing goals and objectives? *Yes. Strategies may be directive, recommended, or informational only to each local government. (See attachment 1)*
- Should the Compact address tools and metrics? *Yes, but probably in one or more appendices or annexes to avoid making the basic Compact text too long or complex.*
- Should the Compact provide for periodic review? *Metrics and results should be reviewed frequently (e.g., 2 years or as needed); principles might be reviewed on a 5-10 year basis.*
- Should the Compact provide a mechanism for regional review of regionally significant actions? *Yes, structure, format, and procedures to be developed. (See Attachment 2. One possible proposal was the subject of a GMU masters paper.)*
- Who should be the parties or signatories to the Compact? *The Regions local governments (COG membership?) should be the parties. Other procedures should be investigated for participation or endorsement by other entities and stakeholders, e.g., “witness,” “endorse,” “associate,” “affiliate,” “auxiliary,” etc. (see Attachment 3)*
- What should be the geographic boundaries of the Compact? *Initially, the COG footprint should be used, although provisions should be made to permit adjacent jurisdictions to adopt in the future. The first major review of the Compact (5-10 years out) should investigate expanding Compact boundaries to the Baltimore-Richmond corridor.*

Attachment 1

Should the Compact address strategies for accomplishing goals or objectives? Examples of some strategies are below.

As requested by the Greater Washington 2050 Compact Task Force, examples of regional strategies have been compiled in the form of Regulatory/Legislative strategies, Executive Policy strategies, Fiscal strategies, Infrastructure Strategies and Educational strategies. This work has been done to provide examples of what other regions have done to better coordinate growth and development on a regional scale. Some of the strategies are interrelated and loosely relate to the overarching categories outlined for this exercise. The strategies below are intended to generate ideas and may be modified by any of the Greater Washington 2050 Task Force committees as necessary. The chart below is designed to provide an example of a regional strategy and how it works at the regional and local level. Additionally the chart shows how such a strategy might be implemented at the regional and local level in the Metropolitan Washington region.

I. Regulatory/Legislative Strategies

Regional Comprehensive Framework Plan		
	Regional Examples	Possible Implementation in Metro Washington
Regional	<p>2040 Regional Framework Plan Northeastern Illinois Planning Commission</p> <p>Metropolitan Chicago's current regional land-use plan is the Northeastern Illinois Planning Commission (NIPC) 2040 Regional Framework Plan, published in 2005. That same year, the Chicago Metropolitan Agency for Planning (CMAP) was created to integrate planning of land use and transportation in the seven counties of northeastern Illinois. CMAP is developing the region's first truly comprehensive plan for land use and transportation, to be published in 2010.</p>	<p>Regional planning process facilitated by GW2050 and/or COG.</p> <ul style="list-style-type: none"> - Develop Vision - Show Regional Centers and Corridors for concentrated development - Objectives and Strategies <p><i>Activity Centers work could be a basis or framework for regional framework plan based on Centers and Corridors for planning future Transit-Oriented Development</i></p> <p>Publish annually a Report Card of performance indicators aligned with the plan. Coordinate accountability for implementation progress, growth, development and redevelopment.</p> <p>A Regional Plan (<i>to address climate change</i>) is currently a recommendation in COG's Climate Change Steering Committee's Draft Climate Change Report.</p>

Local	Regional Plan guides Local Comp. Plans and is the basis for the Regional Transportation Plan.	Member jurisdictions agree to base comprehensive plans on the broad regional plan’s vision, goals, and objectives – the GW 2050 Compact. Jurisdictions can utilize suggested strategies or develop their own.
Zoning		
	Regional Examples	Possible Implementation in Metro Washington
Regional	NA	The regional compact advises jurisdictions to make certain regulatory or land use decisions based on GW 2050 Compact principals. - May only apply to narrow “regionally significant” areas (Transit Stations or mixed-use zones)
Local	NA	When zoning is considered for implementation at the local level, a review process evaluates the zoning consistency with the GW2050 compact and/or compact’s principals.
Regional and Local Plan/Development Review		
	Regional Examples	Possible Implementation in Metro Washington
Regional	Florida's Local Government Comprehensive Planning and Land Development Regulation Act Regional planning commissions are required by Florida law to review local governments' comprehensive plans for impacts on regionally	<u>Plan Review</u> Establish a review/approval process for local Comprehensive, Master, Sector or small-area plans. <u>Development Review</u> Establish a development review

	<p>significant resources and facilities.</p> <p>Regional planning commissions are required by Florida law to review various plans and documents including major power facilities, highway corridors, pipelines or land management plans when needed or requested.</p>	<p>commission for “regionally significant” proposals.</p> <p>The review process could be structured to streamline regionally beneficial proposals or scrutinize regionally harmful proposals.</p> <p>Development review fees could be used to support the review process and/or develop grants to support “smart growth” or transit-oriented development.</p>
Local	<p>Local governments are required by Florida state law to allow regional agencies to review plans and certain “regionally significant” proposals.</p>	<p>Jurisdictions could establish a local Ombudsman to streamline the “regionally beneficial” developments according to the principles of the GW 2050 Compact.</p> <p>The regional development review could be submitted as comments that are incorporated into the local development review/approval process based on the GW 2050 Compact.</p>

Regional Housing Needs Assessment

	Regional Examples	Possible Implementation in Metro Washington
Regional	<p>SANDAG works with the local jurisdictions to allocate overall regional housing needs to each jurisdiction in four required income categories (very low, low, moderate, and above moderate). The goals set as part of this process will help the region plan for more housing and a greater diversity of housing types.</p> <p>Regional Housing Needs Allocation (RHNA) is a state mandated process in California for determining how many housing units, including affordable units, each community must plan to accommodate.</p> <p>SANDAG Board Policy lays out provisions regarding the allocation of discretionary funding to local jurisdictions in relation to local jurisdiction housing compliance.</p>	<p>Affordable Housing Targets work is being undertaken by the Housing Directors Advisory Committee at COG. This work is intended to examine the need for affordable housing in each jurisdiction and the region based upon the cooperative forecasting process for employment and households and each jurisdictions consolidated plan to HUD.</p> <p>The Compact could include an agreement among jurisdictions to balance regional housing needs based on employment and income categories.</p>
Local	<p>Each city and county receives a</p>	<p>Jurisdictions coordinate their local</p>

	<p>Regional Housing Needs Allocation of total number of housing units that it must plan for within a 7.5 year time period through their General Plan Housing Elements.</p> <p>Allocations distributed within four economic income categories; these four categories must add up to the total overall number a jurisdiction is allocated. Cities and counties develop their Housing Elements to meet their allocations.</p>	<p>housing plans to allocate their share of housing for the region.</p> <p>Jurisdictions would agree to allow residential permit process to correspond to the regional housing needs assessment process and allocate housing based on the GW 2050 Compact or principals.</p>
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II. Executive Policy Strategies

Public Facilities		
	Regional Examples	Possible Implementation in Metro Washington
Regional	NA	GW 2050 Compact would establish agreement among jurisdictions to guide public facilities in accordance with the GW 2050 Compact or principals.
Local	NA	<p>Strategies might be based on guiding public facilities.</p> <ul style="list-style-type: none"> - Location of School (activity centers) - Location of Libraries - Urban School Models vs. Campus School Building Types - Other public facilities review procedures through a regional lens <p>TPB and Metro exceptions might be necessary.</p>

III. Fiscal Strategies

Congestion Pricing		
	Regional Examples	Possible Implementation in Metro Washington
Regional	Congestion pricing is the practice of charging motorists more to use a roadway, bridge or tunnel during periods of the heaviest use. Its purpose is to reduce automobile use during periods of peak congestion, thereby easing traffic and	Expand upon the HOT lanes concept currently being developed and create a congestion pricing system with revenues used only for regional transit improvements.

	<p>encouraging commuters to walk, bike or take mass transit as an alternative.</p> <p><u>Examples</u> Mayor Bloomberg's PlaNYC, long-term sustainability plan calls for a system similar to the one instituted in London in 2003. Cars that enter Manhattan south of 86th Street will be charged \$8 between 6 am and 6 pm. The revenues collected through the charge will be used solely to fund expansions and improvements to our regional transit system and achieve a state of good repair on city streets and on the transit system. The benefits of this plan across all five boroughs are significant.</p> <p>Since February 2003 the city of London has charged a fee for driving private automobiles in its central area during weekdays as a way to reduce traffic congestion and raise revenues to fund transport improvements. This has significantly reduced traffic congestion, improved bus and taxi service, and generates substantial revenues. Public acceptance has grown and there is now support to expand the program to other parts of London and other cities in the U.K. This is the first congestion pricing program in a major European city, and its success suggests that congestion pricing may become more politically feasible elsewhere.</p>	
Local	Most examples are implemented in a very localized manner such as in a central business district.	Local implementation would be based upon the GW 2050 Compact and guiding principals.
Regional Parking Tax		
	Regional Examples	Possible Implementation in Metro Washington
Regional	TransLink, the Greater Vancouver Transportation Authority, plans to tax businesses per square meter of	A parking tax could be established based on the GW 2050 Compact or principals. The parking tax could be used to fund

	parking space in order to help pay for a \$1.9 billion, three-year improvement plan.	regional priorities.
Local	The parking tax is being levied by a regional agency to raise \$25 million for TransLink's \$1.9 billion three-year improvement plan which includes eight major new road projects, a new Golden Ears Bridge, modernizing and expanding the bus fleet and improving and expanding the cycling network."	The parking tax could be implemented by each jurisdiction and money raised could be used at the local level or to support "regionally significant" goals outlined by GW 2050. Employers could decide to pass on the cost of the parking to their employees or include it as a benefit.

Regional Tax-Base Sharing

Regional	Regional Examples	Possible Implementation in Metro Washington
Local	<p>Minneapolis/St. Paul Regional Tax-Base Sharing - The Minnesota Fiscal Disparities Act of 1971</p> <p>The Minnesota Fiscal Disparities Act applies to all taxing jurisdictions within the seven county, Minneapolis-St. Paul area. This amounts to 186 cities, villages and townships, 48 school districts, and 60 other taxing authorities. Each jurisdiction is required to contribute 40% of the increase in value from its commercial- industrial property since 1971 to a common, regional pool. Residential property tax increases are not included in the fiscal disparity plan. Each year, a jurisdiction receives a share of money from the pool. Essentially, communities that are experiencing rapid commercial or industrial growth are required to share the benefits with communities whose economies have stagnated.</p> <p>There are a number of criteria used to determine the amount that each municipality receives. The various criteria include the population and the ratio of the total market value of property per capita in the jurisdiction and the average market value of</p>	<p>A Tax-Base Sharing Concept could involve each jurisdiction designating some part of its assessed value base, or of a stream of tax revenues, for inclusion in a regional pool of assessed values or tax revenues that is then divided among all localities in the pool by some formula, usually involving total population and perhaps other variables.</p>

	<p>property per capita in the region. Money is then reallocated on the basis of inverse net commercial tax capacity. Municipalities that have lower than average market value per capita receive a share of the pool that is greater than their share of the regional population.</p> <p>Thus regional tax- base sharing prevents one municipality benefiting from growth at the expense of the rest of the region.</p>	
	NA	Jurisdictions would define how the tax would be established based on the GW 2050 Compact or principals.

IV. Infrastructure Strategies

Public Facilities		
	Regional Examples	Possible Implementation in Metro Washington
Regional	<p><u>Washington Suburban Sanitary Commission (WSSC)</u></p> <ul style="list-style-type: none"> - Industrial Discharge Control Program <p>The program regulates the disposal of industrial waste to the WSSC's sanitary sewer system. The program issues discharge authorization permits to</p> <ul style="list-style-type: none"> - Licensing and Inspection Support <p>establishes and enforces licensing requirements, and issues plumbing, gasfitting, sewer and drain cleaning, and cross-connection licenses</p> <ul style="list-style-type: none"> -Inspection Services and Plans Review <p>This unit reviews plumbing, gasfitting and site utility plans.</p>	<p>Water/Sewer Connections review process or fees established based on the GW 2050 Compact or principals.</p> <ul style="list-style-type: none"> - Permits could be streamlined based on regionally significant area (activity centers) - Permit process would be adapted to meet objectives of GW 2050 Compact

Local	Locals appoint board members equally and influence organization based on Montgomery and Prince George's Public Facilities or Water/Sewer Plan.	Jurisdictions would implement the review process based on growth and development objectives of GW 2050 Compact or principals.
Energy		
	Regional Examples	Possible Implementation in Metro Washington
Regional	<p>San Diego council of governments - SANDAG</p> <p>A separate group, Center for Sustainable Energy is involved in regional, state, and local policy and planning to SANDAG.</p> <p>SANDAG formed the Energy Working Group (EWG) to coordinate the implementation of the 2003 Regional Energy Strategy (RES). The Energy Working Group advises the SANDAG Regional Planning Committee (RPC), which is responsible for comprehensive regional planning.</p> <p>SANDAG identified four focus areas for the EWG: (i) energy planning, policy, consensus building and implementation, (ii) unified legislative and regulatory advocacy with the state and federal governments, (iii) coordination with adjacent areas in the state and in Baja California, Mexico, and (iv) evaluation of the Regional Energy Strategy implementation efforts in the region. The EWG meets monthly at SANDAG.</p>	<p>COG's Draft Climate Change Report (<i>currently open for comment</i>) is recommending a Regional Plan be created to address climate change.</p> <p>The establishment of a Climate Change and Energy Policy Committee is a recommendation in the Draft Climate Change Report created by the COG Climate Change Steering Committee.</p>
Local	California state law requires a regional comprehensive plan.	Implementation could vary widely depending on the GW 2050 Compact.

Educational Strategies

Educational Strategies

	Regional Examples	Possible Implementation in Metro Washington
Regional	<p><u>MWCOG Examples</u></p> <p>Commuter Connections</p> <p>Smart Growth Video</p> <p>Affordable Housing Toolkit</p>	<p>Many of these programs already exist and several examples are referenced.</p>
Local	<p>Local benefits usually vary by jurisdiction.</p>	<p>Educational activities are usually done during public work sessions with elected officials and the public or public/private partnerships and nonprofits.</p> <p>Outreach is done based on the GW 2050 Compact or principals.</p>

Attachment 2

A Proposal for Formal Consideration of Regional Impact in Local Land Use Decisions

As the National Capital Region's ("NCR" or "Region") ongoing economic boom continues to foster increasing growth- in terms of population, jobs, and housing, it becomes progressively more important for local governments to coordinate their transportation and land use development; specifically those proposals which will have significant impact on the Region. Because these types of decisions are made at local level, the information a jurisdiction bases its decision on tends to be local in scope, with little attention to the potential regional implications. In addition, there is no current structure which could provide analysis on the possible impacts of development on the Region. This paper explores the need for, and proposes, a voluntary, non-binding process for insuring that public decisions, with a significant regional impact on the NCR, are at least based upon an awareness of those impacts.

In order to fully comprehend the need for such a process one must understand the complexity of the Region, with its various forms of government, as well as the economic landscape which has generated its tremendous growth. In addition, what is meant by Regional must be defined. The following proposal begins with this information and develops into the proposed "governance" structure. What should also be made clear is that through the process of crafting this proposal several options, such as the Oregon Metro with its Urban Growth Boundary, Regional revenue sharing, and adequate public facilities ordinances were analyzed, but determined to be unrealistic for such a diverse Region.

National Capital Region

The NCR is a complex union of dozens of local governments, two sovereign states, and the District of Columbia.¹ Consider also that of the region's seven counties, two are "strong mayor" and charter-home rule, one is a commission form, and four are governed by communal executive-legislative boards of varying authorities. The Region's 60 incorporated municipalities are all weak mayor-council or manager forms, but range in size between 128,000 (Alexandria, VA) and 55 (Eagle Harbor, MD); some rely on specific charter authority; others upon general law. Additionally, dozens of unincorporated jurisdictions of varying sizes possess some of the authority, functions, and political tension of their incorporated neighbors.²

¹ See Appendix 1.

² COG member jurisdiction demographics are readily available to staff in differing forms; those which were not, were compiled by researching the individual jurisdictions.

In spite of these structural and demographic differences, these diverse jurisdictions have some things in common. They all possess the ability to modify in some ways the use of land within their boundaries, and by those actions impact the physical development, the economic viability, and the environmental stability of their communities. Some have planning and zoning authority and can regulate the private use of land; all have the ability to acquire, develop, and utilize land in their perception of the public interest and need.

Many decisions impacting the use of land are, by their very nature regional. Federally funded transportation infrastructure – both highway and transit -- must be planned regionally through the Metropolitan Planning Organization process.³ Certain environmental programs – those impacting air quality, water quality, and large areas like the Chesapeake Bay virtually must be planned regionally. Most planning and zoning decisions are made at the lowest or smallest level of overlapping jurisdiction; all public purchase or construction occurs within the border of the executing unit.

Usually such local actions have only local impact; some, however, significantly impact jurisdictions and populations beyond the boundaries of the government making the decision. In the NCR, with its multiple legal structures, and with its natural competition between different jurisdictions, the potential for significant regional impact is often not considered by or acted on by a council or board or commission facing its own policies, its own need for economic development, and the political desires of its own constituency.

What do we mean when we say something is regional or would have a significant regional impact (SRI)? SRI is that which would have significant downstream impact and the potential for: upsetting the environment, would modify existing transportation patterns, and would be inconsistent with either adopted, or generally accepted, goals for the Region. Possible examples include:

- Regional shopping centers
- Extension of commuter rail
- Development of major road networks (ex. of additional beltways)
- Sewage treatment plants in excess of 1 million gallons per day (EPA definition of "large plant")
- Bridges over boundary waters
- Commercial development in excess of 100,000 sq. ft.
- Residential development in excess of 500 units
- Power generating facilities
- Extension of sewer or water utilities across a boundary
- Airport creation or expansion

³ Title 23, U.S.C., Sec. 104 and 134, as amended.

- Development within ½ mile of a boundary higher than 150% of existing buildings within 1 mile
- 10 acres of impervious surface
- Damming a year-round water course
- “other public or private development of equivalent impact”

Creation of a Regional Process: the Regional Development Review Committee (RDRC)

Currently, transportation planning is coordinated at the regional level through the Transportation Planning Board (TPB). The TPB is the federally-designated Metropolitan Planning Organization responsible for directing the continuing transportation planning process carried on cooperatively by the states and local governments in the Washington metropolitan region.⁴ What is not covered through this process is the land use necessary to compliment the planned transportation. The TPB has recently underscored, through its Accessibility and Mobility Study, the need for such a balance between land use and transportation planning efforts. It is beginning to examine how the Constrained Long Range Plan can support promising land use and transportation strategies. A process of regional analysis of local land use land use planning is therefore necessary to build upon this work and to accomplish these goals.

In order to be effective (and politically acceptable at all) and to accommodate the legal structures of the three “states” and all the charters, ordinances, etc. the committee structure must be non-binding, professionally staffed by a mutually acceptable entity with a record of producing work that is of high quality and nonbiased, and inclusive of all jurisdictions within the region.

The Metropolitan Washington Council of Governments (COG), and its TPB, the MPO for this Region has such a record of being unbiased and of preparing high quality work. It is for this reason that COG would serve as the staffing agency for this Regional Development Review Committee, and would appoint its members.

The RDRC would be charged with providing analysis, upon request, of local land use, transportation or environmental development proposals as to its potential, positive or negative, affect on the region. The RDRC shall be responsible for: Fostering cooperation, collaboration and communication of local jurisdictions regarding responsible planning and decision making for various types of development; Providing expert analysis of proposed development to the requesting jurisdiction; Communicating that analysis in a way that is non-committal and takes no certain position but rather lays out the facts and allows the jurisdiction to make an educated decision based on that information.

⁴ National Capital Region Transportation Planning Board, *Bylaws*, Sec. 1.

The RDRC would become active upon the engagement by a local jurisdiction after a two-stage process by the requesting jurisdiction. First, there would be a simple review conducted by staff of the jurisdiction to determine if they believe proposed development could have SRI. If they find that it would not, the County/City/Town Board would proceed as normal. If staff believes there is a significant regional impact, positive or negative, they request review by the Panel of the Committee.⁵ RDRC would conduct a preliminary analysis as to whether the requested proposal review could have a potential, again positive or negative, affect on the region. If, through this preliminary analysis, staff determines there is a need to move forward with the review process, the local jurisdiction would be contacted and asked to hold off on making any decision on the development for a period of 60-90 days while a formal review was conducted.

Upon completion of review, the RDRC would send its analysis, to the submitting jurisdiction highlighting the potential impacts; and depending upon the impact it could state how negative regional impacts can be ameliorated or how positive regional impacts can be enhanced. It is then up to the local jurisdiction to make their decision from the analysis.

What is important to realize here, is that this entire process is open to public record, therefore holding local officials accountable for their actions, or as the case may be, inaction. The political power is the public exposure and peer pressure of the elected officials.

The RDRC would be comprised of five members from Maryland, five from Virginia, and four from the District of Columbia. Maryland would be represented by two members each, from Montgomery and Prince George's County (one from the County at-large, and one from a concerned municipality) and one member from Frederick County. In Virginia, the counties of Arlington, Fairfax, Loudoun, and Prince William, and the City of Alexandria, would have equal representation with one member each. The District of Columbia would be allowed four at-large positions.

From the committee at-large, six members would be selected as the review panel for the specific development issue. Members would include two from each "state" and would be comprised of the requesting jurisdiction and any other jurisdiction which has a reasonable stake in the proposal (if they so choose); if they are unavailable to serve they may send an alternate or their member of the COG Board of Directors. The remaining members would be selected alphabetically, and contacted by the appropriate staff of that committee for participation until six members are obtained. After participation, those members would not serve on another panel until each jurisdiction has had a chance to participate.

⁵ This process is similar to that of the National Environmental Protection Agency where an undertaking may be excluded from a detailed environmental analysis if it is determined to not have significant environmental impact. <http://www.epa.gov/compliance/basics/nepa.html>

Alternatives

Across the country regions have attempted to manage growth and integrate transportation, land use, and environmental planning. Various options have been regional revenue sharing where one county gives up something they have a lot of, say jobs, to another jurisdiction which needs jobs, for something it needs, say housing. Another alternative has been the use of adequate public facilities ordinances which require that a jurisdiction, or section of, have adequate infrastructure in place to support additional development. The largest scale entity which has taken on such issues at the regional level is the Metro in Oregon. The Metro actually had state law changed and was given the authority to appropriate transportation dollars and to virtually stop growth in certain areas with the Urban Growth Boundary.⁶

“The way local governance is organized regionally is an important factor shaping regional social, economic, and fiscal patterns.”⁷ The more fragmented local governance is the more difficult it is to get things done regionally. Each of these solutions has valuable benefits and could significantly improve the quality of a small scale population with similar governance structures. In order to accommodate such plans into our Region, we would have to, as stated above, amend enabling legislation in tow states and in the District of Columbia. In doing so, both the states and local governments would have to give up some of their authority; in a region as diverse as this one the political chance of such a thing passing is minimal at best.

Conclusion

Local governments pride themselves on being the government body which is closest to the people and consequently most responsive and responsible to, the people. It is entirely realistic and appropriate that they are parochial and stovepipe in their method of decision making; all the information and research they generally receive is at the local level. However, it would benefit each jurisdiction, and certainly the region as a whole if they were to better coordinate their transportation and land use planning. Land use planning has been left up to local government while the states and regional government, through the Transportation Planning Board, plan for transportation with little or no coordination. The process that has been proposed, one which is voluntary, and non-binding, merely offers a vehicle by which local governments can address Regional issues without reducing or removing local authority and having to amend state code. It offers local government the ability to look beyond its borders and look to the good of the region, all while maintaining its sovereignty.

⁶ Rusk, David. “Inside Game Outside Game,” Washington: Brookings Institution, 1999. P 153-176.

⁷ Ibid, p6.

Appendix 1

The National Capital Region, or the Washington Metropolitan region, is defined in a number of ways depending upon to what you are referring. The Metropolitan Washington Council of Governments (COG), the Department of Homeland Security (DHS), the Transportation Planning Board (TPB), and the Environmental Protection Agency (EPA) each require different definitions. For our purposes, the NCR will be referring to the definition as adopted by COG which includes the District of Columbia, Frederick, Montgomery and Prince George's Counties, and the Cities of Bowie, College Park, Gaithersburg, Greenbelt, Rockville, Takoma Park, and the Town of Bladensburg in Maryland; Arlington, Fairfax, Loudoun, and Prince William Counties, and the Cities of Alexandria, Falls Church, Manassas, and Manassas Park in Virginia.⁸

DHS: The National Capital Region was created pursuant to the National Capital Planning Act of 1952 (Title 40, U.S.C., Sec. 71). The Act defined the NCR as the District of Columbia; Montgomery and Prince George's Counties in Maryland; plus Arlington, Fairfax, Loudoun, and Prince William Counties in Virginia; and all cities now or hereafter existing in Maryland or Virginia within the geographic area bounded by the outer boundaries of the combined area of said counties. Today, the NCR includes the District of Columbia and eleven jurisdictions in the states of Maryland and Virginia.

TPB: The TPB's planning area covers the District of Columbia and surrounding jurisdictions. In Maryland these jurisdictions include Charles, Frederick, Montgomery, and Prince George's Counties, plus the cities of Bowie, College Park, Gaithersburg, Greenbelt, Rockville, and Takoma Park. In Virginia, the planning area includes Arlington, Fairfax, Loudoun, and Prince William Counties, as well as the Cities of Alexandria, Fairfax, Falls Church, Manassas and Manassas Park.⁹

EPA's Air Quality Classifications of the Washington Metropolitan Region: The geographic scope of the region includes the Metropolitan Washington Region defined as follows: Montgomery, Prince George's, Frederick, Charles, Calvert Counties in Maryland; Fairfax County, Arlington County, City of Alexandria, Prince William County, Loudoun County, City of Manassas in Virginia; and the District of Columbia.

Eight-Hour Ozone Standard: EPA designated the metropolitan Washington region as moderate nonattainment for the 8-hour ozone standard in January 2004. The state implementation plan ("SIP") adopting all the requirements for moderate nonattainment areas is due in 2007. The region has a deadline of June 15, 2010, to meet the 8-hour ozone standard.

⁸ <http://www.mwcog.org/about/jurisdiction/>

⁹ <http://www.mwcog.org/transportation/tpb/jurisdictions.asp>

PM2.5 Standard (“Fine Particle”): EPA designated the Metropolitan Washington region as nonattainment for the fine particulate standard, PM2.5, in January 2005. The state implementation plan adopting all requirements for the fine particulate standard is due in 2010. The geographic scope of the Washington region PM fine nonattainment area is the same as for the 8-hour ozone standard, with the exception of Calvert County, Maryland, which is not included.¹⁰

¹⁰ MWAQC Air Quality Planning Work Program and Budget, FY 2007.

Appendix 2

Regional Development Review Committee (RDRC)

An independent, voluntary review panel, which provides local governments with the information they need to better plan their land use and environmental development.

The following is the proposed structure of such a body in the form of bylaws which would be drafted and agreed to by the COG Board of Directors.

I. COMMITTEE NAME

The name of this committee is the Regional Development Review Committee, hereafter referred to as Committee. The Committee serves as a policy committee of the Metropolitan Washington Council of Governments (COG), responsible to the COG Board of Directors through the Metropolitan Development Policy Committee.

II. PURPOSE AND RESPONSIBILITIES

The Committee shall provide analysis, upon request, of local land use or environmental development proposals as to its potential, positive or negative, affect on the region. The Committee shall be responsible for:

- A. Fostering cooperation, collaboration and communication of local jurisdictions regarding responsible planning and decision making for various types of development;
- B. Providing expert analysis of proposed development to the requesting jurisdiction in a period of 60 to 90 days;
- C. Communicating that analysis in a way that is non-committal and takes no certain position but rather lays out the facts and allows the jurisdiction to make an educated decision based on that information, can at either staff or committee level, state how negative regional impacts can be ameliorated or how positive regional impacts can be enhanced;

III. MEMBERSHIP

Comprised of five members from Maryland, five from Virginia, and four from the District of Columbia. Maryland would be represented by two members each, from Montgomery and Prince George's County and one member from Frederick County. In Virginia, the counties of Arlington, Fairfax, Loudoun, and Prince William, and the City of Alexandria, would have equal representation with one member each. The District of Columbia would be allowed four at-large positions.

From the committee at-large, six members would be selected as the review panel for the specific development issue. Members would include two from each "state" and

would be comprised of the requesting jurisdiction and any other jurisdiction which has a reasonable stake in the proposal (if they so choose); if they are unavailable to serve they may send an alternate or their member of the COG Board of Directors. The remaining members would be selected alphabetically, and contacted by the appropriate staff of that committee for participation until six members are obtained. After participation, those members would not serve on another panel until each jurisdiction has had a chance to participate.

IV. TERM OF OFFICE

The Committee shall serve a one year term; however, nothing shall preclude an officer from serving more than one consecutive term in office.

Appointments shall be made annually by the COG Board Chair during the first meeting of the COG Board of Directors.

V. MEETINGS

Meetings will be held on an as needed basis, and on a schedule as determined by the selected panel.

VI. PARLIAMENTARY AUTHORITY

The Committee's proceedings shall be governed by the Rules of Procedure of the COG Board of Directors. Where such rules are silent, the current edition of Roberts Rules of Order will apply, except where they are inconsistent with these bylaws or with any special rules of order the Committee may adopt.

VII. ADOPTION OF BYLAWS

These bylaws shall become effective upon the majority vote of a quorum of members assembled for the purpose of deciding the ratification of such bylaws. These bylaws may be amended by majority vote of the members present to consider such amendment, provided that members have been provided a copy of the proposed amendment at least thirty days before the date of such vote, and the proposed amendment has been discussed at least one meeting prior to the vote.

Attachment 3

The Metropolitan Mayors Caucus, Chicago Area

The Caucus is a voluntary collaboration of the Mayor of the City of Chicago and the Mayors and Presidents of the suburban municipalities in the greater Chicago metropolitan region acting through their councils of governments. Its purpose is to provide a forum through which chief elected local officials cooperatively develop consensus and act on public policy issues affecting the Chicago region.

- The Mayors Caucus is a voice for regional approaches to issues and challenges, such as: economic development, school funding and tax reform, workforce readiness, energy reliability and security, air quality, funding for transportation and other infrastructure, housing, and emergency preparedness.
- The Caucus cooperates with leaders and agencies from the private, non-profit, and public sectors that seek to work toward the common goal of improving the well being of all who live in the region.
- The Caucus provides a forum for the discussion and resolution of issues that impact the overall quality of life in the region.
- The Mayors Caucus develops consensus positions on a broad range of key issues facing the Chicago region and is a strong advocate for their adoption at the federal, state, and local levels of government.

(You may need to copy and paste the url into your browser)

Metropolitan Mayors Caucus Greenest Region Compact
www.mayorscaucus.org/fileBroker.php/735/Compact%20Language%20pdf.pdf

Greenest Region Workbook
www.mayorscaucus.org/fileBroker.php/730/Greenest%20Region%20Strategies%20BMP%20Book.pdf

Endorsement Resolution
www.mayorscaucus.org/fileBroker.php/731/Municipal%20Resolution.pdf