

**Congresswoman Norton's Park Town Hall Meeting-**  
**"Neighbors Helping Ensure Parks Work for D.C. Neighborhoods":**  
*Testimony of Rick Reinhard, Deputy Executive Director, DowntownDC BID*  
*October 25, 2012*

Representative Norton, thank you for gathering us together today to talk about something near and dear to the Downtown DC Business Improvement District, our parks.

More broadly, thank you for your leadership on a host of issues that affect Downtown DC. Today, we're a 24-hour-a-day, seven-day-a week city. For the past decade Downtown Washington has been ranked either first or second in the country in international investment markets as rated by the Association of Foreign Investors in Real Estate. And our fiscal impact study shows that the Downtown BID area generated a net fiscal impact of \$566 million in tax revenues in Fiscal Year 2012, and, combined with the Golden Triangle BID area, produces 23% of the DC gross local tax revenues.

There still are a few things we need to improve Downtown. Parks are at the top of the list.

The one-square-mile Downtown BID area has 34 National Park Service parks and reservations. They range in size from Franklin Square down to triangle parks even smaller than this room. NPS often refers to this collection as the "uptown" parks, to distinguish them from the National Mall.

There are three subjects I would like to talk about regarding the “uptown” parks. They are money, rules and regulations, and partnerships.

First, money:

We like to say that, if Downtown had a brand in 1997, when the Downtown BID was founded, it was “dull, dirty and dangerous.” Tremendous investment has been made in Downtown DC since then:

- More than \$11 billion invested in the built environment.
- More than \$31 million in sidewalks and streetscapes.
- Property owners have invested about \$140 million in the operations of the Downtown BID—helping make our public spaces clean, safe and friendly.

Next to nothing in capital and a modest amount in operating funding has been invested in our parks over that same period of time. In 2011, NPS invested \$400,000 in capital improvements to McPherson Square, then another \$7,000 to straighten up after Occupy DC; that’s about it. Just like with the National Mall, the lack of investment shows.

In 1997, our buildings, our streets and sidewalks and our parks all were unexceptional-- a 3 to 4 on a scale of 1 to 10. Today, our buildings are an 8 or 9, our streets and sidewalks are a 6 or 7. Our parks are still a 3. Why? Mainly lack of investment. The NPS budget does not allow the “uptown” parks to be designed, built, maintained or programmed any of us would choose.

NPS's National Mall Plan and the Trust for the National Mall have been extremely effective in pointing out deferred maintenance and capital needs of \$500 million for the National Mall. Our preliminary estimates are that the "uptown parks" of the Downtown BID area need \$50 million. That amount will not appear magically one day in the federal budget; we can get together and construct a plan for the money to come from multiple sources: federal, city, private and foundations.

Second, rules and regulations:

In a nutshell, NPS is handcuffed to run its urban parks using the same rules they use to run Yellowstone, Yosemite and the Everglades. The same regulations that work so well to protect moose, redwoods and crocodiles work much less effectively to promote playgrounds, concerts and family picnics.

Permits are required for small, what should be spontaneous events. Sponsorship banners are so limited as to be practically prohibited. Food service is limited to the National Mall concessionaire, who finds it not profitable enough to operate a small food cart in, say, McPherson Square, when it is selling thousands of hot dogs on the Mall.

When the Downtown BID worked with the Willard Intercontinental Hotel to promote a simple art fair in Pershing Park, NPS red tape strangled it. One example: artists could

sell only art that was materially connected to the theme of the park, like portraits of General Pershing.

Sidewalk cafes are next to impossible to site legally on NPS-controlled Pennsylvania Avenue. So while the number of sidewalk cafes within the BID area has grown over the past 15 years from zero to 147—with 4,400 seats—the number of sidewalk cafes on Pennsylvania Avenue—which should be one of America’s greatest, liveliest streets—is only four.

Local NPS officials understand these problems and do not want to manage this way, but rules are rules.

This NPS urban parks conundrum is not unique to DC. New York, Philadelphia, Atlanta, St. Louis, Tucson and San Francisco have similar problems. Former U.S. Senator John Danforth has worked tirelessly to try to turn the NPS land around the Gateway Arch into usable urban parkland.

To his great credit, NPS Director Jon Jarvis this summer sent a senior management team to the City Parks Alliance annual conference in New York to work on this problem.

But our basic statement stands: NPS rules and regulations do not work well for urban parks, especially small urban parks.

Finally, partnerships:

If NPS is not appropriated enough money, and if NPS has inflexible rules, then the only way our parks ever will be what we deserve is through forging serious, meaningful partnerships.

The Downtown BID has successfully entered into four formal partnerships with NPS:

- The first partnership just completed \$200,000 worth of renovations—money the Downtown BID raised--to Reservation 72, also known as Chinatown Park, a small bowtie park at 6<sup>th</sup> and Eye Streets NW. The renovations took 10 long years to complete, but, as a result, NPS and the Downtown BID learned much better how to work with each other.
- The second partnership, which includes the District Department of Transportation, is working on a plan to extend DC Circulator service to the National Mall. We are delighted that NPS wants the Circulator to provide affordable, reliable public transit.
- The third partnership, which includes the DC Office of Planning and Department of Parks and Recreation, has just formed a working group to reinvigorate Franklin Square, the largest NPS park within the Downtown BID area.

- And the fourth partnership, staffed by Downtown BID employees, is the National Cherry Blossom Festival, which attracted 1.5 million visitors to DC this spring.

The Downtown BID also has an overarching “general partnership agreement” with NPS that allows us to enter into these specific partnerships, and we work informally with NPS every day, emptying trash, removing litter and, once, fixing a fountain.

It is important to point out that NPS also has entered into productive partnerships with other private and non-profit groups to maintain and improve “uptown” parks:

- Through an Act of Congress, NPS “transferred administrative jurisdiction” of Mount Vernon Square to the city. NPS still owns the land, the city—now in cooperation with the Washington Convention Center Authority—manages it.
- NPS has entered into partnerships with two non-profit organizations—the United States Navy Memorial and the National Law Enforcement Officers Memorial Fund--on managing those two “uptown” parks.
- NPS has entered into partnerships with at least three property owners—Boston Properties, the National Association of Home Builders and the National Air Traffic Controllers Association—on managing small triangle parks adjacent to their large properties.

These partnerships have their benefits and drawbacks. But one thing for certain: if we look at the uptown parks with partnerships, they are measurably better than the parks without partnerships.

Our recommendations follow our observations:

First, money: The U.S. Congress needs to be serious about funding urban NPS parks: In DC for certain and, I surmise, across America. Downtowns are flourishing, while NPS' urban parks are lagging.

Second, rules and regulations: NPS needs flexible rules for running urban parks compared with the regulations Yellowstone, Yosemite and the Everglades. And NPS attorneys, amazingly inflexible—almost absurd--in their extremely narrow legal opinions, need to be more open-minded.

Third, partnerships: We need to ramp up partnerships to improve our parks. Many need to be four-way partnerships among NPS, the city, property owners and the foundation community. NPS has had a senior “partnerships” position that has been filled only intermittently or on an “acting” basis over the past five years; the position needs to be funded and filled. NPS's National Mall and Memorial Parks needs a entire staff whose only job is to deal with issues like concessions contracts, parking management and partnership agreements. Between the National Mall and the “uptown” parks, these

agreements are not only critical; they could and should produce tens if not hundreds of millions in revenues to help support capital and operating expenses.

We offer sincere compliments to Regional Director Steve Whitesell, Mall Superintendent Bob Vogel, Deputy Superintendents Steve Lorenzetti and Karen Cucurullo and their staffs. We have moved ahead on these important issues more in the past couple of years than we have in the decade before, because these men and women understand that these parks not only must respect history and serve our nation but also must be enjoyed day-to-day and serve our residents, workers and visitors.

The Downtown BID wholeheartedly endorses Secretary Salazar's call for a new way of managing NPS' urban space inventory, which includes all of Downtown DC's green spaces. Our hope is that our most recent experiences constitute a new way for DC to work with NPS going forward, and are not exceptions to the rule.

I would be glad to answer any questions. And again, Representative Norton, thank you for your service to our community.