

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To authorize, on an emergency basis, due to congressional review, the Mayor to assemble the W Street Trash Transfer site, Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110, through the use of eminent domain.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110 Eminent Domain Authorization Congressional Review Emergency Act of 2015”.

Sec. 2. Findings.

The Council finds that:

(1) The District of Columbia Water and Sewer Authority (“DC Water”) currently operates a site south of N Place, S.E., north of the Anacostia River and between 1st and Canal Streets, S.E. (“DC Water Site”).

(2) Pursuant to the Anacostia Waterfront Framework Plan, the District of Columbia plans to dispose of and develop a portion of the DC Water Site so as to leverage other large-scale District investments in the Capitol Riverfront/Near Southeast neighborhood, such as the South Capitol Street Bridge project and Nationals Park thereby serving to accelerate and promote economic vitality as well as enhance economic development in the District of Columbia.

(3) For the planned disposition and development to proceed, it is necessary for DC Water to relocate the functions currently at the DC Water Site.

30 (4) The District of Columbia and DC Water have entered into a Memorandum of
31 Understanding for DC Water to relocate a portion of the uses from the DC Water Site to a site in
32 Prince Georges County, Maryland.

33 (5) The District desires to relocate the current DC Water Site uses not being
34 relocated to the Prince Georges County site, including customer care and sewer service
35 operations, to Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110 (“W
36 Street Site”).

37 (6) The W Street Site is currently occupied by a private trash transfer station.

38 (7) The trash transfer station is a blighting factor in Brentwood and its
39 surrounding communities.

40 (8) Residents of Brentwood and the surrounding communities have concerns
41 regarding the noxious fumes that emanate from the trash transfer station and pervasive vermin
42 and have complained that there is an increased incidence of health concerns.

43 (9) The W Street Site trash transfer station continues to operate as an open air
44 trash transfer station which allows its pungent odors to reach much farther than they would if the
45 facility were closed.

46 (10) Since August 2012, the District Department of the Environment has
47 conducted at least 37 inspections and issued 8 notices of infractions to the W Street Site trash
48 transfer station.

49 (11) The W Street Site will provide an opportunity to construct and establish an
50 updated customer care and sewer service operation for DC Water that is more centrally located
51 within the District of Columbia.

52 (12) The relocation of DC Water to the W Street Site shall not be considered as a
53 permanent solution to the future use of the site. The permanent future use of the W. Street Site
54 should include sustainable economic development and be made in consultation with the
55 surrounding community.

56 Sec. 3. Exercise of eminent domain.

57 The Mayor may exercise eminent domain in accordance with the procedures set forth in
58 subchapter II of Chapter 13 of Title 16 of the District of Columbia Official Code to acquire Lots
59 36, 41 and 802 in Square 3942 and Parcels 0143/107 and 0143/110 for the purposes set forth in
60 section 2.

61 Sec. 4. Fiscal impact statement.

62 The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact
63 statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved
64 December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

65 Sec. 5. Effective date.

66 This act shall take effect following approval by the Mayor (or in the event of veto by the
67 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than
68 90 days, as provided for emergency acts of the Council of the District of Columbia in section
69 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
70 D.C. Official Code § 1-204.12(a)).

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