



Councilmember Charles Allen

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency with respect to the need to amend the Office of District Waterways Management Establishment Act of 2022 to adjust the schedule for the Commission meetings and the drafting of the District Waterways Advisory Plan, to allow sufficient time for engagement with stakeholders, and to streamline the approval process for certain Commission members.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Office of District Waterways Management Establishment Emergency Declaration Resolution of 2024”.

Sec. 2. (a) Section 2(a) of the Office of District Waterways Management Establishment Act of 2022, effective March 22, 2023 (D.C. Law 24-0336; 70 DCR 004307) (“Act”), created the Office of District Waterways Management (“ODWM”) with a mandate to plan, promote, advocate for, and facilitate stakeholder cooperation for the diverse uses of and access to the Anacostia and Potomac Rivers, the Washington Channel, and adjacent property. The Act also established a District Waterways Advisory Commission (“Commission”), composed of various stakeholders and subject matter experts, which will advise ODWM and develop and adopt a District Waterways Advisory Plan (“Advisory Plan”) to create a strategic vision for District waterways and adjacent property.

(b) ODWM plans to engage a consultant to co-facilitate meetings of the Commission and assist with public outreach efforts and the drafting of the Advisory Plan. To do so, ODWM must

33 issue a request for proposals (“RFP”) that adheres to the Act, but important adjustments to the Act
34 are needed to increase flexibility and streamline implementation.

35 (c) The Act outlines a timeframe of one year for the Commission to adopt an Advisory
36 Plan and requires the plan to be updated at least every two years. ODWM’s extensive market
37 research shows that two years is a more realistic timeframe for developing the initial plan, given
38 the broad scope of topics that the Advisory Plan must address and the extensive stakeholder and
39 public outreach and engagement that will be necessary. A three-year frequency for updating the
40 plan is more reasonable than two years so that ODWM can have more time to implement the plan
41 before working with the Commission to update it.

42 (d) The Act dictates that the Commission meet at least once a month. Current and potential
43 *ex-officio* Commission members have consistently told ODWM that they prefer bi-monthly
44 meetings, especially since these are voluntary roles being taken on by working professionals.
45 Additionally, given the Commission’s large size, providing for bi-monthly meetings with more
46 frequent engagement as needed will allow greater flexibility to coordinate schedules and thus
47 ensure more robust engagement with Commission members.

48 (e) The Act further requires specific procedures to be followed for Council approval of
49 Mayoral appointees, with a 90-day active approval period. However, the Commission is similar to
50 other bodies whose Council approval procedures involve a 45-day passive approval period. The
51 Commission could begin its work more quickly if the Mayoral appointees could be approved under
52 the alternative Council approval procedures.

53 (f) Emergency legislation is necessary to permit ODWM staff to issue an RFP with more
54 realistic parameters in a timely fashion and to allow Mayoral appointees to join the Commission
55 more expeditiously.

56 Sec. 3. The Council of the District of Columbia determines that the circumstances
57 enumerated in section 2 constitute emergency circumstances making it necessary that the Office
58 of District Waterways Management Establishment Emergency Amendment Act of 2024 be adopted
59 after a single reading.

60 Sec. 4. This resolution shall take effect immediately.

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