

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To authorize, on an emergency basis, the Mayor to assemble the W Street Trash Transfer site, Lots 36, 41, and 802 in Square 3942 and Parcels 01430107 and 01430110, 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 01430107 and 01430110 Eminent Domain Authorization Emergency Act of 2014”.

Sec. 2. Findings.

The Council finds that:

(1) 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.

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

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

6 (5) The District desires to relocate the current DC Water Site uses not being relocated to
7 the Prince Georges County site, including customer care and sewer service operations, to Lots
8 36, 41, and 802 in Square 3942 and Parcels 01430107 and 01430110 (“W Street Site”).

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

10 (7) The trash transfer station is a blighting factor in the Brentwood and nearby
11 communities.

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

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

18 (10) Since August 2012, the District Department of the Environment has conducted at
19 least 37 inspections and issued eight notices of infractions to the W Street site trash transfer
20 station.

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

1 Sec. 3. Exercise of eminent domain.

2 (a) The Mayor may exercise eminent domain in accordance with the procedures set forth
3 in subchapter II of Chapter 13 of Title 16 of the District of Columbia Official Code to acquire
4 Lots 36, 41 and 802 in Square 3942 and Parcels 01430107 and 01430110 for the purposes set
5 forth in section 2.

6 Sec. 4. Fiscal impact statement.

7 The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact
8 statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved
9 December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206(c)(3)).

10 Sec. 5. Effective date.

11 This act shall take effect following approval by the Mayor (or in the event of veto by the
12 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than
13 90 days, as provided for emergency acts of the Council of the District of Columbia in section
14 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
15 D.C. Official Code § 1-204.12(a)).

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