

A RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency with respect to the need to authorize 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;

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Lots 36, 41, and 802 in Square 3942 and Parcels 01430107 and 01430110 Eminent Domain Authorization Emergency Declaration Resolution of 2014”.

Sec. 2. (a) There exists an immediate need to approve the use of eminent domain to acquire Lots 36, 41, and 802 in Square 3942 and Parcels 01430107 and 01430110.

(b) DC Water currently operates a site south of N Place, S.E., north of the Anacostia River and between 1<sup>st</sup> and Canal Streets, S.E. (“DC Water Site”)

(c) Pursuant to the Anacostia Waterfront Framework Plan, the District 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 the Nationals Park thereby serving to accelerate

35 and promote economic vitality and enhance economic development in the District of  
36 Columbia.

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

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

42 (f) In order to ensure adequate response times to water and sewer emergencies,  
43 DC Water must also maintain a site west of the Anacostia River.

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

48 (h) The W Street site is currently occupied by a trash transfer station.

49 (i) The trash transfer station is a blighting factor in the Brentwood and nearby  
50 communities.

51 (j) Residents of Brentwood and the surrounding communities have concerns  
52 regarding the noxious fumes that emanate from the trash transfer station, pervasive  
53 vermin and have complained that there is an increased incidence of health concerns.

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

57 (1) Since August 2012, the District Department of the Environment has conducted  
58 at least 37 inspections and issued eight notices of infractions to the W Street site trash  
59 transfer station.

60 Sec. 3. The Council determines that the circumstances enumerated in section 2  
61 constitute emergency circumstances making it necessary that the Lots 36, 41, and 802 in  
62 Square 3942 and Parcels 01430107 and 01430110 Eminent Domain Authorization  
63 Emergency Act of 2014 be adopted after a single reading.

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

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