

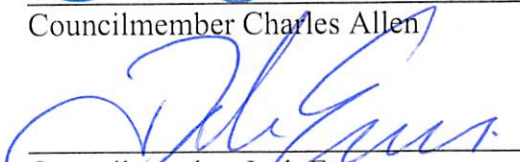


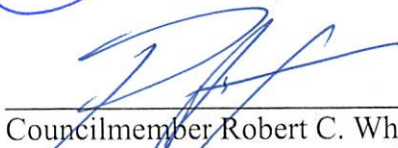
1   
2 Councilmember Kenyan R. McDuffie

  
Councilmember Charles Allen

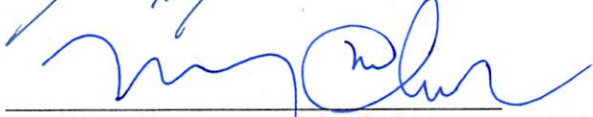
3  
4   
5 Councilmember Anita Bonds

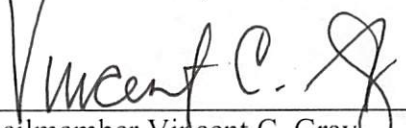
  
Councilmember Jack Evans

6  
7  
8   
9 Councilmember David Grosso

  
Councilmember Robert C. White, Jr.

10  
11  
12   
13 Councilmember Brianne K. Nadeau

  
Councilmember Mary M. Cheh

14  
15  
16   
17 Councilmember Vincent C. Gray

18  
19  
20  
21 A BILL

22  
23 \_\_\_\_\_  
24  
25  
26 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

27  
28 \_\_\_\_\_  
29  
30  
31 To establish the District Waterways Management Authority and the District Waterways  
32 Management Commission to comprehensively plan, manage, coordinate, promote, and  
33 advocate for the diverse uses of and access to the District's waterways and adjacent  
34 property, and to require the development of a District Waterways Management Action  
35 Plan.

36  
37 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this  
38 act may be cited as the "District Waterways Management Act of 2019".

39 Sec. 2. Definitions.

40 For the purposes of this act, the term:

- 41 (1) "Action Plan" means the Waterways Management Action Plan.

42 (2) "Commission" means the District Waterways Management Commission.

43 (3) "Authority" means the District Waterways Management Authority.

44 (4) "Task Force" means the District Waterways Management Interagency Task  
45 Force.

46 (5) "Waterways" refers to the Anacostia and Potomac Rivers and the  
47 Washington Channel.

48 Sec. 3. Establishment; purpose and duties.

49 (a) The Mayor shall establish the District Waterways Management Authority.

50 (b) The purpose of the Authority will be to plan, manage, coordinate, promote, and  
51 advocate for the diverse uses of and access to the waterways and adjacent property, including:

52 (1) In coordination with the District Waterways Management Commission  
53 established pursuant to section 4, the creation of the District Waterways Management Action  
54 Plan;

55 (2) Coordinating District, Maryland, Virginia, and federal government officials  
56 and agencies; businesses; community organizations; and the public on economic, public safety  
57 and security, environmental, recreation, and transportation issues relevant to the waterways and  
58 adjacent property; and

59 (3) Advising the Mayor and the Council on issues related to the District's  
60 waterways and adjacent property, including public improvements, maintenance, operations,  
61 programming, budgeting, resiliency, planning, and public safety and security.

62 (c) The District agencies listed in section 4(b)(1)(C) shall provide the Authority with  
63 resources and information at the Authority's request.

64           Sec. 4. Establishment of the District Waterways Management Commission; composition;  
65 duties.

66           (a) There is established a District Waterways Management Commission to produce a  
67 District Waterways Management Plan and annual updates, pursuant to section 5 of this act. The  
68 commission shall not issue rules pursuant to Title I of the District of Columbia Administrative  
69 Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*).

70           (b) Commission members shall be appointed as follows:

71                   (1)(A) Six voting members appointed by the Mayor, with the advice and consent  
72 of the Council, pursuant to section 2(e) of the Confirmation Act of 1978, effective March 3, 1979  
73 (D.C. Law 2-141; D.C. Official Code § 1-523.01(e)), one with expertise in each of the following  
74 areas:

- 75                                   (i) Public safety;
- 76                                   (ii) Environmental stewardship;
- 77                                   (iii) Economic development or tourism;
- 78                                   (iv) Maritime management or policy;
- 79                                   (v) Athletics and recreation; and
- 80                                   (vi) Maritime transportation.

81                   (B) Seven voting members appointed by the Council as follows:

- 82                                   (i) One Councilmember, or the Councilmember's designee, whose  
83 election ward borders a waterway;
- 84                                   (ii) Two Advisory Neighborhood Commissioners whose single-  
85 member districts border a waterway, with one Commissioner representing a single-member  
86 district east of the Anacostia River and one west of the Anacostia River;

87 (iii) Two representatives of Business Improvement Districts that  
88 border a waterway;

89 (iv) One representative from a marina or yacht club located in the  
90 District; and

91 (iv) One public member with expertise in one of the areas listed in  
92 subparagraph (A) of this paragraph.

93 (C) At least one non-voting member appointed by the Mayor to represent  
94 each of the following agencies:

95 (i) The Office of the Deputy Mayor for Planning and Economic  
96 Development;

97 (ii) The Office of the Deputy Mayor for Public Safety and Justice;

98 (iii) The Metropolitan Police Department;

99 (iv) The Fire and Emergency Medical Services Department;

100 (v) The District Department of Transportation;

101 (vi) The Department of Energy and Environment;

102 (vii) The District of Columbia Water and Sewer Authority;

103 (viii) The Washington Convention and Sports Authority; and

104 (ix) The Public Service Commission.

105 (D) The Mayor shall request the designation of non-voting members from  
106 the following federal agencies:

107 (i) The National Park Service;

108 (ii) The United States Coast Guard; and

109 (iii) The Metropolitan Washington Airports Authority.

110 (b) A majority of the sitting voting members shall constitute a quorum.

111 (c) All voting members shall have equal voting power.

112 (d) All voting members shall serve for 4-year staggered terms, with no term limit;  
113 provided, that of the members initially appointed under this section, the 6 voting members  
114 appointed by the Mayor shall be appointed for a term of 4 years, and the 7 voting members  
115 appointed by the Council shall be appointed for a term of 3 years. The terms of the members first  
116 appointed shall begin on the date that a majority of the first members are sworn in, which shall  
117 become the date for all subsequent appointments.

118 (e) The District Waterways Management Authority shall provide administrative resources  
119 for the commission.

120 Sec. 5. District Waterways Management Action Plan.

121 (a) By July 1, 2020, the Commission shall develop and publish a District Waterways  
122 Management Action Plan (“Action Plan”) to create a strategic vision for the District waterways  
123 and adjacent property. In developing the Action Plan, the voting members of the commission  
124 shall interview all non-voting members, or another representative from that agency. The  
125 commission shall use these interviews and any additional research necessary, including  
126 consultations with subject-matter experts, to inform the Action Plan’s recommendations. The  
127 Action Plan shall include recommendations for the following:

128 (1) The orderly, safe, and efficient use of the waterways for boating and  
129 recreation;

130 (2) The public and private use of the property and infrastructure adjacent to the  
131 waterways;

132 (3) Promoting and facilitating interagency and regional coordination on issues  
133 relevant to the waterways and adjacent property;

134 (4) Environmental conservation and management of the waterways and adjacent  
135 property;

136 (5) Strategies for coordinated economic growth on and adjacent to the waterways;

137 (6) Assessments of safety and security risks and needs on and adjacent to the  
138 waterways;

139 (7) Identification of transportation gaps on and adjacent to the waterways; and

140 (8) Opportunities to increase local control of the waterways and adjacent property.

141 (b) The commission shall meet at least once every month until the first Action Plan is  
142 published and at least quarterly thereafter.

143 (c) The commission shall gather public input for the Action Plan and annual updates as  
144 follows:

145 (1) At least 90 prior to publishing the Action Plan or an annual update, the  
146 commission shall hold at least two public meetings, one located east of the Anacostia River and  
147 one located west of the Anacostia River.

148 (2) At least 60 days prior to publishing the Action Plan or an annual update, the  
149 commission shall publish a draft Action Plan or annual update and provide a 30-day public  
150 comment period.

151 (d) The Council committee with jurisdiction over the Office of the City Administrator  
152 shall hold a hearing no later than one year following the release of the Action Plan.

153 (e) Following the Council hearing, the Commission shall make annual updates to the  
154 Action Plan.

155           Sec. 6. Open meetings.

156           Proceedings of the Commission shall be subject to the Open Meetings Act, effective  
157 March 31, 2011 (D.C. Law 18-350; D.C. Official Code § 2-571 *et seq.*).

158           Sec. 7. Rules.

159           The Mayor, pursuant to subchapter I of the District of Columbia Administrative  
160 Procedure Act, effective October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501, *et seq.*),  
161 may issue rules to implement the provisions of this chapter.

162           Sec. 8. Fiscal impact statement.

163           The Council adopts the fiscal impact statement in the committee report as the fiscal  
164 impact statement required by section 4a of the General Legislative Procedures Act of 1975,  
165 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

166           Sec. 9. Effective date.

167           This act shall take effect following approval by the Mayor (or in the event of veto by the  
168 Mayor, action by the Council to override the veto), a 30-day period of congressional review as  
169 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December  
170 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of  
171 Columbia Register.