

**Statement of Introduction**  
**O Street Wall Protection Act of 2021**  
**Councilmember Vincent C. Gray**  
**May 7, 2021**

Today, I am joined by my colleagues Councilmembers Anita D. Bonds, Mary M. Cheh, and Christina Henderson to introduce the O Street Wall Protection Act of 2021 to require the Mayor to prohibit activities that may compromise the retaining wall commonly known as the O Street Wall or contribute to soil erosion and sedimentation in Square S-5542, S.E.


The O Street Wall, which is a retaining wall located in Square S-5542, S.E. in Ward 7, was built in the late 1970s to control soil erosion and sedimentation between the 3200-3300 block of Highwood Drive, S.E., and the 3200 block of O Street, S.E. Since then, the wall has been subject to soil erosion and poor drainage that caused the wall to crack and shift and caused a portion of the wall to fail in the 1990s. The wall deteriorated to a point that residents whose homes on Highwood Drive, S.E. that abutted the wall were in severe jeopardy of foundation failure, mudslide, condemnation and losing their property. There were continuing street and sewer maintenance problems and the increasing possibility of rupturing gas lines. It has been communicated numerous times by the residents living in Square S-5542, S.E. that protecting and enhancing the stability of the O Street Wall is of great concern to them.

The wall, which is a District asset, has been enhanced, repaired and re-stabilized, requiring millions of dollars. Previously, the District purchased several unimproved lots on O Street, S.E. next to the wall to prevent any further damage. Unfortunately, more than half of the unimproved lots remain unacquired by the District, and thus threats to the integrity of the wall, including its drainage systems, persist.

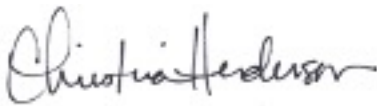
To preserve the O Street Wall's integrity, this bill requires the Mayor to prohibit activities that may compromise the retaining wall commonly known as the O Street Wall or contribute to soil erosion and sedimentation, and requires the Mayor to acquire by purchase or condemnation the remaining unimproved lots adjacent to O Street, S.E. between Branch Avenue, S.E. and Carpenter Street, S.E.

I look forward to working with my colleagues to successfully pass this legislation.

  
Councilmember Anita D. Bonds

  
Councilmember Vincent C. Gray

  
Councilmember Mary M. Cheh

  
Councilmember Christina Henderson

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

1 To require the Mayor to prohibit activities that may compromise the retaining wall commonly  
2 known as the O Street Wall or contribute to soil erosion and sedimentation in Square S-  
3 5542, S.E.

4  
5 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this  
6 act may be cited as the “O Street Wall Protection Act of 2021”.

7 Sec. 2. Findings

8 The Council of the District of Columbia finds that:

9 (a) In 1976, the O Street retaining wall (“Wall”) was constructed to control soil erosion  
10 and sedimentation between the 3200-3300 block of Highwood Drive, S.E., and the 3200 block of  
11 O Street, S.E., Square S-5542. S.E.

12 (b) In early 1996, there was a sudden dramatic subsidence of soil behind the Wall, and  
13 the Wall began to crack and shift.

14 (c) The Wall deteriorated to a point that residents whose homes abutted the wall were in  
15 danger of losing their property, and became vulnerable to a constant threat to their safety and  
16 welfare; the homes on Highwood Drive, S.E. above the Wall were in severe jeopardy of

17 foundation failure, mudslide, and condemnation; and there were continuing street and sewer  
18 maintenance problems and the increasing possibility of rupturing gas lines.

19 (d) Faced with this emergency, the Council of the District of Columbia in 1999  
20 appropriated \$3,576,000 for restoration of the Wall, which included a network of underground  
21 drainage pipes.

22 Sec. 3. O Street Wall Protection.

23 (a) The Mayor shall prohibit activities in Square S-5542, S.E., including landfill  
24 treatments, water diversions, and construction, which may compromise the retaining wall  
25 commonly known as the O Street Wall, located in Square S-5542, S.E, or contribute to soil  
26 erosion and sedimentation problems in Square S-5542, S.E.

27 (b) The Mayor shall acquire by purchase or condemnation the remaining unimproved lots  
28 adjacent to O Street, S.E. between Branch Avenue, S.E. and Carpenter Street, S.E; provided, that  
29 condemnation proceedings conducted by the Mayor to obtain such property shall be performed  
30 in accordance with the procedures set forth in subchapter II of Chapter 13 of Title 16 of the  
31 District of Columbia Official Code.

32 Sec. 4. Fiscal impact statement.

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

36 Sec. 5. Effective date.

37 This act shall take effect following approval by the Mayor (or in the event of veto by the  
38 Mayor, action by the Council to override the veto), a 30-day period of congressional review as

39 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December  
40 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of  
41 Columbia Register.