

A RESOLUTION

20-752

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

December 17, 2014

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 0143/107 and 0143/110, 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 0143/107 and 0143/110 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 0143/107 and 0143/110.

(b) The District of Columbia Water and Sewer Authority (“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”).

(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 Nationals Park thereby serving to accelerate and promote economic vitality and enhance economic development in the District of Columbia.

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

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

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

(g) The District desires to relocate the current DC Water Site uses not being relocated to the Prince Georges County site, including customer care and sewer service operations, to Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110 (“W Street Site”).

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

(i) The trash transfer station is a blighting factor in Brentwood and its surrounding communities.

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

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

(l) Since August 2012, the District Department of the Environment has conducted at least 37 inspections and issued 8 notices of infractions to the W Street Site trash transfer station.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110 Eminent Domain Authorization Emergency Act of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.