

COUNCIL OF THE DISTRICT OF COLUMBIA
1350 Pennsylvania Avenue, N.W.
Washington D.C. 20004

Memorandum

To : Members of the Council

From : 
Nyasha Smith, Secretary to the Council

Date : October 01, 2018

Subject : Referral of Proposed Legislation

Notice is given that the attached proposed legislation was introduced in the Office of the Secretary on Friday, September 21, 2018. Copies are available in Room 10, the Legislative Services Division.

TITLE: "Revised Transfer of Jurisdiction over U.S. Reservation 724 (Lots 896 and 897 within Square 620) Act of 2018 ", B22-0979

INTRODUCED BY: Chairman Mendelson

The Chairman is referring this legislation to the Committee of the Whole.

Attachment

cc: General Counsel
Budget Director
Legislative Services



Chairman Phil Mendelson

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To approve the transfer of jurisdiction over U.S. Reservation 724 (Lot 896, less and except the northern portion previously retain by the District, and Lot 897 within Square 620) in the District of Columbia, from the United States of America, acting by and through the Department of the Interior, National Park Service, to the District of Columbia.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Revised Transfer of Jurisdiction over U.S. Reservation 724 (Lots 896 and 897 within Square 620) Act of 2018”.

Sec. 2. (a) Pursuant to section 1 of An Act To authorize the transfer of public land in the District of Columbia, approved May 20, 1932 (47 Stat. 161: D.C. Official Code § 10-111), the Council of the District of Columbia approves the transfer of jurisdiction of approximately 15,610 square feet of land area that is located approximately 30 feet to the east of the northeast corner of the intersection of First and L Streets, NW (Lot 896, less and except the northern portion previously retain by the District) and approximately 2,925 square feet of land area that occupies a 30-foot segment of the former First Street right of way (Lot 897), known collectively as U.S. Reservation 724 (Lots 896 and 897 within Square 620), as further identified on the attached map

35 Parcel”), from the United States, acting by and through the Department of the Interior, National
36 Park Service, to the District of Columbia.

37 (b) This approval is subject to the following restrictions:

38 (1) Lot 896 will continue to be used for recreational purposes;

39 (2) Lot 897 will continue to be used for pedestrian circulation, except that Lot
40 897 may be designed with a typical District Department of Transportation sidewalk section;

41 (3) Only administrative jurisdiction over the Parcel is hereby transferred and
42 that title to the transfer remains vested in the United States of America;

43 (4) The District of Columbia shall not transfer administrative jurisdiction of
44 the Parcel without the prior written approval of the National Park Service. The National Park
45 Service shall concur or object in writing 45 days after the receipt of any proposed transfer; and

46 (5) If, in the opinion of the National Park Service, facts or circumstances arise
47 that appear to be a material violation of any restriction, the National Park Service shall promptly
48 so notify the District in writing. The National Park Service and the District shall then use
49 diligent good-faith efforts to reach agreement regarding what, if any, corrective actions are
50 necessary and a schedule for completing such corrective actions, and the District shall initiate
51 corrective action within one hundred twenty (120) days of the notice of violation; and

52 (6) Nothing in this Declaration shall be construed as binding the United States
53 or the District to expend in any one fiscal year any sum in excess of appropriations made by
54 Congress for this purpose or to involve the United States or the District in any contract or other
55 obligation for this further expenditure of money in excess of such appropriations, 31 U.S.C.
56 §1341(a)(1). In addition, all obligations of the District provided herein shall be subject to the
57 limitations set forth in applicable federal law, D.C. Official Code § 47-105, the District of

58 Columbia Anti-Deficiency Act, D.C. Official Code §§ 47-355.01 et seq. (as the foregoing
59 statutes may be amended from time to time), and § 446 of the District of Columbia Home Rule
60 Act;

61 (7) The restrictions contained in this act shall bind the National Park Service
62 and the District and their assigns;

63 (8) The National Park Service and the District have the right specifically to
64 enforce these restrictions. This act is not intended to confer upon any entity other than the
65 National Park Service and the District and their assigns any rights or remedies hereunder.

66 (c) (1) This transfer of jurisdiction is approved in furtherance of Zoning Commission
67 Order No. 15-20, which provides for the construction and long-term maintenance of park space
68 on Lot 896, as a public benefit and project amenity for the planned unit development (the
69 "PUD") approved for the approximate adjacent 6.7 acres, which is the former site of the Sursum
70 Corda Cooperative.

71 (2) Office of the Deputy Mayor of Planning and Economic Development and the
72 property owner of the PUD shall enter into an agreement for the improvement and maintenance
73 of the park space on Lot 896 within 60 days of this act taking effect.

74 Sec. 3. Transmittal

75 The Secretary to the Council of the District of Columbia shall transmit a copy of this act,
76 upon effectiveness, to the Surveyor of the District of Columbia, the District of Columbia
77 Recorder of Deeds, the Executive Director of the National Capital Planning Commission, the
78 Speaker of the United States House of Representatives, the President Pro Tempore of the United
79 States Senate, the Director of the National Parks Service, and the Regional Director of the
80 National Capital Parks, National Service.

81 Sec. 4. Fiscal Impact Statement

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

85 Sec. 5. Effective date.

86 This act shall take effect following approval by the Mayor (or in the event of veto by the
87 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
88 provided in section 602(c)(1) of the District of Columbia Home Act, approved December 24,
89 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
90 Columbia Register.