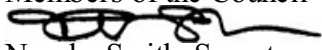


COUNCIL OF THE DISTRICT OF COLUMBIA
1350 Pennsylvania Avenue, N.W.
Washington D.C. 20004

Memorandum

To : Members of the Council
From :  Nyasha Smith, Secretary to the Council
Date : Monday, April 4, 2022
Subject : Referral of Proposed Legislation

Notice is given that the attached proposed legislation was introduced in the Office of the Secretary on Tuesday, March 29, 2022. Copies are available in Room 10, the Legislative Services Division.

TITLE: "Transfer of Jurisdiction Over a Portion of Reservation 405, S.O. 21-07525, Emergency Declaration Resolution of 2022", PR24-0661

INTRODUCED BY: Chairman Mendelson, at the request of Mayor

Retained by the Council with comments from the Committee on Committee of the Whole.

Attachment
cc: General Counsel
Budget Director
Legislative Services



MURIEL BOWSER
MAYOR

March 29, 2022

The Honorable Phil Mendelson
Chairman, Council of the District of Columbia
John A. Wilson Building
1350 Pennsylvania Avenue, NW, Suite 504
Washington, DC 20004

Dear Chairman Mendelson:

Enclosed for consideration and approval by the Council of the District of Columbia is a proposed resolution entitled "Transfer of Jurisdiction over a Portion of Reservation 405, S.O. 21-07525, Emergency Approval Resolution of 2022" and an accompanying emergency declaration resolution.

The resolutions would approve the transfer of jurisdiction of approximately 126,167 square feet comprising a portion of Reservation 405 from the Department of the Interior, National Park Service to the District of Columbia. The purpose of the transfer is to facilitate the improvement and expansion of the Joy Evans Therapeutic Recreation Center.

The proposed transfer of jurisdiction was referred to Advisory Neighborhood Commission (ANC) 7B for its review on October 18, 2021. In a letter dated December 16, 2021, ANC 7B stated that it supports this transfer. The proposed transfer of jurisdiction was also referred to the National Capital Planning Commission ("NCPC"), for its review and approval pursuant to D.C. Official Code §10-111. In a letter dated November 8, 2021, NCPC notified the District of its approval of the transfer of jurisdiction.


I look forward to the Council's favorable consideration of the proposed resolutions.

Sincerely,

A handwritten signature in black ink, appearing to read "Muriel Bowser".

Muriel Bowser
Mayor

Enclosures


Chairman Phil Mendelson
at the request of the Mayor

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency with respect to the need to approve the transfer of administrative jurisdiction over a portion of Reservation 405 from the United States of America, acting by and through the Department of the Interior, National Park Service, National Capital Area (NPS) and the Department of General Services to the District of Columbia

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the "Transfer of Jurisdiction over a Portion of Reservation 405, S.O. 21-07525, Emergency Declaration Resolution of 2022."

Sec 2. Emergency legislation is necessary to transfer expeditiously the administrative jurisdiction of approximately 126,167 square feet comprising a portion of Reservation 405 (part of Lot 802 in Square 5464, part of Lot 805 in Square 5465, and parts of Lots 15, 800, and 801 in Square 5467) from the U.S. National Park Service to the District, as shown on the Surveyor's plat in S.O. 21-07525, in order to enable the subdivision and building permit required to start construction of the Joy Evans Therapeutic Recreation Center in accordance with the scheduled April 2022 start date.

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 "Transfer of Jurisdiction over a Portion of Reservation 405, S.O. 21-07525, Emergency Approval Resolution of 2022" be approved on an emergency basis.

33 Sec. 4. Effective Date.

34 This resolution shall take effect immediately.



GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of the Attorney General

ATTORNEY GENERAL
Karl A. Racine

MEMORANDUM

TO: Kelly Watson
Office of Policy & Legislative Affairs

FROM: Maximilian L.S. Tondro, Chief
Land Use Section

SUBJECT: Transfer of Jurisdiction over a Portion of Reservation 405, S.O. 21-07525,
Emergency Declaration Resolution of 2022
Transfer of Jurisdiction over a Portion of Reservation 405, S.O. 21-07525,
Emergency Approval Resolution of 2022

DATE: March 17, 2022

This Office has reviewed the attached proposed resolutions cited above and found them to be legally sufficient.

The D.C. Department of General Services filed an application to transfer the jurisdiction of approximately 126,167 square feet comprising a portion of Reservation 405 (part of Lot 802 in Square 5464, part of Lot 805 in Square 5465, and parts of Lots 15, 800, and 801 in Square 5467) from the United States, acting by and through the Department of the Interior, National Park Service and the Department of General Services, to the District of Columbia, as shown on the Surveyor's plat in S.O. 21-07525. The proposed transfer of jurisdiction is necessary for the construction of the new Joy Evans Therapeutic Recreation Center.

Pursuant to D.C. Code § Section 10-111, the Surveyor provided notice of the proposed transfer of jurisdiction to the National Capital Planning Commission ("NCPC") by an October 18, 2021, mailing. NCPC submitted a November 8, 2021, letter (attached) stating that NCPC, pursuant to delegated action, approved the proposed transfer of jurisdiction.

Although not required, the Surveyor also provided notice of the proposed transfer of jurisdiction to:

- Advisory Neighborhood Commission ("ANC") 7B, in which district the proposed transfer of jurisdiction is located, by an October 18, 2021, mailing;
- Various District agencies; and
- Utilities.

The responses to this notice of the proposed transfer of jurisdiction are attached.

The Office of the Chief Financial Officer submitted a March 2, 2021, Fiscal Impact Statement for S.O. 21-07525 determining that funds were sufficient in the District's Fiscal Year 2022 through Fiscal Year 2025 budget to implement the bill.

Pursuant to the request of the Surveyor, I am forwarding the legislative package to you for review by the Mayor and submission to the Council. If you have any questions concerning the legal sufficiency of the legislation, please contact me at 724-6657. Questions concerning the S.O. 21-07525 file should be directed to the Surveyor, Joseph Snider, at 442-4699.

Maximilian L.S. Tondro, Section Chief

Date

Attachments:

- Transfer of Jurisdiction over a Portion of Reservation 405, S.O. 21-07525, Emergency Declaration Resolution of 2022
- Transfer of Jurisdiction over a Portion of Reservation 405, S.O. 21-07525, Emergency Approval Resolution of 2022
- Surveyor's Plat Depicting Proposed Transfer of Jurisdiction over a Portion of Reservation 405, S.O. 21-07525, Resolution of 2022
- NCPC – November 8, 2021, letter of approval
- ANC 7B – December 16, 2021, letter of support
- DPW – November 2, 2021, letter stating no objection
- DHCD – October 20, 2021, letter stating no objection
- FEMS – October 22, 2021, letter stating no objection
- HPRB – October 27, 2021, letter stating no comment as the proposed transfer of jurisdiction does not involve the closure of a L'Enfant Street plan
- OP – November 5, 2021, letter stating no objection
- DDOT – December 22, 2021, letter of support
- Washington Gas – October 27, 2021, letter stating no objection
- Pepco – December 9, 2021, letter stating no objection
- DC Water – October 28, 2021, letter stating no objection provide surface runoff accommodated
- Verizon – November 17, 2021, letter stating no objection upon Verizon's scheduled removal of telephone plant
- OCFO – February 25, 2022, Fiscal Impact Statement for S.O. 21-07525
- February 1, 2022, Assessed Land Value for S.O. 21-07525

cc: Brian Flowers, Deputy Attorney General
Legal Counsel Division
Office of the Attorney General

Joseph Snider, Surveyor for the District of Columbia
Department of Consumer and Regulatory Affairs