

Testimony of William Shickler before the DC Zoning Commission, on Phase II of the Wharf

November 2, 2017

My name is William Shickler. I reside at 1301 Delaware Ave., SW, Apt. N-305, Wash. DC 20024.

Let me state at the outset, for the record. I testified before this Commission, on December 14th, 2016, concerning the dangerous project under consideration, the soccer stadium. At that time, I advised the Commission to "lawyer up!", because the community was not going to take yet another assault by this Commission lying down. I have taken my own advise, and filed a legal appeal to the Commission's dangerous action EmpowerDC has joined me in fighting back against this assault on our health, safety and well being. In addition, I have joined the organization DC for Real Development. This group provides legal aid to citizens fighting back against dangerous commercial development.

The basic facts concerning Phase II of The Wharf development, have not changed since Phase I was proposed. To this day, an actual, real environmental impact study, has not been conducted. This is in contrast to environmental "plans", that have been offered to take the place of legally binding impact studies. The difference between the two, has been defied innumerable times, at ANC6D meetings. Also, former ANC6D Chairman Roger Moffatt stated to me, around Christmas on 2014, that he had spoken to not only the former head of DDOE, but his

successor, who both stated that they would NOT conduct any environmental impact study until the project was completed. This is against both DC and Federal law.

Hugh Youngblood, head of the DC Chapter of the Sierra Club, has pointed out, in court no less, that DC law requires any project that uses more than \$1 dollars in DC funds, for infrastructure and other improvements, to have an Environmental Impact Study done, PRIOR to the project going forward

On a Federal level, in the process of me pursuing legal remedies to this lawlessness, I met with officials of the DC Office of the Federal Highway Trust Administration, the agency actually tasked with monitoring projects possibly involving Federal properties. They determined that the exit ramp from Interstate 395 on the 14th St. bridge, onto Maine Ave., SW, does indeed involve Federal requirements. One of those requirements, is an Environmental Impact Study. To date, none have been done, either for DC, or the Federal Government.

Another glaring environmental threat, ignored by this Commission, is the hazard of building in a 100-year flood plain. I am including a Presidential Order 11988, issued through FEMA, that prohibits Federal long term AND short term development in these floodplains, ue to the “threat to the health, safety and well being of those in the affected areas. Although this directive is only legally binding to Federal projects, the truth of the environmental dangers, are not changed.

But perhaps the most obvious, but most ignored, of these health threats, is the massive worsening of our air quality, especially if this project goes to fruition. The DC Dept. of Transportation, or political reasons I believe, did not conduct any traffic study for this Wharf Project, in spite of insistence by ANC6D, FOR A DECADE! Also, in spite of the fact that in 2011, money existed in the DC budget for such a study, as the then-ANC6D, pointed out. However, the developers Hoffman/Madison DID commission such a study, completed by the company Gorove/Slade, using data from COG (Council of Governments) projections for possible similar projects. On page 47 of that study, a table shows current vehicular traffic volume on Maine Ave., at 6,290 vehicular trips per day. It then projects, that at the end of the project, that will increase to an incredible 102,000 vehicular trips per day!! A more than 14 TIMES INCREASE !! And already factored in, is an increase in Metro subway usage. At the time this study was released, in July 2011, ANC6D vehemently disagreed with the studies conclusions, especially concerning the capacity of Metrorail to alleviate some of this.

The more important fact, is that a 14 TIMES increase in vehicular traffic, means, also, a 14 TIMES INCREASE IN AUTOMOBILE EXHAUST AIR POLLUTION ! In a small quadrant of the city, we already have: a coal-burning power plant on our northern border; 3 trunk lines across bridges , bringing in traffic from the suburbs; a baseball stadium; a possible soccer stadium; and now, an expansion of a project that already contains a 3,000 theater, 22 restaurants, several hotels, condos each have over 700 units!

I come to this hearing, with the truth of a statement , made by former President Bill Clinton, still ringing in my ears. “Repeating the same thing, over and over, and expecting a different outcome, is the definition of insanity” Therefore, I appear here, not with the expectation of fairness or justice. I am merely bearing witness, to the abominations being piled up, each worse than the first. As God I my witness, I am His Witness.

Willian Shickler



FEMA ^(/) Executive Order 11988: Floodplain Management

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This page is about Executive Order 11988: Floodplain Management.

Executive Order 11988 requires federal agencies to avoid to the extent possible the long and short-term adverse impacts associated with the occupancy and modification of flood plains and to avoid direct and indirect support of floodplain development wherever there is a practicable alternative.

➤ [Expand All Sections](#)

✓ Description And Intent

Executive Order 11988 requires federal agencies to avoid to the extent possible the long and short-term adverse impacts associated with the occupancy and modification of flood plains and to avoid direct and indirect support of floodplain development wherever there is a practicable alternative. In accomplishing this objective, "each agency shall provide leadership and shall take action to reduce the risk of flood loss, to minimize the impact of floods on human safety, health, and welfare, and to restore and preserve the natural and beneficial values served by flood plains in carrying out its responsibilities" for the following actions:

- acquiring, managing, and disposing of federal lands and facilities;

Eight Step Planning Process for Floodplain/Wetland Management (/eight-step-planning-process-floodplain/wetland-management)

> Environmental & Historic Preservation Documents (/environmental-historic-preservation-documents)

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Executive Order 12898, Environmental

- providing federally-undertaken, financed, or assisted construction and improvements;
- conducting federal activities and programs affecting land use, including but not limited to water and related land resources planning, regulation, and licensing activities.

✓ Summary Of Requirements

The guidelines address an eight-step process that agencies should carry out as part of their decision-making on projects that have potential impacts to or within the floodplain. The eight steps, which are summarized below, reflect the decision-making process required in Section 2(a) of the Order.

1. Determine if a proposed action is in the base floodplain (that area which has a one percent or greater chance of flooding in any given year).
2. Conduct early public review, including public notice.
3. Identify and evaluate practicable alternatives to locating in the base floodplain, including alternative sites outside of the floodplain.
4. Identify impacts of the proposed action.
5. If impacts cannot be avoided, develop measures to minimize the impacts and restore and preserve the floodplain, as appropriate.
6. Reevaluate alternatives.
7. Present the findings and a public explanation.
8. Implement the action.

Justice for Low Income & Minority Populations, 1994 (/executive-order-12898-environmental-justice-low-income-minority-populations-1994)

FEMA Activities that May Trigger Environmental & Historic Review (/fema-activities-may-trigger-environmental-historic-review)

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General Salvage Techniques (/general-salvage-techniques)

Among a number of things, the Interagency Task Force on Floodplain Management clarified the EO with respect to development in flood plains, emphasizing the requirement for agencies to select alternative sites for projects outside the flood plains, if practicable, and to develop measures to mitigate unavoidable impacts.

> Useful Links

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(<https://www.oig.dhs.gov/hotline>)

 Official website of the Department of Homeland Security



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flood plain-exhibit 40-pgs 3,4

2 messages

William Shickler <mediawatchonhunger@gmail.com>

Thu, Jul 20, 2017 at 2:31 PM

To: mediawatchonhunger <mediawatchonhunger@yahoo.com>, "d.c. forrd" <dc4reality@gmail.com>, dc4reality@activist.one

Resilience and Flood Preparedness

This fall, DOEE launched two important initiatives: the Climate Ready DC Plan and Clean Energy DC, which set a strategic vision for climate resilience, greenhouse gas reduction, energy independence, and aim to create a paradigm shift toward more sustainable development. In concurrence with these efforts, we recommend that large community serving development initiatives; especially those close to flood hazard zones, such as the DC United Stadium consider the future impacts of climate change and design with that in mind.

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The southern and western edge of site may intersect FEMA's 500-yr floodplain. The design team may consider elevating structure or using flood resistant materials up to the 500-yr elevation (14.0' NAVD88). At a minimum, FEMA's 100-yr flood elevation is 10.55' NAVD88 at this location. DC requires a 1.5-foot factor of safety for new construction, which means the minimum elevation for any enclosed portions of the structure should be at or above 12.05' NAVD88.

As detailed above, utilizing solar and other renewable energy technology that would allow the project to supply energy to the surrounding neighborhood when not in use would contribute toward neighborhood resilience and is also encouraged.

All projects are urged to take advantage of the strong financials for solar power in DC (two and a half- to five-year return on investment), the DC PACE program, and/or our Stormwater Retention Credit Trading program to decrease first cost and maximize operational savings. DOEE is glad to be a technical resource as the project continues forward.

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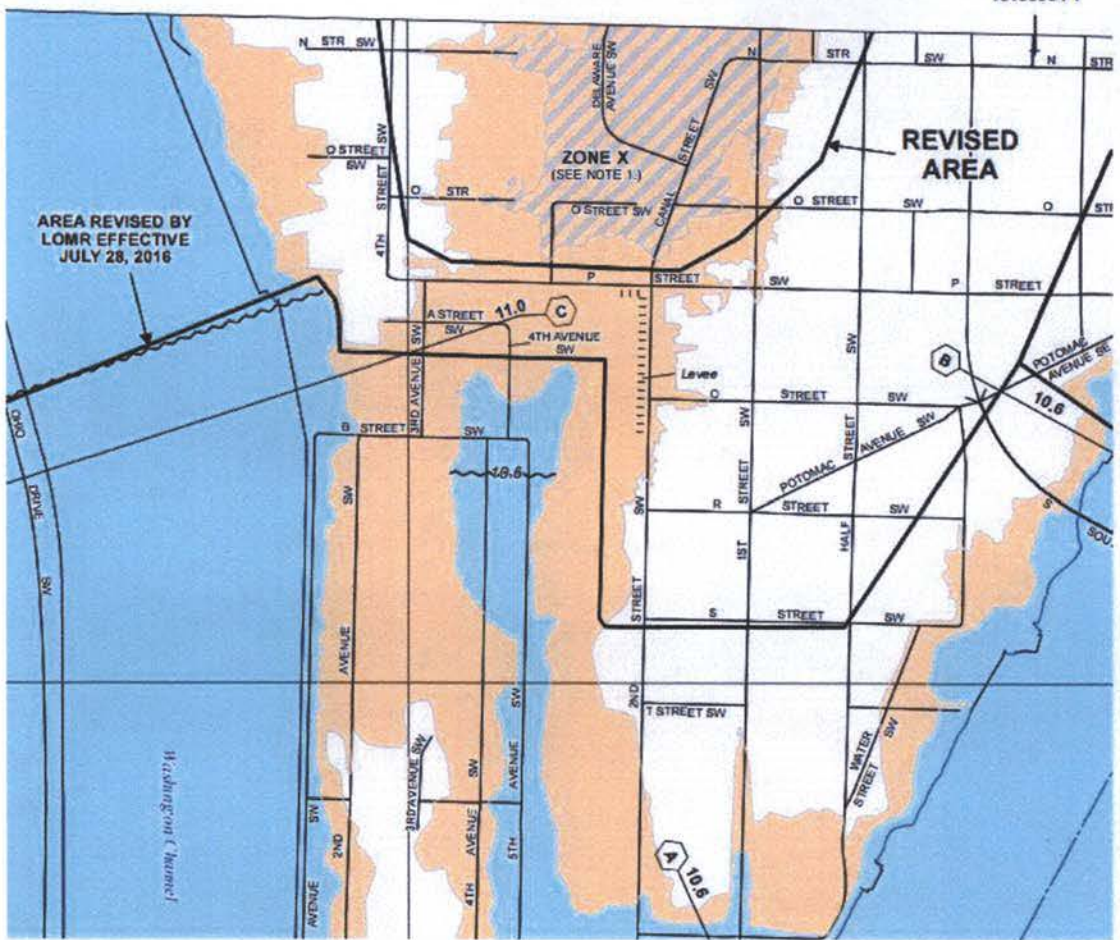
Fri, Sep 29, 2017 at 2:07 PM

To: "d.c. forrd" <dc4reality@gmail.com>

[Quoted text hidden]

NOTE 1: THIS AREA IS SHOWN AS BEING PROTECTED FROM THE 1-PERCENT-ANNUAL-CHANCE OR GREATER FLOOD HAZARD BY A LEVEE SYSTEM. OVERTOPPING OR FAILURE OF ANY LEVEE SYSTEM IS POSSIBLE. FOR ADDITIONAL INFORMATION, SEE THE "ACCREDITED LEVEE NOTE" IN THE NOTES TO USERS.

1310000 FT



National Flood Insurance Program

NATIONAL FLOOD INSURANCE PROGRAM
FLOOD INSURANCE RATE MAP

DISTRICT OF COLUMBIA,
WASHINGTON, D.C.

PANEL 57 OF 100



Panel Contains:

COMMUNITY	NUMBER	PANEL	SUFFIX
DISTRICT OF COLUMBIA	110001	0057	C

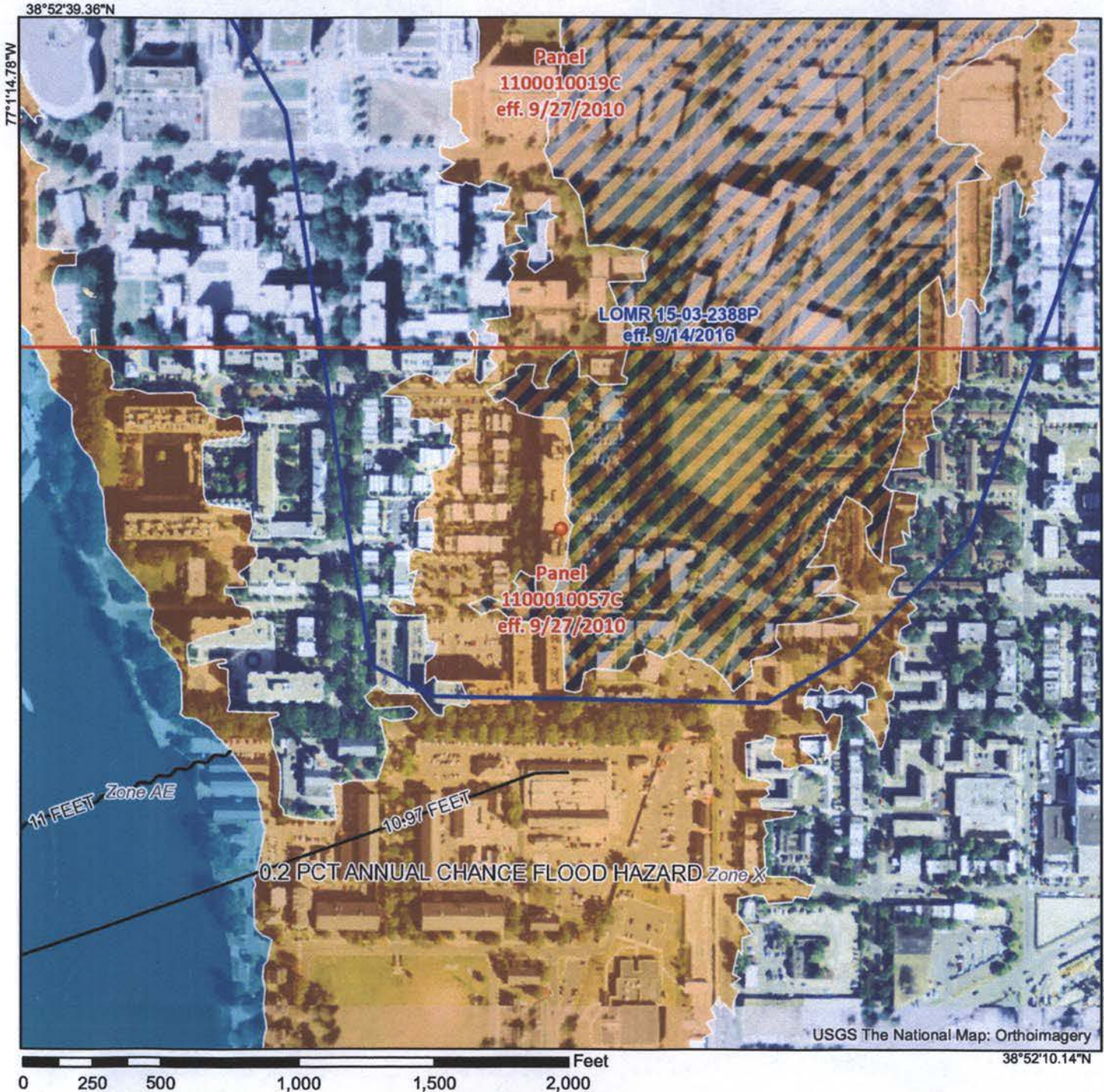
REVISED TO
REFLECT LOMR
EFFECTIVE: September 14, 2016

VERSION NUMBER
2.1.3.0

MAP NUMBER
1100010057C

MAP REVISED
SEPTEMBER 27, 2010

National Flood Hazard Layer FIRMette



Legend

- Cross-Sections
- ~ Base Flood Elevations
- Flood Hazard Zones**
 - 1% Annual Chance Flood
 - Regulatory Floodway
 - Special Floodway
 - Area of Undetermined Flood Hazard
 - 0.2% Annual Chance Flood
 - Future Conditions 1% Annual Chance Flood Hazard
 - Area with Reduced Risk Due to Levee



LOMRs

- Effective

Map Panels

- Digital Data
- Unmodernized Maps
- Unmapped

This map complies with FEMA's standards for the use of digital flood maps. The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. The base map shown complies with FEMA's base map accuracy standards.

The NFHL is a living database, updated daily, and this map represents a snapshot of information at a specific time.

Flood risks are dynamic and can change frequently due to a variety of factors, including weather patterns, erosion, and new development. FEMA flood maps are continually updated through a variety of processes. Users should always verify through the Map Service Center (<http://msc.fema.gov>) or the Community Map Repository that they have the current effective information.

NFHL maps should not be created for unmapped or unmodernized areas.



FEMA