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November 19, 2013

VIA ELECTRONIC FILING

Anthony Hood, Chairperson
District of Columbia Zoning Commission
Office of Zoning
441 4th Street, NW, Suite 210
Washington, DC 20001

Re: Zoning Commission Case No. 13-05
(Forest City Washington, DC Water Occupied Sites)

Dear Chairman Hood and Members of the Commission:

This letter will serve as the response of the District of Columbia Water and Sewer Authority ("D.C. Water"), a party in the above-referenced case, to Forest City Washington LLC's (the "Applicant") September 26, 2013 Proposed Proffers and Conditions (Exhibit 29) and November 12, 2013 Post-Hearing Submission (Exhibits 31A-D).

Through a letter dated September 17, 2013 (Exhibit 22), DC Water offered its support for the Applicant's proposed planned unit development (the "PUD") and noted that the parties had reached agreement on a number of design and operational commitments, including: 1) maintaining plan notations regarding curb cuts and access along certain portions of N Place and Canal Street; 2) revising plans to eliminate grading on DC Water's property and require the Applicant to utilize retaining walls as necessary; and 3) requiring coordination with DC Water regarding the F-1 parcel's loading dock design and operation (including use of WB-50 truck and scheduling delivery times). Through the Applicant's Proposed Proffers and Conditions (Condition 13 of the Parcel F-1 First-Stage Benefit and Conditions and Condition 5 of the Consolidated PUD Benefits and Conditions) and Post Hearing Submission (Exhibit D - Revised Grading Plan, replacing Plan C-13 of the Exhibit 17, Tab B of the record), the Applicant has fulfilled its design and operation commitments and for these reasons, DC Water supports their inclusion in the record and requests compliance with these commitments be made a condition of the Zoning Commission's approval of the PUD.

DC Water's September 17 2013 letter also noted that the proposed relocation of its existing operations on the subject property was subject to a number of separate legislative and legal requirements – specifically, Section 9019 of the Fiscal Year 2014 Budget Support Act and the land disposition requirements of the DC Water's Master Indenture for its outstanding bonds/public debt – and requested that the compliance with these requirements also be made a condition of the Zoning Commission's approval of any First or Second Stage approvals of the PUD. Through this letter, DC Water renews this request

Should you have any questions, please contact me at (202) 857-2492 or by email at mviani@mcquirewoods.com. Thank you for your consideration and assistance.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark M. Viani', enclosed within a large, hand-drawn oval.

Mark M. Viani

cc: George Hawkins, General Manager, DC Water
Maureen Holman, Esq., DC Water
Katherine Cahill, Esq, DC Water
Donna Hopkins, ANC 6D01
Ed Kaminski, ANC 6D02
Ron McBee, ANC 6D03
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Jennifer Steingasser, Dev. Review and Historic Planning, DC Office of Planning
Jamie Henson, Policy, Planning and Sustainability Admin, DDOT

DC Zoning Commission Case No. 13-05
Re: Forest City Washington, DC Water Occupied Sites

CERTIFICATE OF SERVICE

On November 19, 2013, I caused a copy of the foregoing letter to be delivered by electronic mail, IZIS, hand delivery, or by U.S. Mail to the following:

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