

Revised ANC-6D Testimony on DC United Before DC Zoning Commission – December 14, 2016

Good evening, Commissioners. My name is Andy Litsky and I am chairman of ANC-6D representing the communities of Southwest, Ballpark/Navy Yard and Buzzard Point. I believe that this is the 14th time that I've come before you to present our ANC's thinking on a particular PUD. As you know, our seven member ANC has more development within our boundaries than any other in the entire District of Columbia. We take our responsibilities – to our residents and the city – very seriously as we weigh each aspect of what any particular applicant puts before us. And we have done so here once again. We are not a NIMBY ANC.

Let me make it clear: ANC 6D has generally supported the *notion* of a DC United Soccer Stadium on Buzzard Point. Let me clarify that – I said the NOTION of a soccer stadium. But we are quite reticent to provide our advice --- our imprimatur, such as it is -- on a notion. It's the details that always require further analysis and it's the operational details to us that clinch the sale. What we have also said --from the very beginning -- is that we needed to ensure that the operational aspects are contingent upon three factors:

- (1) That there be a clearly defined and absolutely unambiguous transportation plan,
- (2) That the plan for this stadium enhances the residential neighborhoods that it borders – not only the entertainment zone to the East from where everyone is purported to be arriving but also the existing residential neighborhoods directly to the North, and
- (3) That it makes a strong contribution to the well-being of all the adjacent communities to warrant the request for constructing this particular site above and beyond what is allowed by zoning.

However, after much thought and discussion ANC-6D still finds that these three very basic tenets have still not been effectively achieved by the Applicant. And so, it was at a duly noticed meeting of ANC-6D, held on October 17, 2016, at which a quorum was present (a quorum being four Commissioners), and by a vote of 7 - 0 - 0, the Commission opposed the approval of the DC United Consolidated PUD until numerous issues as stated our resolution (Exhibit 29) were sufficiently addressed by the Applicant and District Departments in coordination with the ANC and the Community.

Now this does not mean that the PUD itself, has not improved over the course of time, for it has.

ANC 6D is pleased that a number of adjustments have been made to the plan. While the ANC is pleased with a number of adjustments that the Applicant has made to the PUD – namely significantly improved use of the previously ill-defined plans for the adjacent site and green space which had only a one or two year lifespan at best, and enhanced activation and incorporation of retail and commercial spaces on the eastern edge of the stadium -- the ANC continues to withhold its approval until a revised PUD adequately addresses continued concerns stated in this report that specifically address issues of transportation, environment and lack of attention to the needs of the adjacent neighborhoods. We urge

that the DC Zoning Commission and the relevant District Agencies – in particular, Office of Planning, Department of Transportation, Department of Health, Department of Public Works, Department of General Services, Department of the Environment – and the members of the Council of the District of Columbia give our concerns great weight.

TRANSPORTATION

ANC-6D continues to express strong concerns about vehicular, bicycle and pedestrian routing and access, parking insufficiency, proximity of the stadium to mass transit and lack of planning thereto, a review of faulty assumptions and contradictions, ill defined planning to direct patrons to the site, inappropriate access and egress through local streets to the East, North and West, an insufficient plan for mass transportation, a lackluster plan to address emerging transportation options such as Uber/Lyft, lack of binding and written LOIs regarding access to parking facilities as well as binding LOIs with the Nationals organization prohibiting contemporaneous scheduling of events in or adjacent to Nationals' Park and the proposed DC United Stadium. In addition, although the plans provided by DC United -- and buttressed by OP and DDOT -- show contingencies for how they envision transportation will be managed pre-construction and post-construction of the Frederick Douglas Bridge, there is absolutely no written plan for how 19,000 patrons are going to cross South Capitol Street during construction when the stadium will be operational. The answers we received from DDOT on November 28 when directly questioned on this particular issue were totally insufficient. "We've got a plan," is not a plan. Again, this is another one of those very pesky details where our lead District agencies provide little or no information and yet expect us to embrace their comments and recommendations in whole.

Our ANC has been asking for real answers to some very hard questions for a very long time and we're still waiting. It would be one thing if we were simply ignored – and in some cases we simply are. It's quite another to be provided contradictory answers over the course of time and then have the latest version of traffic and transportation plans presented "as fact" to buttress their latest contentions.

ANC-6D believes that the DC United PUD must be reviewed and evaluated in the context of the larger Buzzard Point discussion especially considering that the SW Small Area Plan, which enjoyed widespread community support – (more than 800 Southwesters participated -- and **that** plan enjoyed Council review) --- whereas Buzzard Point was prepared by an outside consultant with precious little community input and had absolutely no such supervisory discussion by the Council. And yet, here we are taking this Draft Report – still in draft after nearly seven months -- as gospel and the foundation upon which this very Zoning Decision will at least be partially based. Well, that's simply no way to plan.

So the DC United PUD both stands as an independent PUD before you tonight but as also the predicate of a larger Buzzard Point Vision Framework, to which ANC-6D has expressed extremely strong, point-by-point objections and to which after seven months the Office of Planning has provided neither acknowledgement nor a response. Consequently, ANC-6D addresses this PUD independently but also contextualizes the DC United Stadium Plan within the so called Buzzard Point "Vision Framework."

ANC-6D vigorously disputes the contention of the OP Final Report on this PUD that the Buzzard Point Vision Plan states on p. 17 that “revitalization is consistent with the aspirations with the aspirations and needs of nearby residents and the city as a whole with a focus on roads and public spaces.” Indeed, the only outreach that the consulting company made to Southwest residents at all prior to releasing a draft was to convene a meeting of some ten community leaders for the total of an hour and a half. Moreover, in direct contravention of OPs assertion, ANC-6D has consistently objected to the Buzzard Point Vision Framework as did more than 140 Southwest residents who attended a special meeting we called last winter with OP and DDOT to go over the plan. Not only were many questions left unanswered, but in the preceding seven months neither DDOT *nor* the Office of Planning have provided any written response to our ANC concerns. Indeed, as their “vision” may be aspirational -- at least in this aspect -- so is their willingness to address and respond to direct criticism and inquiry. So, Commissioners, as you deliberate this case, ANC-6D needs you to understand that the Buzzard Point Plan is still in **Draft. And you can’t plan with a moving target.** Everything cannot be fungible – certainly not when public safety and public funding are involved.

So ANC-6D continues to assert there exists no reliable Transportation Plan for the Stadium & Buzzard Point in that much of what has been put forward by the Applicant may be informed by and sometimes directly contradicts a number of transportation proposals advanced by DDOT, team consultants, Office of Planning (each of which is currently in the Case File), and most specifically, the Buzzard Point Vision Plan itself which purports to present Half Street as the “Transportation Spine of Buzzard Point” and yet to which DDOT’s report to you on this matter mentions not once. In addition, and in answer to specific questions about the current Buzzard Point Plan, we have also heard statements quotes made in public meetings from both the Directors of Transportation and the Office of Planning that contradict the recommendations of their very own departments in this matter.

So, a few examples:

Southeast-Southwest Special Events Study, Final Presentation on March 6, 2014 made a number of disturbing assertions in their “Project End Game” portion of the report that runs directly counter to DDOT’s own claims about what is necessary to make this stadium work.

That report states (underlining is by ANC-6D to highlight those sentences):

“Transit System Needs: One of DDOT’s main goals for the District is to increase the use of reliable and convenient transit modes. The roadway capacity is constrained, and there are very limited opportunities to add capacity to the network. As such, it is critical for the entire area that reliable and convenient transit options are available. **One major improvement needed in the transit system is the implementation of a North-South Streetcar line that could provide transit service into Buzzard Point, allowing for direct transit access to the Soccer Stadium.** If the North-South Streetcar is delayed or does not go south of M Street, the implications could be a lower transit share, since the only option for rail transit is the Green Line (Waterfront, Navy Yard-Ballpark, or Anacostia). Walking distances from the Green Line Metro stations to the Soccer Stadium are close to a mile and beyond what is considered “walkable.” To ensure the target transit share of 45 percent or higher can be achieved, it is critical that the streetcar to Buzzard Point be implemented.”

“5.6 Transit Improvements

Transit service to Buzzard Point is currently provided by two modes: Metrorail and bus. The Metro Green Line would carry the largest proportion of transit trips to the special events, either to Nationals Park or the D.C. United Stadium. As described in Chapter 3, WMATA operates several Metrobus service lines that pass along M Street and South Capitol Street and into Buzzard Point to P Street on the 74 bus route. **The Study assumed the development of the North-South Streetcar line providing service into Buzzard Point. It was assumed that the streetcar service operated at a ten-minute headway, providing a total capacity of 960 passengers per hour.**

The Southeast-Southwest Special Events Study is the very study that itself is put forward by the District Government to provide the guidance for transportation planning and impetus for growth and development of our entire ANC – Maine Avenue and M Street from The Wharf to the Eleventh Street Bridge. Well, if the entire premise for development a Soccer Stadium is based upon having a North-South Streetcar providing service into Buzzard Point then what is the point of putting it forward as evidence in the case file when we know that it is no longer the plan? But again, DDOT has spoken ... unfortunately out of both sides of its mouth.

ANC-6D also questions the mitigation measures proposed by Gorove Slade that “DC United stadium, situated near major transportation facilities, has the *potential* to have a quality transportation experience on game days” that they proposed on July 17, 2014. ANC-6D expects that during the intervening 24 months DDOT, Gorove Slade and DC United should have moved the ball beyond simply “potential.” More precise plans *should* have emerged – and in writing, not just in intent. ANC-6D insists that the Applicant and DDOT must stop kicking the can down the road when it comes to transportation planning for this site. ANC-6D asks that the Zoning Commission require that the Applicant provide transportation details far in advance to the time when the stadium becomes close to operational. By then, it’s way too late. While this may have been the way it was done in previous applications, waiting for critical details to emerge at some point during the development of a Transportation Management Plan – this is a very poor way to proceed. Please, Commissioners, require the Applicant to provide significantly more details on how this stadium will actually operate. “Build it and they will come” may be great for Kevin Costner, but it’s a lousy way to do urban planning.

The M Street SE/SW Transportation Plan section in DDOT’s report on this PUD admits that “it did not fully envision the implications of entertainment and events uses within the M Street SE/SW study area.” No kidding. That’s what ANC-6D has contended going back ten years. And that’s why we pressured them to more realistically approach transportation development in the area by insisting that they include items that they reluctantly addressed in the Southeast-Southwest Special Events Study. Getting that underway was like pulling teeth.

Another concern strongly held by ANC-6D regards access and egress for emergency vehicles and personnel to this tiny peninsula located on the most geographically isolated section of the District of Columbia with Fort McNair to the West and the Anacostia to the South and East. The Office of Planning envisions, in addition to this soccer stadium with 19,000 seats – parks, office buildings, hotels and the inclusion of 6,000 units of housing – equal, by the way, to the number of housing now in existing new Southwest. Has HSEMA reviewed these plans? Has the District has put plans in place should such

limited roadways be foreclosed by natural or other disaster. ANC -6D strongly suggests that the Zoning Commission make such planning and review compulsory -- pre-decision.

And just how does this plan for new housing comport with the Applicant's statement that they will be closing First Street every time that the Stadium is in use? Just this Monday night at our December meeting, ANC-6D had a presentation by another developer who is seeking to construct 110 units at the very base of Buzzard Point. He was one of the developers who, along with Akridge, held up this project until they were given assurance that First Street would be opened to the North. I asked him if he realized that First Street is scheduled to be closed during every game and he said rather sheepishly, "Well, we're working on it. We've had conversations with DDOT." One of the options, by the way, that they are prepared to advance beyond discussion stage is to build a road on what is now I think federal land and create a floating bike and pedestrian trail in the Anacostia. Again – this particular PUD has many moving parts that will influence much of what will eventually be built on Buzzard Point. It is standalone, and yet it is not. And the portion that is not is still a moving target.

ANC-6D is also insistent that identified mitigation measures are necessary to reduce the impact the stadium has on the already existing surrounding neighborhood. Guiding spectators to efficient routes for various modes must be incorporated with the plan *prior* to construction. ANC-6D notes on p. 18 of DDOT's Report that although "they aim to provide a safe and efficient roadway network" that DDOT acknowledges that the Applicant shows 18 intersections within the study area that are expected to be significantly impacted. They each rate solid Fs. And yet, upon questioning DDOT in cross on November 28, the only thing that DDOT could state about these intersections were this they existed before the stadium plan was advanced. Well, how about figuring out a plan to address and mitigate what is clearly an unsustainable situation now before you embrace more development.

As you know, a large portion of residential Southwest is comprised of superblocks a number of which border on Fourth Street Southwest – the communities of Tiber Island, Harbour Square, Edgewater, Riverside, Riverpark & Carrollsburg are among them. There is only one way in and one way out for the residents in living thousands of units along Fourth Street south of M. **There is no Great Circle Route into Southwest let alone Buzzard Point.** The impact of failing intersections is not sustainable under any circumstances. Moreover, with an aging population – and with some housing complexes approaching NORC (Naturally Occurring Retirement Community) status – those residents are increasingly dependent upon EMS and other lifeline services. Embracing a plan that potentially seals off thousands of people is contrary to the interests of public safety. The ANC insists that the Applicant develop a more effective plan for Fourth Street, SW. We cannot simply allow the mention of such a problem in the DDOT report and proceed without further comment and without insistence upon a resolution.

ANC-6D is further concerned that the last time that Fourth Street, SW was addressed as the sole subject of a traffic study by DDOT was in March, 2003. That was prior to the redevelopment of the old Waterside Mall, prior to an award of redevelopment rights at The Wharf, and a full year prior to site selection for a new baseball stadium, let alone one for DC United. The transportation weaknesses inherent along Fourth Street, South of M cannot continue to be addressed peripherally by allowing DDOT and transportation consultants to cobble together portions of old traffic studies sponsored and paid for by various developers and then pick out those portions of what they choose to fold into a "new" study to buttress the ideas that they now want to support. The time has come to call them out on this in writing and on the record. This is not planning. It's sophomore cut and paste.

It is also remarkable is that the Buzzard Point Vision Plan -- although still in draft after nearly a year, yet held up as one of the foundations upon which the DC United Stadium is based -- speaks boldly (although irrationally) about how Half Street will be "The Transportation Spine of Buzzard Point" yet neither the Applicant, nor DDOT, nor OP bothers to raise that point in their reports. Radio silence. It is also peculiar that of the 18 intersections expected to be significantly impacted by the new DC United Stadium not once is Half Street, even mentioned. It is as though each of the proponents are happy to recognize Half Street once it emerges *below* P Street, but none care to acknowledge precisely how cars magically arrive at those coordinates.

Frankly, our ANC continues to believe that this inconsistency is based upon a very strong desire not to engage in a full and complete discussion about how one arrives at DC United Stadium. Part of that is it is simply a bold insistence that the preponderance of fans will get to Buzzard Point emerging from the Navy Yard Metro, walking just shy of a mile around Nats Park (although now the Applicant insists that it's .51 miles), across six lanes of South Capitol Street traffic down Potomac to DC United -- and then back again. The other part, frankly, is a callous disregard for the population living North of P Street and South of M between Second and South Capitol Streets, SW. How else could the Office of Planning allow their Buzzard Point Vision Plan to show "the new" Half Street as a transportation solution when DPW leaders have told us that "the now" Half Street is not even wide enough to tow illegally parked cars during Nationals games? This is not a solution -- it's a scam. The District's approach is that if you draw a pretty picture and put it in spiral binding, it's as good as gold. Just don't expect anyone to question how that picture comes to fruition. Well, our ANC is asking -- and you should too.

When ANC-6D and Southwest Neighborhood Assembly co-sponsored a July 18, 2016 meeting at Arena Stage to discuss transportation issues in Southwest 175 people attended in addition to Directors Dormsjo, Shaw, the First District Commander and top officials from DPW. When confronted with this Half Street as Transportation Spine into Buzzard Point dichotomy and shown pictures demonstrating the extreme difference between what is planned and what exists now, Director Leif Dormsjo noted the dramatic difference but had no explanation for how this would occur. OP Director Eric Shaw simply smiled at the photographs and stated that he could not account for the dramatic differences other than to say, "My employees are visionaries."

Perhaps this blue smoke and mirrors approach to Half Street is because the residents are largely economically disadvantaged. This approach would *never* be pulled in a community that held some modicum of political power. ANC believes that there is intent behind the Buzzard Point Plan that presumes forced removal of housing in order to construct this stadium and most assuredly, the remainder of Buzzard Point. ANC-6D is universally opposed to the imposition of eminent domain in order to construct this stadium **or** provide transportation access to Buzzard Point.

However, when making direct inquiries to the top leadership of DDOT, OP and DMPED, none would go on the record to confirm that the transportation recommendations within The Buzzard Point Vision Plan presumed a de facto plan to remove any existing housing. Our Commission strongly urges the members of the Zoning Commission to clarify the intent of this Administration before moving forward and embracing the aspects of the Buzzard Point Plan put forward by the Applicant, DDOT and OP. Is this Administration advocating the tacit removal of people or are they not? Have they made a conscious decision to embrace the interests of the larger property owners on Buzzard Point and DC United over the interests of those people now living to the North? Are we going to allow those questions to remain unanswered until this PUD is approved? Perhaps those uncomfortable questions should be postponed

to a later date – maybe answered in a TOPP after this is already a fait accompli. Only the Zoning Commission can make that determination now.

ANC-6D has long contended that operating two large stadiums separated by less than a mile require much more than simple attestation by this Applicant that everything is in order. ANC-6D is in agreement with the DDOT report that requests additional levels of commitment and detail to ensure that contemporaneously scheduled events do not occur at both stadiums. I heard the Commissioners ask for such letters of agreement/commitment between the Nationals and DC United two weeks ago. I heard you request letters of agreement between MLB and MLS. The Applicant provided some new information on the record last week, however these critical components are still outstanding.

Parking insufficiency is a continuing challenge to our entire ANC and to the success of this PUD in particular since this 19,000 seat stadium is built with no public parking at all. ANC-6D is encouraged by plans to have the majority of patrons take public transport, walk or bike but this also requires the firm commitment and expectation that there will be sufficient parking spaces provided off site for DC United to properly carry on their operations. Over the course of time, the Applicant has produced maps illustrating where agreements exist for 3,900 off-site parking spaces. At present, Applicant claims that they have 3,750 spots. But as of November 28 no LOIs had been presented to back up that claim. This became particularly apparent after we last questioned The Nationals in early October about agreements that DC United claimed to have for access to parking at two venues owned by the Lerner's. Nationals officials informed us at that time such agreements did not exist.

ANC-6D is pleased that the Zoning Commission requested that Applicant to produce signed LOIs for each of the lots where DC United has assured us that such agreements exist. Well, we did receive some additional information in a document from the Applicant responding to that request but I only found that they had LOIs for not the several thousand that they claimed but only for 1,350 spaces. So we still need clarification on the amount of DC United parking that will be actually be available on opening day, how long those agreements will be in effect, how long those street grade lots where agreements may exist are anticipated to remain unbuilt and which, if any, of the LOIs they have included in that count may have flipped from office to residential which has already happened in once instance. We recognize that these agreements will require constant negotiation over time, because circumstances change. But the number that we have starting out is critical to know.

ANC-6D has spoken out from the beginning of this discussion about the lack of a specific plan for curbside management to ensure accessible drop-off and pick-ups for taxis, charter bus and *especially* Uber/Lyft and other hired vehicles which do not have the same regulatory constraints. They can – and do – stop anywhere and are not under the jurisdiction of the Hack Office. Curbside space in the area is severely limited and we are depending upon the Zoning Commission to instruct the Applicant that these accommodations must not impact the adjacent neighborhood. **No plan** assures that they will impact us.

The Applicant contends that this can be addressed by the TOPP. We totally disagree. Indeed, in the “Roadway Configuration and Curbside Management” chart produced on September 16, 2016, the Applicant shows no fixed plan, but a series of “maybes.” While signage decisions and wayfinding may be delayed to a TOPP, the precise areas for hired vehicles must be planned ahead of time, not left to be filled in at a later date – especially since there will be great numbers of patrons who will find it easier to call for private carriage than cram onto the Green Line and walk $\frac{3}{4}$ of a mile to the stadium. **A lot** of fans are going to be taking Uber. “Pick me up at Potomac and First. I’ll be wearing a black and red scarf.” Isn’t going to work.

ANC-6D agrees with DDOT's suggestion that the Applicant ought to fund the capitol costs and one year of operations for a Capital Bikeshare location adjacent to the stadium. That's a great idea. A lot of people are going to bike to DC United. But ANC-6D remains unconvinced – as the Commissioners appeared to be on November 28 -- that the levels of support that the Applicant is providing for bike valet is insufficient. We believe that many more DC United patrons will choose to bike to this stadium than to the Nationals because they are not on top of a Metro Station, but ¾ of a mile away from public transit. In addition, ANC-6D also points out that the Stadium is sits right on the Capitol Bike Trail so it will be all the more convenient for patrons to get there on two wheels. Let's make certain that we can accommodate them with expanded bike valet services. And while the Gorove-Slade (in their December 8 memo) has more than adequately shown that there are many approach and departure routes for bikes – we agree. But they also raised the question of how bikes and pedestrians will be able to safely negotiate many of the same streets getting to and from the stadium. Precisely! That's what we've been saying all along. We need a transportation plan. Don't highlight the challenges if you don't propose a solution.

ANC-6D remains unconvinced that neither the Applicant nor the City have made specific overtures to Metro to encourage additional bus service in the area. The 74 bus line runs along P Street but does not connect the stadium to either the Navy Yard or Waterfront Metro stations. Indeed, in their report DDOT raised this as a partial solution to getting patrons to and from the Stadium. Regardless of intent, with Metro's almost insurmountable difficulties we believe that the 74 bus is not at the top of their "to-do" list. And it's not going to happen by itself. It's going to take planning and budgeting – **and that takes time and a plan to resolve transportation options from the Green Line into Buzzard Point cannot wait for the TOPP**, as DDOT suggests in their report. We can't keep kicking the can down the road. How long will it take for a 74 bus study to be completed? Why has this study not already been called for? Councilmember Evans is the leading supporter of this Stadium. He's Chairman of Metro. DDOT Director Leif Dormsjo has a seat on the Metro Board. Why is a 74 bus study not already underway? Moreover, shouldn't a broader study seek to evaluate which streets will be suitable for bus operations, turning widths, etc. Wouldn't those answers directly influence major infrastructure planning efforts for Buzzard Point and elsewhere? Talk about putting the cart before the horse – and at that, a cart with a potentially inadequate turning radius. **Again – no proper transportation plan also impacts the investment that the city must make on infrastructure!**

Moreover, ANC-6D vigorously disputes the contention on p. 26 of the DDOT report where they present a gibberish response to our neighborhoods continued requests for answers about the promised return of the Southwest Circulator. Yes, indeed it *was* promised to return in 2017. However, at July's Transportation Forum at Arena Stage, Director Dormsjo made it clear that the Circulator was not going to return on that promised route for a number of reasons. We appreciate his honesty. We wish that his staff would similarly level with the ANC, the Southwest Community – and this Zoning Commission.

One other issue we'd addressed in our ANC Resolution has to do with Signage -- electronic signage, more precisely. As some of you Commissioners may recall, when the PUD for the Baseball Stadium was before this Commission in 2006 we had a very vigorous discussion about how signage was to be placed on that site. We discussed the size, area of coverage, the fact that logos would be disallowed and there was universal agreement that the iconic view of the US Capitol wasn't to be marred by competing signs hung on what is now Nats Park. That was in the Findings of Fact. That was spoken to in the Zoning

Order. In cross, the DC United agreed not to include digital signage on their stadium. I hope that commitment will be placed in the Zoning Order when it comes down.

ENVIRONMENT

The cascading impact of the construction and eventual operation of the DC United Stadium to the communities to the north are palpable in areas other than transportation. And none of those issues is more contentious than those related to environmental safety.

ANC-6D recognizes that the near Buzzard's Point residential community is a close knit neighborhood currently facing definite health consequences as a result of the excavation and remediation of the soccer stadium site. Although a great deal of preliminary work has been on-going for months to prepare this extraordinarily contaminated site for future development, including tearing down and removal of structures that contained asbestos and other hazardous materials, little or no effort has been directed toward preparing community residents to deal with the enormous environmental impact that the removal of all of the chemicals and contaminants may have on their health. Significant vapor contamination from dust, gases and fumes is inevitable on site since the clean-up plan includes removal of such contaminated soil both on and below the surface.

ANC-6D is extremely distressed with the paucity of information contained in the report of the Department of Energy and Environment in this case. DDOE reviews PUDS for environmental issues that the Applicant needs to be aware of during early stages of planning, as well as to identify opportunities for increasing environmental and urban sustainability benefits during development. As such, our ANC had presumed that DOEE would have provided significant guidance to the Zoning Commission about what is widely acknowledged to be the most environmentally degraded building site in the entire District of Columbia – and one which barely escapes declaration as a brownfield. What they provided instead were four paragraphs on Greenbuilding & Renewable Energy, and three paragraphs each on Stormwater Management, Air Quality and Resilience and Flood Preparedness.

ANC-6D believes that DOEE should have prepared a report to be included in the Case File that assesses how they expect the Applicant will operate in coordination with the District, nearby Buzzard Point residents and other stakeholders together in a timely manner to prevent, assess, safely clean up and sustainably use this portion of Buzzard Point to achieve greater economic development. They missed that opportunity. That is not to say that they have not been active, for they have. For the better part of a year, ANC-6D has attended meeting after meeting to plead with the Applicant, their consultants, DOEE and other District Agencies to acknowledge the severity of the levels of toxicity on site and to encourage them to **put in writing** plans to address these exigencies. Not on their website but dated, in writing and in this Case File.

Consequently, ANC-6D is putting on the record what we believe ought to have been included in the DDOE report to ensure that this most environmentally contaminated site is properly perceived, addressed, and managed throughout remediation and construction of DC United Stadium. The

vulnerability of the near Buzzard Point residential community is fully explained in the health risk assessment that the DC Department of Health prepared called the Community Health and Safety Study (CHASS). CHASS is a risk assessment that was done because of the community concerns brought forward by ANC-6D to DOH, DMPED and DOEE about the overall health impact that the construction of the soccer stadium and other major construction projects (i.e. Pepco Waterfront Substation and the new South Capitol Street Bridge) would have on the residents who live near Buzzard Point.

The timing of these major projects combined with the vulnerability of the near Buzzard Point community and fact that the residents are already being negatively affected by Buzzard Point contaminants may lead to unforeseen and detrimental health and quality of life challenges that may forever damage and threaten the continued existence of these low-moderate income residents. The CHASS is the first risk assessment ever done in the District of Columbia focusing on a community prior to the construction of a major project. It has no mechanism or funding to implement any of the recommendations. It also has no one assigned from DOH to ensure that the recommendations are even implemented. But it does make clear recommendations that ANC-6D hopes will be fully embraced and carried out by the District of Columbia and by the Applicant for this project and on others on Buzzard Point going forward. ANC-6D is entering the CHASS document in the Case File as a "Supplement A" to our own Report. We expect that its contents and recommendations will be viewed as those of ANC-6D.

ANC-6D believes that Best Management Practices Plan needs to be adopted to protect the health, safety and well-being of all individuals who will be exposed to construction on the DC United Stadium Site and who live near Buzzard's Point including community members and construction workers and have placed those recommendations in our ANC report.

ANC-6D also requests that the District of Columbia and the Applicant halt the Voluntary Cleanup of the proposed stadium site, that was slated to begin on December 1st, until we are assured that these efforts meet best management practices and the requirements outlined in the environmental concerns described in the recent study Community Health and Safety Study (CHASS) conducted by the DC Department of Health [attachment A to this report] that makes the following recommendations:

- Improved program coordination to include all project components and construction projects to minimize impacts upon the surrounding community.
- Enhanced community engagement and notification with respect to program and project developments through regularly scheduled public meetings.
- Provision of proactive development, prevention and control measures as well as a written plan to enforce policies and regulations for dust control.
- Creation of on-going field monitoring of soil, water and air quality by an independent entity.

Further,

- ANC-6D recommends that there be a written agreement with DC DOH requiring them to monitor the health status of residents living adjacent to the stadium throughout construction.
- There be created a Health Advocate to conduct oversight of the implementation of the safety plan, with the vested authority to stop construction in the event of health and safety violations,

provide real time monitoring and oversight of the site construction and report to the IG's Office to avoid conflicts of interest. This would create a standard going forward for all projects being developed on contaminated sites throughout the District of Columbia.

- There be immediate distribution of preventative remediation measures, including the distribution of air purifiers, HEPA (dust) mats and vacuums for residents living south of M St., east of Delaware, west of S. Capitol Street; and
- The District of Columbia, through its Department of Health or another approved FQHC, provide optional baseline health assessment for all residents living in the area adjacent to the proposed stadium.

In Conclusion

ANC-6D continues to believe that a soccer stadium can be built on this site in Buzzard Point --- but only once having addressed the issues we've elaborated upon in this Report. The implications of delay on developing this specific site, with its extraordinary challenges, pale in comparison to adopting a plan that moves ahead ignoring broad deficiencies in transportation planning, inattention to environmental concerns and the implications that ignoring each will have upon our community health and well being.

If we're going to move ahead with this project – we just have to do it right.