

1 GOVERNMENT OF THE DISTRICT OF COLUMBIA
2 Zoning Commission

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9 Public Hearing

10 Case No. 16-02 [DC Stadium, LLC. - Consolidated
11 Review and Approved of a Planned Unit Development at
12 Squares 603S, 605, 607, 661, and 665.]
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16 6:34 p.m. to 10:38 p.m.

17 Wednesday, December 14, 2016
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21 Jerrily R. Kress Memorial Hearing Room
22 441 4th Street, N.W., Suite 220 South
23 Washington, D.C. 20001
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25

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1 Board Members:

2 ANTHONY HOOD, Chairman

3 ROBERT MILLER, Vice Chair

4 PETER MAY, Commissioner

5 MICHAEL TURNBULL, Commissioner

6 PETER SHAPIRO, Commissioner

7

8 Office of Zoning:

9 SHARON SCHELLIN, Secretary

10

11 Office of Planning:

12 ELISA VITALE

13 JOEL LAWSON

14 JENNIFER STEINGASSER

15 SAM ZIMBABWE

16

17 Department of Energy and Environment

18 JAY WILSON

19

20

21

22

23

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1 P R O C E E D I N G S

2 CHAIRPERSON HOOD: Zoning Commission Case No.
3 16-02.

4 My name is Anthony Hood. Joining me are Vice
5 Chair Miller, Commissioner Shapiro, and Commissioner
6 May. We're expecting to be joined by Commissioner
7 Turnbull shortly. Also, from the Office of Zoning
8 staff, Ms. Sharon Schellin, as well as the Office of
9 Planning staff, Ms. Steingasser, Mr. Lawson, Ms.
10 Vitale, and the District Department of Energy and
11 Environment, Mr. Wilson.

12 I'm going to ask that the opening statement
13 be incorporated from our last hearing. This is a
14 reconvening of a previously hearing that we had, 16-
15 02. I would also just ask housekeeping that if
16 you've already registered and you're in our kiosk,
17 you don't have to do it again. But if you need to
18 register tonight and you were not here to register
19 the last time we would ask that you register and if
20 you need assistance, you can see Ms. Schellin.

21 So, Ms. Schellin, do we have any preliminary
22 matters?

23 MS. SCHELLIN: No, sir.

24 CHAIRMAN HOOD: Somebody is going to have to
25 help me. Where did we leave off at?

1 MS. SCHELLIN: We're going to start with the
2 ANC's report.

3 CHAIRMAN HOOD: Okay. Mr. Litsky, if you can
4 come forward.

5 MR. LITSKY: My name is Andy Litsky, and I'm
6 Chairman of ANC 6D, representing the communities of
7 Southwest, Ballpark Navy Yard, and Buzzard Point.
8 And I think this is the 14th, actually the 15th time
9 that I've come before you to present our ANC's
10 thinking in a particular PUD.

11 As you know, our seven-member ANC has more
12 development within our own boundaries than any other
13 in the entire District of Columbia. We take our
14 responsibilities to our residents and the city very
15 seriously as we weigh each aspect of any particular
16 applicant puts before us. And we've done so here
17 again.

18 I just want to stress to anybody who believes
19 differently, we are not an MB ANC. Let me make it
20 clear, ANC 6D has generally supported the notion that
21 the D.C. United Soccer Stadium on Buzzard Point
22 should be built there. Let me clarify that I said,
23 the notion of a soccer stadium, but we're quite
24 reticent to provide our advice or imperator, such as
25 it is, on a notion. It's always the details that

1 require further analysis and it's the operational
2 details to us that clinch the sale.

3 What we've also said from the very beginning
4 is that we needed to ensure that the operational
5 aspects are contingent upon three factors; that there
6 be a clearly defined and absolutely unambiguous
7 transportation plan, that the plan for the stadium
8 enhances the residential neighborhoods that it
9 borders, not only the entertainment zone to the east
10 from where everybody is purported to be arriving, but
11 also the existing residential neighborhoods to the
12 north. And that also, number three, makes a strong
13 contribution to well-being of all the adjacent
14 communities to warrant the request for constructing
15 this particular site above and beyond what is allowed
16 by zoning.

17 However, after much thought and discussion,
18 ANC 6D finds that these three very basic tenants
19 still have not been effectively achieved by the
20 applicant. And so it was at a duly noticed meeting
21 of ANC 6D in October at which a quorum was present,
22 that the Commission voted 700 to oppose the approved
23 -- the approval of the D.C. United consolidated PUD,
24 until numerous issues stated in our resolution, which
25 is Exhibit 29, had been sufficiently addressed by the

1 applicant and the District Departments in
2 coordination with the ANC and the community.

3 Now, this does not mean that the PUD itself
4 has not improved over the course of time. For it
5 has. ANC 6D is pleased that a number of adjustments
6 have been made to the plan. While we're pleased with
7 the number of adjustments that the applicant has made
8 to the PUD, namely significantly improved use of the
9 previously ill-defined plans for the adjacent site
10 and green space, which had only a two-year life span
11 at best, and enhanced activation and incorporation of
12 retail and commercial aspects on the eastern edge of
13 the stadium, the ANC continues to withhold its
14 approval until revised PUD adequately addresses the
15 continued concerns stated in this report, in our
16 report that specifically addresses issues of
17 transportation, environment, lack of attention to the
18 needs of the adjacent neighborhoods.

19 We urge the D.C. Zoning Commission, the
20 relevant agencies, to give us great weight in our
21 concerns.

22 On transportation, ANC 6D continues to
23 express our strong concerns about vehicular, bicycle,
24 and pedestrian routing and access, parking
25 insufficiency, proximity to the stadium to max

1 transit and lack of planning thereto, a review of
2 faulty assumptions and contradictions, ill-defined
3 planning to direct patrons to the site, inappropriate
4 access and egress through local streets, east, north,
5 and west, and insufficient plan for mass
6 transportation, a lack-luster plan to address
7 emerging transportation options such as Uber and
8 Lyft, lack of a binding written LOI regarding access
9 to parking facilities, as well as binding LOIs with
10 the Nationals Organization that would prohibit
11 contemporaneous scheduling of events in or adjacent
12 to Nationals Park, and the property D.C. United
13 Stadium.

14 In addition, although the plans provided by
15 D.C. United and buttressed by OP and DDOT, show
16 contingencies for how they envision transportation
17 will be managed preconstruction and post-construction
18 of the Frederick Douglas Bridge. There's absolutely
19 no written plan for how 19,000 patrons are going to
20 access the stadium across South Capitol Street during
21 construction when the stadium will be operational.
22 The answers we receive from DDOT on November 28th
23 were directly questioned on this particular issue,
24 were totally insufficient.

25 We've got a plan, is not a plan. Again,

1 there is another one of those pesky details where our
2 lead D.C. agencies provide little or no information
3 and yet expect us to embrace their comments and
4 recommendations in whole.

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

14 ANC 6D believes that D.C. United PUD must be
15 reviewed and evaluated in the context of the larger
16 Buzzard Point discussion. Especially when
17 considering the Southwest Small Area Plan, which
18 enjoyed wide-spread community support, more than 800
19 Southwest has participated. That plan enjoyed
20 council review, whereas the Buzzard Point plan was
21 prepared by an outside consultant with precious
22 little community input and had absolutely no
23 supervisory discussion by the council.

24 And yet, here we are taking this draft
25 report, still in draft after nearly seven months, as

1 gospel, and the foundation upon which much of this
2 very daunting decision may be partially based. Well,
3 this is simply no way to plan.

4 So, the D.C. United Plan -- D.C. United PUD
5 stands both as an independent PUD before you tonight,
6 but also as the predicate of a larger Buzzard Point
7 Vision framework to which ANC 6D and much of our
8 community has expressed extremely strong point by
9 point objections and to which after seven months in
10 the Office of Planning has provided neither
11 acknowledgement, nor response.

12 Consequently, ANC 6D addresses this PUD
13 independently but also contextualizes the D.C. United
14 Stadium plan within the so-called Buzzard Point
15 Vision framework.

16 ANC 6D vigorously disputes the contention
17 that the OP final report on the PUD that the Buzzard
18 Point Vision plan states, as it does on page 17, that
19 in quote, "The revitalization is consistent with the
20 aspirations of the -- the aspirations and the needs
21 of nearby residents, and the city as a whole with
22 focus on roads and public spaces."

23 Indeed, the only outreach that the consulting
24 company that prepared the report made to Southwest
25 residents at all prior to releasing the draft was to

1 convene a member of some 10 community leaders for a
2 total of an hour and a half. Moreover, in direct
3 contravention of OP's assertion, ANC 6D has
4 consistently objected to the Buzzard Point provision
5 framework, as did more than 140 Southwest residents
6 who attended a special meeting we called last winter
7 with OP and DDOT, to go over the plan.

8 Not only were many questions left unanswered,
9 but in the proceeding seven months neither DDOT nor
10 the Office of Planning has provided any written
11 response to our concerns. Indeed, their vision may
12 be aspirational, at least in this aspect. So, also
13 is their willingness to address and respond to direct
14 criticism and inquiry.

15 So, Commissioners, as you deliberate this
16 case, and ANC 6D needs you to understand that the
17 Buzzard Point plan is still in draft, you can't plan
18 with a moving target. Everything cannot be fungible.
19 Certainly not when public safety and public funding
20 is involved.

21 So, ANC 6D continues to assert that there
22 exists no reliable transportation plan for the
23 stadium and Buzzard Point, and that much of what has
24 been put forward by the applicant may be informed by,
25 and sometimes directly contradicts the number of

1 transportation proposals advanced by DDOT, team
2 consultants, Office of Planning, each of which is
3 currently in the case file. And most specifically
4 the Buzzard Point Vision plan, which itself purports
5 to present Half Street as the transportation spine of
6 Buzzard Point, yet to which DDOT's report to you on
7 this matter mentions not even once.

8 In addition and answer to specific questions
9 about the current Buzzard Point plan, we also heard
10 statements and quotes made at public meetings from
11 both the directors of transportation and the Office
12 of Planning that contradict the recommendations of
13 their very own departments in this manner.

14 Just a few examples. The Southeast/Southwest
15 Special Events study. Final presentation on March
16 6th, 2014, made a number of disturbing assertions
17 that their project endgame portion of the report that
18 runs directly counter to DDOT's own claims about
19 what's necessary to make this stadium work.

20 That report states, and in quotes, "The
21 transit system needs one of DDOT's main goals for the
22 District is to increase the use of reliable and
23 convenient transportation modes. The roadway
24 capacity is constrained and there's very limited
25 opportunity to add capacity to the network. As such,

1 it's critical for the entire area that reliable and
2 convenient transportation options are available. One
3 major improvement needed in the transportation system
4 is the implementation of a north/south streetcar line
5 that could provide transit service to Buzzard Point,
6 allowing direct access to the soccer stadium."

7 Again, still in quotes, "If the north/south
8 streetcar is delayed or does not go south of M
9 Street, the implications would be lower transit share
10 since the only option for rail transit is Green Line
11 Waterfront, and walking distance from Green Line
12 Metro stations to the soccer stadium are close to a
13 mile."

14 This is in DDOT's report. "And beyond what
15 is considered walkable. To ensure the transit share
16 of 45 percent or higher can be achieved, it's
17 critical that the streetcar to Buzzard Point be
18 implemented." And that's an end quote.

19 Again, on transit improvements from the same
20 study, "Transit service to Buzzard Point is currently
21 provided by two modes, metro rail and bus. Metro
22 Green Line would carry the largest proportion of
23 transit trips to special events, as described.
24 Further in the study, the study assumed -- " this is
25 out of their study in quotes, "The study assumed the

1 development of the north/south streetcar line
2 providing service to Buzzard Point. It was assumed
3 that the streetcar service operated a 10-minute
4 headway, would provide a total of 960 passengers per
5 hour."

6 The Southeast/Southwest Special Events study
7 is another study that itself is put forward by
8 District Government to provide the guidance for
9 transportation planning and impetus for growth and
10 development in our entire ANC, Main Avenue and M
11 Street, to the Wharf, to the 11th Street bridge.

12 Well, if the entire premise for development
13 of a soccer stadium is based upon having a
14 north/south streetcar providing service to Buzzard
15 Point, then what's the point of putting it forward in
16 evidence in the case file when we know that this is
17 no longer part of the plan. But again, DDOT has
18 spoken, unfortunately, out of both sides of its
19 mouth.

20 ANC 6D also questions the mitigation measures
21 proposed by Gorove Slade that the D.C. United
22 Stadium, situated near major transportation
23 facilities, has the potential to have quality
24 transportation experience on game days. They said
25 that in July 2014.

1 ANC 6D certainly should expect in the
2 intervening 24 months, DDOT, Gorove Slade, and D.C.
3 United should have moved the ball considerably on
4 simply the potential. More precise plans should have
5 emerged and in writing, not just in intent. ANC 6D
6 insists that the applicant and DDOT must stop kicking
7 the can down the road when it comes to transportation
8 planning for this site. ANC 6D asks the Zoning
9 Commission to require the applicant provide
10 transportation details far in advance to the time
11 when the stadium comes close to operational. By
12 then, it's way too late.

13 Well, this may have been the way it was done
14 in previous applications, waiting for critical
15 details to emerge at some point during the
16 development of a TMP. This is a poor way to proceed.

17 Please, Commissioners, we really urge you to
18 require the applicant to provide significantly more
19 details on how this stadium will actually operate
20 because build it and they will come might be great
21 for Kevin Costner. It's a lousy way to do urban
22 planning.

23 M Street Southwest Transportation Study plan,
24 the section in DDOT's report on this PUD, admits
25 that, and quote, "It did not fully envision the

1 implications of entertainment and events uses within
2 the M Street Southwest study area." No kidding.
3 That's what we've been saying for close to 10 years,
4 and that's why we pressured them to do more
5 realistically approached transportation development
6 in the area by insisting that they include items that
7 they reluctantly only addressed when we pushed them
8 to do the Southwest Special Events study. And even
9 getting that underway was like pulling teeth.

10 Another strong concern held by ANC in regard
11 to access and egress for emergency vehicles and
12 personnel, to this small peninsula located on the
13 most geographically isolated area in the District of
14 Columbia, with Fort McNair to the west, the Anacostia
15 to the south and the east.

16 OP envisions that in addition to the soccer
17 stadium with 19,000 seats, parks, office buildings,
18 hotels, and the inclusion of 6,000 units of housing,
19 equal by the way to the existing number of housing in
20 Southwest today, that this is going to exist on
21 Buzzard Point.

22 Has HSEMA reviewed these plans? Has the
23 District put plans in place should limited roadways
24 be foreclosed by natural or other disaster? ANC
25 strongly suggests that the Zoning Commission make

1 such planning review compulsory, pre-decision. And
2 just how does this plan for new housing comport with
3 the applicant's statement that they will be closing
4 1st Street every time that this stadium is in use.
5 Just this Monday night at our December meeting, ANC
6 6D had a presentation by another developer who is
7 seeking to construct, I think about 110 units at the
8 base of Buzzard Point. He was one of the developers,
9 along with Ackridge, held up this project until they
10 were given assurances that 1st Street would be open
11 to the north.

12 So, I asked him if he realized that 1st
13 Street is scheduled to be closed during every game
14 and he admitted, rather sheepishly, well, we're
15 working on it. We've had conversations with DDOT.

16 My question to them was, well, how the hell
17 are your people going to get back and forth if every
18 single time the stadium is in use, they're closing
19 1st Street? And he said, well, there is discussion
20 to build a road on what is now, I think, federal
21 land, and create a floating bike and pedestrian trail
22 on the Anacostia. Well, that isn't part of any plan
23 that I saw as part of this, and I don't know whether
24 that's gone to any of the agencies. But again,
25 that's what's being floated, literally and

1 figuratively.

2 Again, this particular PUD has many moving
3 parts. This particular PUD, that are going to
4 influence much of what will eventually be built on
5 Buzzard Point. It is stand-alone, and yet it is not.
6 And the portion that it is not, is still a moving
7 target.

8 ANC 6d is also insistent that the identified
9 mitigation measures necessary to reduce the impact of
10 the stadium has already has on existing surrounding
11 neighborhood. Guiding spectators to efficient routes
12 for various modes must be incorporated into plans
13 prior to construction. We note that on page 18 of
14 DDOT's report, that they aim to provide a safe and
15 efficient roadway network, but that also DDOT
16 acknowledges that the applicant chose 18
17 intersections within the study area itself, that are
18 expected to be significantly impacted. Eighteen.
19 They rate solid Fs.

20 Yet, upon questioning, DDOT in cross, on
21 November 28th, the only thing that they could state
22 about these intersections were that, well, they
23 existed before the stadium plan was advanced. Well,
24 how about figuring out a plan to address and mitigate
25 what is clearly an unsustainable situation now before

1 you embrace more development.

2 As you know, a large portion of Southwest is
3 comprised of superblocks. A number of which border
4 on 4th Street Southwest. The communities of Tiber
5 Island, Harbor Square, and Edgewood on River Park and
6 Riverside, and Carrollsborg among them. There's only
7 one way in and one way out for all these residents.
8 Thousands of units, of people living along 4th
9 Street. There's no great circle route into
10 Southwest, let alone Buzzard Point.

11 The impact of failing intersections is not
12 sustainable under any circumstances. Moreover, with
13 an aging population and some housing complexes
14 approaching NORK, the Naturally Occurring Retirement
15 Community Status, those residents are increasingly
16 dependent upon EMS and other lifeline services.
17 Embracing a plan that potentially seals off thousands
18 of units and many people is contrary to the interest
19 of public safety. Our ANC insists that the applicant
20 develop a more effective plan for 4th Street
21 Southwest since people will be traversing that street
22 to get to the stadium.

23 We cannot simply allow the mention of a
24 program in the DDOT report to proceed without further
25 comment and without some insistence upon a

1 resolution.

2 We're also further concerned that the last
3 time 4th Street was addressed as the sole subject of
4 a traffic study by DDOT was in March of 2003, when
5 they did Waterside Mall over. It's about time that
6 we looked at it again. Our concern is that
7 transportation weaknesses inherent along 4th Street,
8 south of M, cannot continue to be addressed
9 peripherally by allowing DDOT and transportation
10 consultants to cobble together portions of old
11 traffic studies, sponsored and paid for by various
12 developers, and then pick out of those portions what
13 they choose to fold into new study to buttress ideas
14 about what they want to support now.

15 The time has come to call them out in writing
16 and on the record. This isn't planning, this is cut
17 and paste.

18 It's also remarkable that the Buzzard Point
19 Vision plan, although still in draft after nearly a
20 year, has yet to come up as one of the foundations
21 upon -- rather, as yet is held up as one of the
22 foundations upon which the stadium is based.

23 It speaks boldly about how Half Street will
24 be the transportation spine into Buzzard Point, and
25 yet neither the applicant, nor DDOT, nor OP bothers

1 to raise that point in their reports. Radio silence.
2 It's also peculiar that 18 intersections expected to
3 be significantly impacted in the D.C. Stadium not
4 once is Half Street even mentioned. And it's as
5 though each of the proponents are happily recognized
6 Half Street once it emerges below P Street, but none
7 care to acknowledge precisely how cars magically
8 arrive at those specific coordinates.

9 Frankly, our ANC continues to believe this
10 inconsistency is based upon a very strong desire not
11 to engage in the full and complete discussion about
12 how one arrives at D.C. United Stadium. Part of that
13 is simply a bold insistence that the preponderance of
14 fans will get to Buzzard Point emerging from the Navy
15 Yard Metro, walking just shy of a mile around Nats
16 Park. And I'm saying a mile because that was what
17 was in a DDOT study, although the applicant now
18 insists it's .51 miles, across six lanes of South
19 Capitol Street traffic, down Potomac to D.C. United,
20 and then back again.

21 The other part, frankly, is a callous
22 disregard for the population living north of P Street
23 and South of M between 2nd and South Capitol Streets.
24 How else could the Office of Planning allow their
25 Buzzard Point plan to show the new Half Street as a

1 transportation solution when DPW leaders have told us
2 that the now Half Street is not even wide enough to
3 tow illegally parked cars during Nationals games.
4 This is not a solution. This is a scam.

5 The District's approach is that if you draw a
6 pretty picture and put it in spiral binding it's as
7 good as gold. Just don't expect anybody to ask
8 questions about how those pictures come to fruition.
9 Well, our ANC is asking, and you should too.

10 When ANC 6D and the Southwest Neighborhood
11 Assembly co-sponsored, on July 18th, 2016, a meeting
12 at Arena Stage to discuss transportation issues
13 broadly in the greater Southwest, 175 people
14 attended, in addition to directors of transportation,
15 Dormsjo, Eric Shaw, First District Commander and top
16 officials from DPW.

17 When confronted with this Half Street
18 transportation spine into Buzzard Point dichotomy,
19 and shown pictures demonstrating the extreme
20 difference of what's planned and what exists now,
21 Leif Dormsjo noted the dramatic difference but had no
22 explanation how this would occur.

23 OP director, Eric Shaw, simply smiled at the
24 photographs and stated that he could not account for
25 the dramatic difference, other than to say in quotes,

1 "My employees are visionaries."

2 Perhaps this blue smoke and mirrors approach
3 to Half Street is because the residents are largely
4 economically disadvantaged. I've never used this
5 argument before. A lot of people use this argument
6 when they come before this Commission, but now is the
7 time for ANC 6D to raise this argument. This
8 approach should never be pulled in a community that
9 holds a modicum of political power. ANC believes
10 that there is intent behind the Buzzard Point plan
11 that presumes forced removal of housing in order to
12 construct this stadium, and most assuredly the
13 remainder of Buzzard Point.

14 ANC 6D is universally opposed to the
15 imposition of imminent domain in order to construct
16 the stadium, or provide transportation access to the
17 point. However, we're making direct inquiries to top
18 leaders of DDOT and OP and DMPED. No one would go on
19 the record to confirm the transportation
20 recommendations within Buzzard Point plan, presumed a
21 de facto plan to remove any existing housing. Our
22 Commission strongly urges the members of the Zoning
23 Commission to clarify the intent of this
24 administration before moving forward and embracing
25 the aspects of this plan put forward by the

1 applicant, DDOT, and OP.

2 Is this administration advocating tacit
3 removal of people, or are they not? Have they made a
4 conscious decision to embrace the interests of the
5 larger property owners on Buzzard Point and D.C.
6 United over the interests of those people now living
7 to the north? Are we going to allow these questions
8 to remain unanswered until this PUD is approved?

9 Perhaps these uncomfortable questions could
10 be postponed to a later date and maybe answered in a
11 TOPP, after this is already a fait accompli. Only
12 the Zoning Commission can make that determination
13 now.

14 ANC 6D has long contingent that operating two
15 large stadiums separated by less than a mile require
16 much more than simple attestation by this applicant
17 that everything is in order. ANC 6D is in agreement
18 with DDOT report that requests additional levels of
19 commitment and detail to ensure the contemporaneously
20 scheduled events don't occur at both stadiums.

21 I heard the commissioners ask for such
22 letters of agreement and commitment between the
23 Nationals and D.C. United two weeks ago. I heard you
24 request letters of agreement between MLB and MLS. The
25 applicant provided us with some new information on

1 the record last week, however these critical
2 components are still outstanding.

3 Parking insufficiency is also a continuing
4 challenge to our entire ANC and to the success of
5 this PUD in particular, since this stadium has no
6 public parking at all.

7 ANC 6D is encouraged by the plans to have
8 majority of patrons take public transport, walk, or
9 bike, but this also requires the firm commitment and
10 expectation that there will be sufficient parking
11 spaces provided offsite for D.C. United to properly
12 carry on their operations.

13 Over the course of time the applicant has
14 produced maps, illustrating where agreements existing
15 for some 3,900 off-site parking spaces. At present
16 the applicant claims to have 3750 spots. But as of
17 November 28th no LOIs had been presented to back up
18 that claim.

19 This became particularly apparent after we
20 last questioned the Nationals in October about
21 agreements that D.C. United claimed to have access
22 for parking at two venues owned by the Learners.
23 Nationals officials informed us at that time that no
24 such agreements existed. Nor did I see them on the
25 list of the LOI agreements that they provided us last

1 week.

2 ANC 6d is pleased that the Zoning Commission
3 requested the applicant to produce signed LOIs for
4 each of these lots where D.C. United has ensured us
5 that these agreements exist. Well, we did receive
6 some additional information and documentation from
7 the applicant responding to that request, but I only
8 found that we had LOIs for not several thousand of
9 those spots that they claimed, but only for 1,350
10 spaces.

11 So, we still need clarification on the amount
12 of D.C. United Parking that will be actually
13 available on opening day, how long those agreements
14 will be in effect, how long those street grade lots
15 in those agreements may exist and are anticipated to
16 remain unbuilt, and which, if any, of the LOIs they
17 have included in that count may have flipped from
18 office to residential or may do so in the future.

19 We recognize that these agreements will
20 require constant negotiation over time, because
21 circumstances change. But the number that we start
22 out with is critical to know right now. ANC 6D has
23 spoken out from the beginning of this discussion
24 about the lack of specific plans for curbside
25 management to ensure accessible drop-off and pick-up

1 for taxis, charter buses, and most especially, Uber
2 and Lyft, and other hired vehicles which don't have
3 the same regulatory constraints. They can and do
4 stop just about anywhere they want to and they're not
5 under the jurisdiction of the Hack office.

6 Curbside space in the area are severely
7 limited and we're depending upon the Zoning
8 Commission to instruct the applicant that these
9 accommodations must not impact the adjacent
10 neighborhood. No plans ensures that they will. The
11 applicant contends that they can be addressed in the
12 TOPP. We totally disagree.

13 Indeed, the roadway configuration at curbside
14 management chart produced on September 16th of '16,
15 the applicant shows no fixed plan, but a series of
16 maybes. While signage decisions and wayfinding can
17 be delayed to a TOPP, the precise area for hired
18 vehicles has to be planned way ahead of time, not
19 left to be filled in at some later date, especially
20 since there are going to be great numbers of patrons,
21 I expect, who are going to find it a hell of a lot
22 easier to call for private carriage, rather than cram
23 on to the Green Line and walk three quarters of a
24 mile to the stadium.

25 A lot of fans are going to be taking Uber.

1 Pick me up at Potomac and 1st, I'll be wearing a red
2 and black scarf, isn't going to work. ANC 6D agrees
3 that DDOT's suggestion of the applicants ought to
4 fund the capital costs and one year operations for
5 Capital Bikeshare adjacent to the stadium. That
6 should be a minimum. I think it's a great idea.

7 A lot of people are going to be biking to D.
8 C. United, but ANC 6D remains unconvinced as the
9 Commissioners appear to be on the 28th of November,
10 that the levels of support that the applicant is
11 providing for Backville A is insufficient. We
12 believe that many more D.C. United patrons will
13 choose to bike to this stadium than to Nationals
14 because they're not located on top of a Metro, but
15 three quarters of a mile away on public transit.

16 In addition, ANC 6D points out that the
17 stadium sits right on the Capitol Bike trail, so it
18 will be all the more convenient for patrons to get to
19 and from them on two wheels. Let's make certain that
20 we accommodate them by expanded bike valet services
21 and while Gorove Slade in the December 8th memo, has
22 more adequately shown that there are many more
23 approach and departure routes for bikes, and we
24 agree, but they also raise question about how bikes
25 and pedestrians will be able to safely negotiate many

1 of the same streets, getting to and from the stadium.
2 Precisely. We've been stating that all along.

3 We need a transportation plan. Don't
4 highlight the challenges if you don't provide a
5 solution. ANC 6D remains convinced that neither the
6 applicant nor the city have made specific overtures
7 to Metro to encourage additional bus service in the
8 area. The 74 bus line runs along P Street, but does
9 not connect the stadium to either Navy Yard or the
10 Waterfront Metro stations.

11 Indeed, in their DDOT report they raised that
12 this is a partial solution to getting patrons to and
13 from the stadium. Regardless of intent, with Metro's
14 almost insurmountable difficulties, we believe that
15 the 74 bus is not exactly at the top of their to-do
16 list, and it's not going to happen by itself. It's
17 going to take planning and budgeting, and that takes
18 time and a plan to resolve transportation options
19 from the Green Line to Buzzard Point, and that cannot
20 wait for a TOPP, as DDOT suggests in their report.

21 We can't keep kicking the can down the road.
22 How long will it take for a 74 bus study to be
23 completed? Why has this study not already been
24 called for? Councilmember Evans is a leading
25 supporter of this stadium. He's Chairman of Metro

1 Board. DDOT director, Leif Dormsjo, has a seat on
2 the board representing the District of Columbia. Why
3 is a 74 bus study not already under way? Moreover,
4 shouldn't a broader study seek to evaluate which
5 streets will be suitable for bus operations and
6 turning widths, et cetera. Wouldn't those answers
7 actually directly influence major infrastructure
8 planning efforts for Buzzard Point and elsewhere?
9 Talk about putting the cart before the horse, and at
10 that, a cart with potentially inadequate turning
11 radius.

12 Again, no proper transportation plan also
13 impacts the investment that this city must make in
14 infrastructure. Moreover, ANC 6D disputes the
15 contention on page 26 to the DDOT report that they
16 presented a gibberish response to our neighborhood's
17 concerned request for answers about the promised
18 return of the circulator. Yes, it was promised to
19 return in 2017, but at July's Transportation Forum,
20 Director Dormsjo made it clear the circulator was not
21 going to return as promised on the road for a number
22 of reasons.

23 We appreciate his honesty. We wish the staff
24 would similarly level with the ANC, the community,
25 and this Zoning Commission about the return of the

1 circulator. It ought not to be put out as a
2 potential salvation if it's not going to reoccur.

3 One issue we also addressed in our ANC
4 resolution has to do with signage. Electronic
5 signage, more precisely. As some of the
6 Commissioners may recall, when the PUD for the
7 baseball stadium was before this Commission in 2006,
8 we had a very vigorous discussion about how signage
9 was to be placed on that site. We discussed the sign
10 size, area of coverage, the fact that logos would be
11 disallowed, and there was universal disagreement that
12 kind of view of the U.S. Capitol wasn't to be marred
13 by competing signs hung on what's now Nats Park.
14 That was in the findings of fact. That was spoken to
15 in the zoning order.

16 In cross, two weeks ago, I remind you that
17 D.C. United agreed not to include digital signage on
18 their stadium. I hope that that commitment will be
19 placed in the zoning order when it comes down as
20 well.

21 On the environment, the cascading impact of
22 construction and eventual operation of D.C. United
23 Stadium to the communities to the north are palpable
24 in other areas other than transportation. None of
25 those issues is more contentious than those related

1 to environmental safety.

2 ANC 6D recognizes that the near Buzzard Point
3 residential community is a close-knit community
4 facing definite health consequences as a result of
5 the excavation and remediation of the soccer stadium
6 site. Although a great deal of preliminary work has
7 been ongoing for months to prepare this
8 extraordinarily contaminated site for future
9 development, including tearing down and removal of
10 structures that contained asbestos and other
11 hazardous material, little or no effort has been
12 directed toward preparing the community residents to
13 deal with this enormous environmental impact that the
14 removal of all of the chemicals and contaminants may
15 have on their health. Significant vapor
16 contamination from dust, gasses and fumes, is
17 inevitable on this site since the clean-up plan
18 includes removal of such contaminated soil both on
19 and below the surface.

20 We did, just before I began my testimony this
21 evening, receive a copy of the Haley Aldridge binder.
22 It's very thick. You all received a copy of it as
23 well. I'm glad we finally have something in writing
24 on the record from the applicant because when we had
25 questioned these same things from the Department of

1 Energy and Environment, we were told, it's all on the
2 website.

3 The concern about having things on the
4 website and not on the record is that websites
5 change. Things disappear. Things are altered. And
6 if we're going to have things on the record, we need
7 to have them on the record, and that's why I'm glad
8 that we now have the Haley Aldridge binder in front
9 of us and can analyze all that information and now
10 it's in the record.

11 ANC 6D believes that DDOE should have
12 prepared a report to be included in the case file
13 that assessed how they expect the applicant will
14 operate in coordination with the District, nearby
15 Buzzard Point, residents, and other stakeholders,
16 together in a timely manner to prevent, assess, and
17 safely clean up and sustainably use this portion of
18 Buzzard Point to achieve greater economic
19 development.

20 But they missed that opportunity. That's not
21 to say they've not been active. For they have. I've
22 attended many meetings, as has Commissioner Rhonda
23 Hamilton, because she has led our commission in the
24 concerns that she's raised on behalf of her community
25 about the environment aspects that we believe need to

1 be addressed. But for the better part of the year
2 ANC 6D has attended meeting after meeting to plead
3 with the applicant, their consultants, DDOE, and
4 other district agencies to acknowledge the severity
5 of the levels of the toxicity on site, and to
6 encourage them to put in writing plans to address
7 these exigencies.

8 Indeed, now we have them. But again, not on
9 their website, and not in writing, but in the case
10 file and I'm glad that we finally have that.

11 Consequently, ANC 6D is putting on the record
12 what we believe ought to have been included in the
13 DDOE report, and to ensure that this most
14 environmentally contaminated site is properly
15 perceived, addressed, and managed throughout the
16 remediation and construction of the D.C. United
17 Stadium. The vulnerability of the near Buzzard Point
18 residential community is fully explained in a health
19 risk assessment that the D.C. Department of Health
20 prepared, called the Community Health and Safety
21 Study.

22 CASS is a risk assessment that was done
23 because the community concerns brought forward by ANC
24 6D, to DOH, DMPD, and DOEE, about the overall health
25 impact of the construction of the soccer stadium and

1 other major construction projects, would have on the
2 residents who live in Buzzard Point. And the Health
3 Department stepped up.

4 The timing of these major projects, combined
5 with the vulnerability of the nearby Buzzard Point
6 community, and the fact that the residents are
7 already being negatively affected by Buzzard Point
8 contaminates, may lead to unforeseen and detrimental
9 health and quality of life challenges that may
10 forever damage and threaten the continued existence
11 of low and moderate income residents.

12 This study is the first risk assessment ever
13 done in the District of Columbia on a community prior
14 to construction of a major project. It has no
15 mechanism or funding to implement any of its
16 recommendations. It also has no one assigned from
17 DOH to ensure that the recommendations are even
18 implemented. But they did it. It's a start.

19 It does make clear that the recommendations
20 that ANC 6D hopes will be fully embraced and carried
21 out by the District of Columbia and by the applicant
22 for this project, and others on Buzzard Point going
23 forward. We have entered the CASS document in the
24 case file as supplement A to our own report, and we
25 expect that its contents and recommendations will be

1 viewed as those coming from ANC 6D.

2 We also listed in our report and in our
3 testimony, a list of best management practices, and I
4 don't think we have to go into them, you know, this
5 evening. There are many, and I would hope that we'll
6 finally wind up having a best management practices
7 effort put forth and put in writing by the applicant
8 and by DOEE.

9 But, we do request these few things. ANC 6D
10 requests that the District of Columbia and the
11 applicant halt the voluntary clean-up of the proposed
12 stadium site that was slated to have begun on
13 December 1st. I don't know whether it did. Until we
14 are sure that these efforts meet best management
15 practices, and the requirements outlined in the
16 environmental concerns described in the Department of
17 Health's CASS study.

18 And we'd also like to make the following
19 recommendations. That improved program coordination
20 includes all project components and construction
21 projects to minimize impacts upon the surrounding
22 community, that enhanced community engagement and
23 notification with respect to the program and project
24 developments through regularly scheduled meetings
25 continue, that there be a provision of proactive

1 development, prevention, and control measures as well
2 as written plan to enforce policies and regulations
3 for dust control, and there be created an ongoing
4 field monitoring of soil, water, and air quality by
5 an independent entity.

6 Further, ANC 6D recommends that there be a
7 written agreement with D.C. Department of Health
8 requiring them to monitor the health status of the
9 residents living adjacent to the stadium throughout
10 construction, that there also be created a health
11 advocate to conduct oversight of the implement of a
12 safety -- an implementation of a safety study, and
13 with vested authority to stop construction in the
14 event of health and safety violations.

15 There ought to be immediate distribution and
16 preventative remediation measures which we've already
17 had discussions with the applicant about it,
18 including the distribution of air purifiers, HEPA and
19 dust masks, and vacuums for residents living south of
20 M Street, east of Delaware, and west of South
21 Capitol.

22 And the District of Columbia, through its
23 Department of Health or some other approved FQHC
24 provide optional baseline health assessment for
25 residents living in the area adjacent to the proposed

1 stadium.

2 In conclusion, ANC 6D continues to believe
3 that the soccer stadium can be built on this site at
4 Buzzard Point, but only once having addressed the
5 issues that we've elaborated in this testimony and in
6 our report. The implications of delay on developing
7 this specific site with its extraordinary challenges
8 pale in comparisons to adopting a plan that moves
9 ahead ignoring broad deficiency and transportation
10 planning, inattention to environmental concerns, and
11 implications that ignoring each will have upon our
12 community's health and well-being.

13 If we're going to move ahead with this
14 project we ask that we do it, but do it properly.
15 Thank you for your opportunity to testify.

16 CHAIRMAN HOOD: Okay. Thank you, Chairman
17 Litsky. Let's see if we have any follow-up questions
18 or comments up here. Any? Okay.

19 We may come back later and have some
20 questions for you.

21 Does the applicant have any cross?

22 UNIDENTIFIED SPEAKER: No, sir.

23 CHAIRMAN HOOD: Do we have any parties?
24 Okay. All right. Thank you very much.

25 Actually, I am going to have some questions

1 for you but I think I'm going to ask mine towards the
2 end, because it's quite a bit here. All right.

3 Okay. All those individuals --

4 [Discussion off the record.]

5 CHAIRMAN HOOD: Okay. Let's go with
6 proponents. Peter Tomao. Oh, there we go. Okay.
7 Pete Tomao, Claudia Barragan, Lamont Willis,
8 Lavanghda Nicks. See, I have two people from Local
9 23. I may have mispronounced your name. Peter
10 Tomao, Claudia Barragan, Lamont Willis, Lavanghda
11 Nicks. Last name is Nicks. I'm sorry?

12 UNIDENTIFIED SPEAKER: [Speaking off mic.]

13 CHAIRMAN HOOD: She went out? Okay. Anybody
14 else who would like to testify in support? If you
15 can just come forward.

16 UNIDENTIFIED SPEAKER: For the record, Tony
17 Barragan is on the record, just [Speaking off mic.].

18 CHAIRMAN HOOD: Okay. Well, if it sounds
19 like your name, you didn't come forward, I'm assuming
20 you're not here. And let me just do an overall call.
21 Anybody else who would like to come testify in
22 support?

23 Okay. We only have one person, and that's
24 Lamont Willis, I believe. You may begin. Identify
25 yourself and you may begin.

1 MR. WILLIS: Good evening. Thank you,
2 Members of the Council for allowing us all to speak
3 before you today. Excuse me, about this very
4 important multi-site development proposal. It is
5 important to the District's future, growth, and
6 economic vitality.

7 It deserves support from all of us. I'm
8 going to just make it short and to the point. I
9 believe that this deserves everybody's support, but I
10 also been hearing testimony that is some more
11 researching needs to be done, and some more thought
12 process needed to be done. But I support this
13 because if it's going to generate jobs, job
14 opportunity, and I'm not a fan of soccer. But I do
15 know the sport brings people together. So, I'm in
16 support of that.

17 But like I said, I been hearing several
18 different testimonies that some things need to be
19 cleared up before the final decision is made. So, I
20 guess that's all I have to say on that note.

21 CHAIRMAN HOOD: And can you identify yourself
22 for the record?

23 MR. WILLIS: Lamont Willis, Local 23 member,
24 resident of Ward 8.

25 CHAIRMAN HOOD: Okay.

1 MR. WILLIS: Thank you.

2 CHAIRMAN HOOD: Okay. Thank you. Let's see
3 if we have any -- any questions up here? Does the
4 applicant have any cross? Mr. Litsky, you have any
5 cross? Okay. Thank you very much.

6 Before we go to opposition, Mr. Litsky, you
7 can come back forward? I want to ask you a couple of
8 questions.

9 I'm not going to try to rehash the many
10 meetings, I guess, the many discussions that your ANC
11 has had. But one of the things I heard clearly was
12 how people were going to get down to Buzzard Point
13 from, I guess from the main lines of Metro. That's
14 one of the concerns of -- what recommendations has
15 the ANC made? What have you all thrown out there?
16 And it may be in your testimony.

17 MR. LITSKY: Well, we're seven volunteers.
18 We don't have departments, we don't have consultants,
19 we don't have law firms working for us, but we do
20 live in the neighborhood.

21 First of all, both Metro stations in
22 Southwest, the Waterfront station and the station
23 over at Nationals Park, are virtually equal distance
24 to the stadium. So, if people get out at Waterfront
25 and they walk down 4th Street, you know, that's

1 swell. They can do the same thing on the other side
2 as well, if they continue to ride and then perhaps
3 take advantage of some of the options that are over
4 by the baseball stadium.

5 I don't have an easy answer. I mean, I
6 really don't. I have concerns and strong concerns.
7 I would love to believe that folks are going to be
8 getting to the stadium by Metro. I hope that many of
9 them will, and that they will be able bodied enough
10 to scoot across South Capitol Street there and back,
11 if that's the way that the team hopes that they come
12 in. But I know that a lot more people are going to
13 be driving, and there are going to be a lot of people
14 that are going to be biking. And again, I just don't
15 feel that there has been an appropriate
16 transportation plan presented by the applicant, and
17 buttressed by anything that the District agencies
18 have come up with that adequately addresses how
19 people are going to get back and forth to Buzzard
20 Point into this stadium. And I don't really have a
21 solution.

22 I mean, again, you know, I'm not the
23 transportation consultant. But I am raising the
24 challenge that this is going to be a problem. I wish
25 I had a solution. You know, if we brought them in by

1 drone that would be great. But absent that, I can't
2 tell you.

3 CHAIRMAN HOOD: Kind of reminds me of FedEx
4 Field. And when I hear you -- you know, I don't
5 think they had a plan. And I'm not saying it because
6 I'm not a Redskin fan, but I really don't think they
7 had a plan.

8 But what they have now works. There was a
9 one-time, I think the federal government said they
10 couldn't do something. They were using Metro buses
11 and they had to cut that out. I think the market
12 dictated how they work. And a lot of people get off
13 at Morgan Boulevard.

14 MR. LITSKY: Yeah.

15 CHAIRMAN HOOD: And I do watch when they get
16 off at Morgan Boulevard, and I watch how the Prince
17 George's County police and I guess local police,
18 Hyattsville, and Landover, or whoever it is, how they
19 guide people. They have tape so they don't walk in
20 front of people's homes or whatever. But they do
21 find a way to go see the Redskins play. Now, whether
22 they win or not, that's a different story.

23 But I've watched how they've done that and
24 I've watched how transportation getting to FedEx
25 Field has changed over the years. And I know they

1 probably have a little more area than we have. And
2 do you see this as evolving like that? I mean, I
3 kind of hear what you're saying. There's no
4 prescribed exact plan, but I don't think they had one
5 either because it changed midstream.

6 MR. LITSKY: Here's the difference that I
7 see. Landover is surrounded by other land. It's not
8 a peninsula. There's not one way in and one way out.
9 It's a different story when you're dealing with
10 Buzzard Point. You've got, you know, a federal
11 installation, a fort on one side. You're not scaling
12 the walls. You've got the Anacostia to the south,
13 you've got the Anacostia to the east, and you've got,
14 you know, a little bit of area by Potomac to get
15 across because that's the way of course we've been
16 told by the diagrams of the great big blue arrows,
17 everybody is coming across South Capitol Street,
18 ignoring the fact that they may come down 4th Street
19 and come through our existing neighborhood to the
20 north.

21 So, am I saying that there are not
22 similarities in FedEx Field not having a
23 transportation plan and our not having a proper --
24 what I believe is not a transportation plan? It's
25 true. Things will develop. But when you look at it

1 this way, at FedEx field, you've got a lot of ways to
2 get there. You only have a couple ways to get to
3 Buzzard Point. And there's no great circle route.
4 There's no great circle route. There is no big old
5 parking lot where people can drive up and then walk.
6 This doesn't exist. Indeed, we don't even have LOIs
7 for any more than 1,300 of these parking spaces right
8 now. Even though we've been told that we had
9 significantly more than that.

10 So, you know, if we don't have these things
11 on paper and we don't have these agreements now, and
12 we make the determination that this thing is going to
13 be built on spec, that parking will suddenly become
14 available when we know that parking is limited in the
15 first place. And what we have is an LOI is a third
16 of what we had already been told that they had. My
17 concern is that more answers need to be received, and
18 we just can't give the go-ahead to something if we
19 don't have plans in place for something in such a
20 constrained area.

21 That's the big deal. There is no great
22 circle route down here. They're not coming by boat.
23 They're coming by car, they're coming by bike,
24 they're coming by Metro and walking. That's it. And
25 there are only a certain number of streets through

1 which they're going to be able to travel.

2 CHAIRMAN HOOD: And I think that's where the
3 opportunity is because I remember at one time, and it
4 sounds like I'm a Redskins fan, but I'm not. I just
5 like football. I remember at one time you used to be
6 able to cross Landover, 202. They stopped you from
7 crossing 202, I think. I don't know if you can still
8 cross it. So, all those things evolved. Like I said
9 about the bus transportation where you get off at
10 Landover or one of the other Metro places. They
11 stopped all that.

12 So, and then everything it seems to have
13 evolved, and I'm just wondering is there opportunity?
14 You're right. There's not a whole lot of ways to get
15 there, but they tweaked their transportation plan as
16 they went along, and I'm not saying that's the way to
17 do it. Maybe there is -- could be some more
18 collaboration in coming up with some plans. But
19 those plans that you come up with now, once people
20 start attending the soccer games, I'm with my man, I
21 haven't been to a soccer game either. But once
22 people start attending soccer games then those plans
23 are probably going to change, just like they did at
24 FedEx Field.

25 MR. LITSKY: And again, they will change, but

1 they're not going to change just because people are
2 going to be attending a soccer game. There are
3 19,000 people that can fit in that stadium, and
4 that's great. I hope they sell out every single
5 game. What concerns me, however, is that the plan is
6 to develop the soccer stadium and we've got 6,000
7 units of housing that are also going to be on Buzzard
8 Point. There is no plan for any of this. The plan
9 doesn't exist. It doesn't exist.

10 And what we're doing is saying, this is going
11 to be hunky dory, and we're basing that upon the
12 vision plan. And the vision plan is going to allow
13 for everything else that's going to occur down there
14 as well. So, you've got a soccer stadium that's
15 going to be functioning X number of days a year.
16 You've got 1st Street that's going to be blocked off
17 by police cars as we heard two weeks ago, and we've
18 got 6,000 units of housing. Not just people, living
19 down there. So, we've got a lot more development
20 that's happening and they're not making new ways in.

21 CHAIRMAN HOOD: How many soccer games is it a
22 year? Do you know?

23 MR. LITSKY: I don't know.

24 CHAIRMAN HOOD: Commissioner May, how many --
25 I'm going to ask Commissioner May, how many soccer

1 games is it a year, if you don't mind me putting you
2 on the spot. I'm just --

3 MR. MAY: The full seasons is like 34, so
4 half of them are -- there's 20 home games. That
5 includes friendlies and things like that.

6 CHAIRMAN HOOD: Okay. All right.

7 MR. MAY: Do you know what a friendly is? Do
8 you want me to tell you about that?

9 CHAIRMAN HOOD: No, I don't know what it is.

10 MR. LITSKY: But we do know, and we have
11 heard from both the applicant and OP and DMPED, that
12 this stadium is going to be much more fully utilized
13 than simply 20 soccer games during a year.

14 CHAIRMAN HOOD: Now interesting -- excuse me.
15 Interestingly, you can tell I'm a new person wearing
16 glasses. Interestingly, I just got a note and it
17 says, "Several supporters are trying to find
18 parking." And that's sort of, we having that problem
19 even right down here. So, I got some supporters who
20 want to come to support this project who can't find a
21 place to park.

22 And I'm not trying to make light of it. I'm
23 just trying to figure out --

24 MR. TURNBULL: At least we're sitting on top
25 of a Metro station.

1 CHAIRMAN HOOD: Yeah, we are on top of a
2 Metro station. Maybe they didn't know that.

3 But I will tell you that I just, as your
4 testimony went on and on I started thinking about my
5 involvement with FedEx Field and the changes as it
6 went along in the involvement. I understand where
7 you're coming from, but to put something down there,
8 I mean, yeah, we could probably put something down
9 there. But as you know, that's going to be evolving.
10 That's going to change.

11 So, anyway, that's just kind of where I am.
12 Let me see. Any other questions up here? And I may
13 bring you back again, finish having a conversation.
14 Okay.

15 Hold on. Hold on a second, you have -- hold
16 on a second.

17 MR. MILLER: Well, I just wanted to thank
18 Chairman Litsky for his proffered testimony and I
19 think we're going to need to have a point by point
20 response to it from both the District agencies and
21 the applicant. So, we'll look forward to that.

22 I share, as you could tell by some of the
23 questions a few weeks ago, the transportation
24 concerns. I'm not sure I share the Chairman's
25 enthusiasm for the transportation at FedEx Field,

1 though. I used to be a season ticket holder when
2 they were at RFK, and one of the main reasons, in
3 addition to the product on the field going downhill,
4 going out to FedEx was a nightmare, even though they
5 had all that parking, surface parking around.

6 But anyway, that's just an aside, Mr. Chair.

7 CHAIRMAN HOOD: We'll leave it at that
8 though, again, and that's how individuals opinion and
9 that's how you interpret it. I just know what
10 happened at FedEx and we're talking, and I just know
11 how their transportation changed. I also had season
12 tickets which I gave up. So, that's my point. I
13 just know my point is how things evolve, how they
14 change. We could put something down now, but it's
15 going to probably change. And we're probably going
16 to have to -- it's going to have to be a work in
17 progress, I believe, because here's one of the things
18 that I think the residents of the city don't want.
19 We don't want to see, because I can tell you -- I
20 don't know, I shouldn't even say this, but I know
21 that some of politicians in Virginia and Maryland,
22 they chomping at the bit. I know they are.

23 Let me see somebody shake their head. Aren't
24 they? They after you all too, aint the? Okay.
25 Nobody shook their head, so good. So, we can come up

1 with a plan, then.

2 But I just know that our teams here in this
3 city, that other localities would love to have them.
4 I know that. You don't believe me. Ask one of the
5 Bullets who play in Landover. Never got the Redskins
6 in Landover. So, anyway, that's a whole other story.

7 Okay. All right. Thank you. Okay. Those
8 supporters who are looking for parking, have you
9 arrived yet? If you have, you can come forward.

10 Okay. Let's go to persons in opposition.
11 Oh, it's not -- oh, yeah, if you can call their
12 names?

13 MS. SCHELLIN: Okay. I'll start calling
14 until we get our technical issues.

15 Rhonda Hamilton, Roger Moffitt, Gene Solon,
16 Mary Williams, India Fulton, Rebecca Davis, Mildred
17 Parish, and Mertia Michael. Yes, please give the
18 court reporter your card before you sit down.

19 So, we still have some seats. Janet Phoenix,
20 Sacoby Wilson, Kia Chatergi (phonetic), probably
21 messed that one up. Elgloria Harrison. Cards to the
22 court reporter. Still have seats.

23 Travis McGill, Mike Ewall, Chris Otten.

24 CHAIRMAN HOOD: Could everyone do us a favor,
25 if you could -- before you come up to testify, if you

1 could turn your witness cards in as soon as you come
2 up, and fill them out if you know you're coming up to
3 testify, fill them out ahead of time and then as you
4 walk up just hand them to the reporter. Thank you.

5 MS. SCHELLIN: Michael Johnson, Bill
6 Shickler, Debra Frazier. I know she's here. Okay.
7 that gives us a panel of eight.

8 CHAIRMAN HOOD: Okay. We're going to start
9 to my left, your right. You may begin.

10 MS. HARRISON: So, I appreciate the
11 opportunity to speak on behalf of the citizens within
12 the boundary of Buzzard Point. My name is Elgloria
13 Harrison. I am a citizen of the District of
14 Columbia, Ward 7. I'm special assistant to the Dean
15 of the College of Agriculture Urban Sustainability's
16 and Environmental Sciences at the University of the
17 District of Columbia.

18 I am a registered respiratory therapist, and
19 my area of expertise is in asthma and respiratory
20 chronic lung diseases. I'm here to advocate on
21 behalf of the quality respiratory care that is
22 provided to all people, and particularly those that
23 live in Buzzard Point.

24 My professional role requires me to speak up
25 about those, and to remind people that the air we

1 breathe is very important and it contributes to the
2 quality of life that we, as citizens have, here in
3 the District of Columbia.

4 Quality of life for all citizens should be
5 valued as an attribute and weighed in equal
6 proportion to the economic viability of a city. As a
7 long-time healthcare professional, I see that the
8 health and well-being of citizens in our city is very
9 important. And it's an important part of the
10 conversation, and we cannot dismiss this just based
11 on the citizenry of our neighborhoods.

12 While I had the opportunity to read the Chase
13 Report, it was clear that the report was not able to
14 pinpoint the actual residence of Buzzard Point
15 directly. The report was able to demonstrate an
16 overview of the health, statistics in those within
17 2024 zip code, and compared it to the overall of the
18 citizens of Washington D.C.

19 And in some areas it appears that Buzzard
20 Point is doing very well in terms of the health
21 outcomes and the statistics in that area. But in
22 other areas it does not appear to tell the entire
23 story. And one of the things that I just want to
24 point out is that chronic obstructive pulmonary
25 disease and respiratory lung disease and asthma is at

1 epidemic proportion here in the Washington, D.C.
2 area. And while most of us know that, and
3 particularly for us that practice in that area, we
4 really just want everyone to understand that there
5 are vulnerable citizens in this neighborhood and we
6 want really to just make sure that that is considered
7 as the plans move forward for the stadium, and for
8 any other of the things that are being planned for
9 Buzzard Point area.

10 We know that asthma is very high,
11 particularly in Ward 7 and 8. There is incidence or
12 prevalence of asthma in Ward 6 as well. And what we
13 just want to be sure, and I don't want to belabor
14 this point too much longer, but that whatever the
15 plans are, that there are some considerations for the
16 citizens and some things be put in place so that
17 those citizens are protected. Their health is very
18 important to this conversation. Thank you.

19 CHAIRMAN HOOD: Thank you. Next.

20 MR. SOLON: Good evening, Commissioners. I,
21 Gene Solon, a homeowner at the Harbor Square housing
22 complex along 4th Street Southwest thank you for
23 hearing my testimony on Case 16-02, a very important
24 example of the pressing need to improve D.C.'s
25 planning process so that it truly improves the

1 quality of life in D.C. neighbors.

2 At 84 years old it's getting harder for me to
3 suffer the ups and downs of the spirit, lifting
4 language of so-called comprehensive plans followed by
5 spirit depressing approval of community harmful
6 landside and waterway proposals. Advisory
7 Neighborhood Commission, ANC 6D, the D.C. Office of
8 Planning, and the D.C. Zoning Commission have all too
9 often signed off on.

10 Further, we Southwest D.C. residents, young
11 and old, are already suffering from cart before horse
12 wrong-way planning practices. It's senseless for any
13 government official to approve building a soccer
14 stadium at any location before having in hand an
15 accompanying detailed transportation plan that moves
16 people to and from that stadium without congesting
17 neighborhood streets.

18 Commissioners, the attachment hereto is an e-
19 mail reminder I sent OP community meeting attendees,
20 including ANC 6D Chairperson Litsky, that quote,
21 "Government officials must at long last officially
22 realize and publicly acknowledge that a development
23 project is a package, a wrapped together package
24 containing inseparable components. Not only bricks
25 and mortar, but also safety, evacuation, area

1 transportation patterns, congestion, parking,
2 pollution, view corridors, and other community
3 affecting features."

4 Further I stated, quote, "Our government, be
5 it the government of Washington District of Columbia
6 or Washington Douglas Commonwealth must enact
7 legislations its citizens deserve, not area comp
8 plans, but substantive community beneficial
9 comprehensive plans, along with thoroughly consistent
10 enforceable law. ANC commissioners must act in a
11 timely manner when it really counts on proposed
12 complete development packages, packages that at the
13 time they are first proposed include all components."

14 It fell on me to forward that e-mail message
15 to Mr. Litsky's ANC colleagues. He should have done
16 it. Mr. Litsky has publicly stated, quote, "ANC 6D
17 is generally supportive of a notion of D.C. United
18 Soccer Stadium at Buzzard Point, continued upon a
19 clearly defined and unambiguous transportation plan."
20 End of quote.

21 What? Should we be impressed when our ANC
22 improves projects with clearly defined ineffective
23 transportation plans? Of course not. Nor should we
24 be impressed with the Gorove Slade representatives
25 agonizing struggles to provide some vague hope that a

1 stadium area traffic pattern come somehow be
2 developed to prevent traffic congestion and parking
3 problems --

4 CHAIRMAN HOOD: Mr. Solon, give me your
5 closing thought.

6 MR. SOLON: -- alongside our housing complex.

7 CHAIRMAN HOOD: Let's get your closing
8 thought.

9 MR. SOLON: Yes, I'm there. Commissioners, I
10 was present on November 28th when you exposed the
11 applicant's lack of preparedness on a host of issues.
12 That experience reinforced my conviction that the
13 notion of a Buzzard Point soccer stadium must be
14 completely readdressed as the multi-component package
15 it really is.

16 Commissioners, please take this opportunity
17 to help turn a wrong-way planning system around.
18 Please encourage appropriate soccer stadium
19 relocation. Thank you.

20 CHAIRMAN HOOD: Thank you. Next.

21 MS. WILLIAMS: Good evening.

22 MS. SCHELLIN: Turn your mic on.

23 MS. WILLIAMS: Good evening. My name is Mary
24 Williams. Thank you for hearing me today, Mr.
25 Chairman and Commissioners.

1 I live at 1257 Carrollsburg Place, directly
2 one block west of the Nationals Baseball stadium. I
3 was there when it was built, but I was there long
4 before that area became an entertainment district, or
5 the sports destination spot.

6 I moved and bought my home in 1999. Since
7 then we've tried to build a community. Of course we
8 have strived over the years to build a community that
9 will account and accommodate everyone. Since 2008,
10 we have now become hostages to sports venues in an
11 entertainment district. We no longer can walk our
12 sidewalks without groups of entertainment seekers
13 plodding through our neighborhoods. I'm going to
14 abandon my speech and tell you, I no longer can leave
15 my neighborhood on any event day because I can't get
16 back in.

17 So, while people talk about, oh, our
18 increased property values, what about our quality of
19 life? We have none. We cannot enjoy our property
20 while we play host to every entertainment that the
21 city feels fit to fit into our area. We do not have
22 room.

23 As to your question regarding, how do we
24 solve the transportation plan? Because there is no
25 plan. Let's not talk about a plan.

1 D.C. government, the District, the Department
2 of Transportation, and I've been to so many meetings
3 over the past decade, two decades, talking about
4 planning. The South Capitol Gateway plan, we spent
5 countless hours in 2000, every weekend, talking about
6 this vision of a beautiful gateway. What did we get?
7 Zero. Absolutely nothing.

8 So, don't talk to me about a plan because
9 none of these agencies and entities, and I don't
10 blame the developers or D.C. United for coming here.
11 I blame the District and elected officials who have
12 allowed people to come into our neighborhood and just
13 trample our rights as property owners.

14 And the irony is, is that our tax dollars are
15 going to fund the same entity that's going to
16 displace us, going to move us out. Yes, I got my
17 property values early. So are my property taxes.
18 And they're being used to fund a soccer stadium and a
19 baseball stadium that's going to make me leave the
20 neighborhood that I worked to build, the family that
21 I have come to know and grow to love and work in, to
22 make a livable, walkable community, only to be
23 overwhelmed and overridden by 19,000 more fans. And
24 let me tell you, the Nationals are no good neighbors
25 either.

1 I mean, we have signs in my neighborhood that
2 says, "No entry on events day." Well, guess what?
3 No enforcement. No one cares. They park at my
4 house. My corner house is now the Uber site. Every
5 Tom, Dick, and Harry that can't get an Uber somewhere
6 comes and stands on my corner.

7 The answer to this plan, a transportation
8 plan, we can't afford to have pedestrians walking in
9 the street. Our sidewalks are narrow. I walk that
10 area every day. It takes 18 minutes from my house at
11 Metro, at Navy Yard Metro, to get to the soccer
12 stadium, and that's with no traffic. Pedestrians
13 will be crowding the streets.

14 So forget about a bike, because the bikes
15 will not be able to bypass the number of people
16 walking in the streets to get to the stadium. The
17 only avenue is the water. So, unless someone wants
18 to build a bridge, a pedestrian bridge across the
19 Potomac, or put in a ferry so that you can park on
20 the other side on the --

21 CHAIRMAN HOOD: Can we get your closing
22 thought?

23 MS. WILLIAMS: And that's it. A ferry.
24 You're going to have to go water because there are no
25 avenues. Half Street, Carrollsburg, 1st Street, 4th

1 Street, there's no way you can access it. You can't
2 bring another car. There are no parking spaces on
3 the street. I can't find a parking space on any
4 given day in my own neighborhood. So, I know no one
5 else can.

6 CHAIRMAN HOOD: Okay.

7 MS. WILLIAMS: So, this is just a farce.

8 CHAIRMAN HOOD: Thank you. Thank you.

9 MS. WILLIAMS: There's no plan.

10 CHAIRMAN HOOD: Next.

11 MS. LIGHTMAN: I am not Roger Moffitt. But,
12 he is my fellow commissioner. He is my fellow
13 commissioner. I am Marjorie Lightman. I am a
14 commissioner at 6D, and Roger asked me to read his
15 statement, which I am pleased to do.

16 I'm pleased to be here and I would like to
17 say that we support -- the ANC 6D supported the
18 notion of the D.C. United soccer stadium on Buzzard
19 Point, contingent upon a clearly defined and
20 unambiguous transportation plan that enhances the
21 existing residential neighborhoods.

22 Clearly, those contingencies have not been
23 met. Thus, by a vote of seven to zero, the
24 Commission voted to oppose the approval of the D.C.
25 consolidated PUD, until numerous issues as stated in

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1 the resolution, Exhibit 29, was sufficiently
2 addressed by the applicant and district government
3 departments in coordination with the ANC and the
4 community.

5 I would like to stop reading and take a
6 moment to respond to Mr. Hood's questions to Mr.
7 Litsky about what would you do. I would point out
8 that the ANC is a voluntary group of seven people.
9 We are accustomed to developers sitting before us with
10 lawyers, plans, and many, many slides.

11 However, we are also aware of the intimate
12 conditions that happen within our neighborhood. It
13 would be extremely advantageous if it was possible
14 for the DDOT to in fact engage with the ANC in long
15 discussions over what in fact might be a
16 transportation plan. It would help enormously both
17 the citizens, the stadium, and the District. That
18 has not happened. It is an adversarial relationship
19 in which we are presented with reports by the DDOT,
20 and when we in fact take the reports apart and find
21 them inadequate, we then point them out as
22 inadequate, but we have no opportunity, no position,
23 and no interactive way of engaging in a positive and
24 constructive dialog. The dialog doesn't go anywhere.
25 They are two monologs.

1 So, if you ask again, what would be the thing
2 to do, it would be in fact to take the stakeholders
3 and engage them in a discussion, and not just a
4 discussion with charrettes that then disappears down
5 the line, but a discussion that seeks a positive road
6 to what could be transportation to and from the
7 stadium.

8 The applicant has, since its initial PUD,
9 made a permanent public green space in the plaza,
10 providing pedestrian access to the stadium. There
11 has been an extensive list of other items outlined in
12 the ANC report, however, that has gone unaddressed.
13 I would like to call particular attention, and this
14 is Mr. Moffitt speaking again, to the lack of a
15 comprehensive plan for all Buzzard Point that ought
16 to be supplied by DDOT before a project of this
17 magnitude should be approved.

18 I would also like to point out that DDOT is
19 tasked to create that plan. The ANC is not tasked to
20 create that plan. DDOT is. That is what the agency
21 is meant to do.

22 While this PUD is only for a delineated
23 parcels, it plays the -- it has the huge effect on
24 the traffic for Buzzard Point in its entirety. It
25 indeed will effect near Southwest and near Southeast.

1 Addressing this matter piece meal is ill-advised. It
2 doesn't make sense as urban planning. It doesn't
3 make sense as urban planning. Living in the
4 Southwest, which was planned in the early '60s and
5 late '50s, it is amazing how enlightened that plan
6 looks as we look at what is being proposed for
7 Buzzard Point. Is it possible that we are less
8 enlightened today than we were in the late '50s?

9 Some of DDOT recommendations are based on old
10 studies. Some were completed before there was even a
11 proposal for National stadium --

12 CHAIRMAN HOOD: Can we get your closing
13 thought, please?

14 MS. LIGHTMAN: Yes, we can. We commissioners
15 would like to see a new stadium. We would like to
16 see Buzzard Point developed. We would like to be
17 partners in that development, and we would like to be
18 partners with the District and with your help.

19 CHAIRMAN HOOD: Okay. Thank you. Next.

20 MS. HAMILTON: Good evening, Commissioner
21 Hood and Members of the Commission. I represent 6D-
22 06, which is the closest residential community to
23 Buzzard Point. My constituents will be most impacted
24 by the soccer stadium construction pre and post.

25 I am generally supportive of the concept of

1 the stadium itself. It's going to take a great deal
2 more to make sure that this project works for the
3 community and is not a total disruption to the lives
4 of the residents in existing Southwest. I believe
5 that D.C. United does have good faith intentions to
6 do what it can to protect the community during the
7 excavation, remediation, and construction phases of
8 this project. However, the team cannot do it alone
9 and it would take a great deal more to make sure that
10 the community is protected during the voluntary
11 clean-up phase of the project.

12 This project involves much more than just
13 building a soccer stadium that will promote economic
14 growth in this end of the community among other
15 things. There needs to be better coordination and
16 communication between the different agencies that are
17 involved with this project, and the redevelopment of
18 Buzzard Point in general.

19 The lack of open and consistent communication
20 and well thought out planning for this area has led
21 to gaps in this project, and those that will be
22 constructed in and near this area that will have
23 lasting and detrimental impacts on the health and
24 quality of life for existing residents near Buzzard
25 Point.

1 The best management practice plan needs to
2 include the following; health monitoring for the
3 residential community as recommended by the Chase,
4 air quality monitors placed in residential
5 communities and nets that capture and measure toxic
6 dust entering homes, air purifier provided to all
7 residents living near Buzzard Point who have no
8 ventilation systems to filter contaminated dust, a
9 health advocate to work with the team and the
10 community to ensure that health protocols are
11 followed, a sealing off of the site with temps and
12 pumps that prevent any dust from escaping the site
13 and creating airborne vapors, a much lower threshold
14 for acceptable risks as taking into account the Chase
15 and the close proximity of residents to this site,
16 and a baseline health assessment to be conducted
17 prior to the clean-up.

18 The lack of efficient and effective planning
19 to remove all of these chemicals at the site while
20 protecting the community members and worker, is
21 detrimental to our lives. As toxic chemicals are
22 removed from the sites, other projects will be under
23 construction in the same area. There will be workers
24 in hazmat gear, while other workers will be in
25 regular clothes. They will be equally exposed to

1 toxic chemicals as the community members will be.
2 Extra precautions need to be taken and funding to
3 implement these precautions to ensure that we are not
4 exposed to hundreds of trucks carrying diesel fumes
5 that will make our air detrimental to our health.

6 A dust control plan is not the same as a
7 prevention and elimination plan. The near Buzzard
8 Point residential community cannot afford to inhale a
9 limited amount of dust, as what occurs with a desk
10 control plan daily, and should not occur when dealing
11 with contaminates like the ones identified by the
12 Haley and Aldridge report.

13 The site contains chemicals that pose a
14 definitely health threat to everyone that makes
15 contact with them, including the volatile and organic
16 compounds and PCBs. Everyone that makes contacts
17 with, or visits the site, is equally exposed to
18 chemicals and especially us as residents.

19 I'd just like to say, I've had the
20 opportunity to meet with a lot of different agencies
21 throughout this process and I feel as a
22 representative that I am not satisfied with the fact
23 that we do not have a concrete plan to protect our
24 health. The residents will become ill and die from
25 these chemicals if there is not a strong plan put in

1 place. These are chemicals that may not make the
2 community sick immediately, but the next five and 10
3 and 15 years down the line, we face becoming
4 critically ill, or living longer while being
5 chronically ill. And this does not have to be the
6 case.

7 All the agencies that are involved in this
8 project need to work together to ensure that we do
9 not die to build this stadium. I am not satisfied.
10 I know the Department of Energy and Environment, D.C.
11 United, and all the agencies involved are doing
12 everything they can, but more needs to be done. We
13 are a vulnerable community. A lot of us are already
14 sick. The kids that have chronic illnesses, adults
15 with compromised immune system, and we have premature
16 infants that are born every day. We have got to do
17 more to protect the new Buzzard Point residential
18 community. And we are tax payer, and we deserve
19 better. We deserve to be treated as investors in
20 this project, and in order to achieve that we have
21 got to have a best management practice plan, and
22 every agency that is involved in this project has to
23 be brought to the table to coordinate better.

24 CHAIRMAN HOOD: Thank you. Next.

25 MR. EWALL: Do organizational representatives

1 get five minutes, or three?

2 CHAIRMAN HOOD: Five.

3 MR. EWALL: Okay. Thank you. Hi. My name
4 is Mike Ewall and I'm representing Energy Justice
5 Network -- oh, okay. There we go. Representing
6 Energy Justice Network, and I'm also a resident of
7 Southwest by the Waterfront Metro.

8 I'd like to incorporate all the testimony of
9 the opponents, particularly the recommendations from
10 the Chase Report and the New Jersey Institute of
11 Technology report that has specific recommendations
12 for the toxic clean-up issues around the site. And I
13 would like put into the PUD requirements, that no
14 clean up or construction can proceed unless those
15 recommendations are actually adopted.

16 Now, first issues I'd like to address is the
17 Civil Rights Act. This is a community that within a
18 quarter mile is 98 -- sorry, 94 percent
19 African/American, within half mile, 83 percent. This
20 is a stark environment justice issue and the Civil
21 Rights Act, because D.C. is a recipient of federal
22 funds, means that you have an obligation not to take
23 actions to have a discriminatory impact on a
24 community. This is something that we could file
25 complaints with federal agencies if there is a

1 discriminatory impact in this, and federal funds can
2 even be withheld from the District if they find that
3 there's discriminatory impact that's not being
4 addressed fairly.

5 One of the issues that we found, and Rhonda
6 and I met with the D.C. Department of the Environment
7 just a couple weeks ago, was that the soil that will
8 be carted off of this toxic contaminated site, will
9 be going to a company that I just learned is located
10 in Brandywine, which is right outside of D.C. It's a
11 largely black community that already has a Civil
12 Rights Act complaint filed with the Federal
13 Government because the concentration of other
14 (garbled speech) facilities that are being built
15 there, namely natural gas power plants.

16 But that's also the home of the largest site
17 in the country for receiving and supposedly cleaning
18 up contaminated soil, and if this does not require
19 that there at least be a look at the racial
20 discrimination issues in terms of who is impacted by
21 the toxic soil clean-up locally and where the stuff
22 is displaced to, then that itself can be a Civil
23 Rights Act violation.

24 Now, looking at the history of this site,
25 there is a lot of contamination there. There are

1 companies that unline pits where they dumped all the
2 chemicals. It was full of black goo. DDOE, before
3 the stadium came about, was filing documents with EPA
4 to get this considered to be a super fund site. It's
5 massive environment clean-up that will be required
6 under super fund, and they started that paperwork.
7 But then when the stadium came to the table all of a
8 sudden certain people at the agency were sacked and
9 that request was pulled from the federal government.

10 Now, I think we need to know why. I think we
11 need to look at those documents. I think we need to
12 find out, does this even qualify for super fund
13 status, because federal EPA workers came to the site
14 in full Hazmat gear that the city officials at DOEE
15 did not even have the training or equipment to wear
16 or to go on to the site. That's how dangerous it is.
17 And yet, they're going to be digging that stuff up,
18 not considering it hazardous waste, stirring up dust
19 in the community with inadequate amounts of monitors,
20 not protecting the community with any kind of
21 protective gear, not to mention whether the workers
22 will have adequate gear, and then bringing it to
23 another community of color to pollute them.

24 So, I think that determination of super fund
25 status needs to happen before any approvals are gone

1 forward with. As far as how this is cleaned up, I
2 think the site, based on most of the chemicals, not
3 the metals, they can't be made to go away, but a lot
4 of the chemicals of those that could be treated with
5 microbial types of solutions, that could be done
6 onsite without stirring soil up, without dumping it
7 on another community, and I think that needs to be
8 looked at and be made a part of the requirement of
9 this. Even if it takes some years to do it, that is
10 the right way to remediate this site without creating
11 more health harm to this community or to others.

12 Now, knowing that it's unlikely and even
13 though I'm asking that be required, I think all
14 contaminated soil, not just 10 feet deep, but all
15 this soil needs to be removed or remediated properly,
16 and there needs to be a pump and tree system along
17 the border of the river so that these contaminants
18 that are already contaminating the ground water on
19 that site are not leaking into the Anacostia River,
20 which is where the ground water is flowing.

21 That's the recommendation from environment
22 specialists who used to work for the city, who know
23 this site very well. That might be the reason why
24 they're no longer working for the city, because they
25 brought some of this stuff up.

1 I think we also need tents, like Rhonda was
2 suggesting to enclose the site so that when they're
3 stirring up dust we're not relying on the spraying of
4 water to keep it all down. But, if we can't get
5 tents and air filters to keep that from happening, we
6 at least need to make sure that's adequately sprayed
7 down with water and that there are filters on all
8 storm drains that there are actual storm water runoff
9 permits required and installed with filters so that
10 we don't have contaminated water, watering down on
11 the site, as well as air monitors for the community,
12 as others have requested.

13 My final point, I looked at the traffic
14 issues which have been talked to death already so I
15 won't belabor them. But, this past year there were
16 eight home games when the soccer team was playing
17 here in D.C. at the same day that the baseball team
18 was playing. So, I think we really do need to look
19 at that carefully and make sure that can never happen
20 here and have that in writing. Thank you.

21 MR. SHICKLER: Hello. My name is Bill
22 Shickler. I live at River Park. I'm about, almost
23 within site of the stadium, and I would like to
24 associate myself with the comments of everyone here.
25 I think Andy Litsky showed all the problems with this

1 situation.

2 But I would like to go -- I don't know if you
3 guys can see. Just nod your head if you've seen this
4 flyer that shows Allen -- or city council
5 representing our board, put out. Just nod your head
6 if you've seen it.

7 CHAIRMAN HOOD: I'm not going to nod to it.
8 Do you want to submit that to the record? Is that
9 what you want to do?

10 MR. SHICKLER: Okay. Well, I can do that.

11 CHAIRMAN HOOD: Yeah.

12 MR. SHICKLER: It's hashtag, we live here
13 they don't. And it shows the original plan that was
14 submitted by D.C. United for this stadium, and the
15 actual plan that they've come up with now. And the
16 Washington Post pointed out, this is typical bait and
17 switch. You say, oh, we're going to get this
18 wonderful facility and then all of a sudden you get a
19 trashy piece of nothing.

20 How is it that D.C. council hearing on --
21 they approved taking \$40 million out of the education
22 budget to go to this mess. And then they pull a bait
23 and switch on us. They got \$100 million in D.C.
24 funds for infrastructure and operating. This is just
25 straight out corruption.

1 Hugh Youngblood from D.C. Sierra Club points
2 out, it's D.C. law that if \$1 million is used of D.C.
3 funds on any project, it has to have an environment
4 impact study. Not an environmental impact walkaround
5 or an environmental impact -- we have a feeling about
6 it. As in law.

7 And you guys, if you approve this, you are
8 going to be guilty of breaking D.C. law. Okay? We
9 know right now that three people resigned from Mayor
10 Bowser's economic development branch because there is
11 some scandal about cleaning this site, and some
12 favoritism as in who is going to get this.

13 So there's already scandal that's involved in
14 this. And you know, what? With the tons and tons of
15 evidence of environmental -- and they didn't even
16 talk about the fact that it being built in a 100-year
17 floodplain, for lack that the air quality, haven't
18 done a real air quality study on this. I know
19 because I contacted EPA and brought it to their
20 attention (garbled speech) in Philadelphia.

21 So, they're in violation of D.C. law as far
22 as not having environmental impact study. So, I
23 would just suggest, you know, beware. We're dealing
24 with corruption. You know? We got rid of the head
25 of D.C. City Council, three of them, because of

1 corruption, because of ignoring and breaking D.C.
2 law. These laws are in place to protect us. And
3 regardless of how you got here, I think you better
4 take seriously, there's already people trying to get
5 a cease and desist order on it.

6 So, you know that they're breaking
7 environmental law. So, we don't need this stadium
8 period. Okay? And many studies have shown that
9 stadiums in aggregate are a net loss. So, don't talk
10 about economic development (garbled speech) this out.

11 CHAIRMAN HOOD: Let us get your closing
12 thought.

13 MR. SHICKLER: My closing thoughts are,
14 lawyer up. That's what I say. Lawyer up because
15 you're breaking D.C. law.

16 CHAIRMAN HOOD: Okay. Thank you. Next.

17 MS. FRAZIER: Hi there. I'm Debra Frazier,
18 community activist and organizer, and I am not happy
19 to have to be here to talk about why development
20 project is more important than humans' lives. I
21 would think that breathing and health as some of our
22 people have mentioned, is a human right. So why is
23 there even a development project on the program
24 without transportation, without this remediation.

25 Note also that everybody in D.C. and six,

1 seven, and eight, understands that Buzzard Point is a
2 toxic waste place, and hazardous to people's health.
3 We've know that for years when we didn't think at all
4 that they would actually take to build something and
5 not clear the site before that happens.

6 Case and point, I am a resident of Arthur
7 Capper Carrollsburg/Capital Quarters community, which
8 is on the southeast side of this development near the
9 Nationals Stadium. We are currently enduring an
10 intrusion in our community from the CSX Railroad
11 building expansion of Virginia Avenue tunnel project.

12 In response to community environmental impact
13 statements, in response to community protests, that
14 group established a mitigation fund for people who
15 were negatively impacted in that community. That
16 community currently has 2,000 units. I'm hearing
17 there's twice that many in that area.

18 Part of the mitigation fund includes 250 -- a
19 quarter of a million dollars for treatment of the air
20 filters in one multifamily unit that has 150
21 apartment buildings. At least this amount of
22 consideration should be given to the impacted
23 community near Buzzard Point.

24 I reiterate all of my colleagues who are in
25 opposition to this. Partly I am in total agreement

1 with the -- that there should be a fund for damages,
2 that there should indeed be a baseline study for the
3 health impacts of folks, and to monitor the ongoing
4 health challenges that the community has. There
5 should be, and a lot of the developments do not have
6 enforcement agreements. There should be an
7 enforcement team in place to monitor all of these
8 actions that are supposed to be happening in response
9 to the soccer stadium build. It cannot be effective
10 without that.

11 The residents are at the very least entitled
12 to air filters in their homes. What else did I need
13 to say? Enforcement, air filters. Oh, just what
14 I've learned here today about the impacts in
15 environmental projects, I stand still and say it is
16 unconscionable, ridiculous, and very sad that we're
17 discussing a site where people's lives and very
18 health would be at risk, and we trade it for
19 development. And as has been said, soccer's -- that
20 stadiums across the country are a net economic loss.
21 It's a sin and a shame that we have to be here
22 pleading for the lives of our community and how we
23 can best live healthily, and development is paramount
24 in our people's lives.

25 Debra Frazier, Arthur Caper Carrollsburg

1 Community.

2 CHAIRMAN HOOD: Okay. Thank you. Did we
3 have any questions of this pane up here? Questions?

4 Does the applicant have any cross? Mr.
5 Litsky, you have any cross?

6 I know your first name is Mary. What's your
7 last name?

8 MS. WILLIAMS: Williams.

9 CHAIRMAN HOOD: Ms. Williams.

10 MS. WILLIAMS: [Speaking off mic.]

11 CHAIRMAN HOOD: Yeah, we do. We go way back.
12 Yeah.

13 Ms. Williams, let me ask you this because
14 this is the only thing valuable that I heard, which I
15 think would help solve some of the problems. I mean,
16 I understand some of the issues that I've heard from
17 everyone. Even dealing with -- I think somebody said
18 they dealt with Region 3 Environment Protection
19 Agency. I understand all that. The health issues.
20 I understand all that. But some of that stuff is not
21 within this jurisdiction of this Commission.

22 Actually, in your case, that's actually how I
23 wound up getting on the Zoning Commission because in
24 my neighborhood we had trash transfer stations, and I
25 actually went to EPA and met with the assistant

1 administrator here at headquarters here in D.C., and
2 then I found out at that time that I need to go to
3 Region 3. So everything I've heard, you know, I've
4 kind of been through it. So I understand that.

5 But this Commission has a sole jurisdiction
6 what we can do. There are other entities and other -
7 - and some people may disagree with it, and you may
8 be looking at some recent court cases, and I'm not
9 sure how that's going to turn out, but we'll see.
10 They say we have more jurisdiction than we can, but
11 legally from what we've been told over the years that
12 I've been here, our jurisdiction basically deals with
13 land use. Environmental issues can come up, but
14 there are other forums to take care of that. DOEE.
15 If not, you go to Region 3, Environment Protection
16 Agency. I know about all that.

17 But let me go back to you, Ms. Williams.
18 That was value -- have you mentioned to the applicant
19 or in your discussions about the ferry? I thought
20 that was a great idea. Has that been --

21 MS. WILLIAMS: [Speaking off mic.]

22 MS. SCHELLIN: You have to turn your mic on.

23 CHAIRMAN HOOD: Turn your mic. But I mean,
24 have you mentioned it in conversation?

25 MS. WILLIAMS: I have spoken with people from

1 the Nats stadium because I was more involved in that.
2 I've only recently got involved in the soccer
3 stadium. I don't want to be back here. I don't want
4 to spend my nights testifying and talking about the
5 same issues we faced with the baseball stadium.

6 The baseball stadium as a whole for our
7 residents in our neighborhood, is a complete failure
8 in terms of being a good neighbor. I don't want to
9 see that repeated with the soccer stadium because
10 it's only exacerbating an existing problem.

11 CHAIRMAN HOOD: But my question.

12 MS. WILLIAMS: So, water? Yes. Water is our
13 only avenue. It's our only means of transporting a
14 great number of people without it. We got the,
15 across the way, we have the big, the MGM, and that
16 National Harbor, which people have parking over
17 there, downtown Alexandria has parking lots there.
18 If we could ferry that -- I have also said that to
19 other planning people.

20 CHAIRMAN HOOD: But my question is, has that
21 come up --

22 MS. WILLIAMS: I'm not a planner.

23 CHAIRMAN HOOD: Well, neither am I, but my --

24 MS. WILLIAMS: It's just common sense.

25 CHAIRMAN HOOD: But my question is, has that

1 come up to the applicant? Have you mentioned that in
2 the discussions, or were you involved with those
3 discussions with the applicant? Or even Office of
4 Planning?

5 MS. WILLIAMS: Not with the applicant, no.

6 CHAIRMAN HOOD: Okay. You answered my
7 question.

8 MS. WILLIAMS: No, no, I have not been
9 involved with the applicant and I don't blame them
10 for any of this as I said. I blame the city and my
11 elected officials.

12 CHAIRMAN HOOD: Well, that wasn't my point.
13 My point was, I wanted to know that because that's
14 something I thought was a good idea to deal with the
15 problem. Now, I understand everybody's issues about
16 the environmental issues. I understand that, but I
17 want to make sure, and until I'm told otherwise by
18 the courts, I want to make sure I stay within the
19 jurisdiction that I'm legally bound by at this point.

20 MS. WILLIAMS: Right. There are water taxis,
21 I understand, in the plan. But a water taxi is not
22 going to be able to transport a number of people.
23 But we do know in major cities where water is an
24 issue, and we have a free water system, and it's a
25 marina right nearby, that if we could get a sort of a

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1 car -- not a car ferry because we don't want cars to
2 come over on to our site, but a pedestrian ferry like
3 some of the bigger cities that would ferry a number
4 of people, Metro is not an alternative, even with the
5 concerns about repairs and safety, it is not a viable
6 argument right now of transportation mode for many of
7 these people.

8 So, yes, we need a passenger ferry. I've
9 proposed it to emergency rescue people because we are
10 in a city where we might have to leave at the drop of
11 a hat. We're going to be a car lot.

12 CHAIRMAN HOOD: Okay. I got you.

13 MS. WILLIAMS: So, yes, I did want people
14 to --

15 CHAIRMAN HOOD: I got you. I got you.

16 MS. WILLIAMS: -- understand, that is one of
17 my proposals.

18 CHAIRMAN HOOD: Okay. I got you.

19 MS. WILLIAMS: Let's get a ferry.

20 CHAIRMAN HOOD: I was going to comment on a
21 couple others but I think I'm not going to do that.
22 I think what I said stands and I think that's pretty
23 much how this Commission needs to move forward. But
24 while we heard everything that everyone said, there's
25 certain things we can deal with, and there's certain

1 things that are not within our purview. Okay? All
2 right.

3 So, thank you all very much. We appreciate
4 it.

5 MS. WILLIAMS: Thank you.

6 UNIDENTIFIED SPEAKER: [Speaking off mic.]

7 CHAIRMAN HOOD: Okay. Yeah, because this is
8 going out on me.

9 MS. SCHELLIN: Okay. Burnetta Coles, Claudia
10 Barragan, Chris Otten, Sacoby Wilson.

11 CHAIRMAN HOOD: Is that all you have on the
12 list?

13 MS. SCHELLIN: Yes.

14 CHAIRMAN HOOD: Do we have anybody else who
15 would like to testify in opposition? I'm going to go
16 back to support, but I understand some people are
17 looking for parking.

18 MS. SCHELLIN: He's back. It's only one
19 person and he's back.

20 CHAIRMAN HOOD: Oh, one person. Okay. So,
21 come on up. The one person who was looking for
22 parking, I know we had one parking space out there.
23 He can come forward, whoever the one person is.

24 Oh, wait a minute. Oh, I was told it was
25 only one person. No, it's more than one. It's more

1 than one.

2 MS. SCHELLIN: Two?

3 CHAIRMAN HOOD: No, it's two. Okay. Come
4 forward. I think we have enough for everybody. The
5 last folks who want to testify in opposition, I'm
6 going to start with you all, then I'm going to go
7 back to the few folks who came to testify in support.

8 All right. Let me start to my right, your
9 left. You may begin. Is your mic on?

10 MS. COLES: Okay. Good evening. My name is
11 Burnetta Coles, Rightful Subject Legislation here in
12 the District of Columbia. I'd like to first preface
13 that the Zoning Commission does have jurisdiction
14 under the Public Law 93, 198, I can't remember the
15 particular section. If the record is open I'd like
16 to be able to present those jurisdictions that you do
17 have and that those jurisdictions are required for
18 you to protect the people.

19 This is an injunctive project that you all
20 have here, and we shall as rightful subject
21 legislation, present this before a court of law.

22 The deaths that you all have concluded in
23 this city have come from this particular site itself.
24 Over the years you have dealt with what you're seeing
25 now, all these asthmas and all this -- well, that

1 soul is the death of cells of the bodies of the
2 humans who died here in the District of Columbia.
3 The microphages are and have been destroyed by this.

4 What is this, Haley and Aldridge, that is in
5 this project here. They did present to you all the
6 potential chemical assessment. And in that
7 particular chemical assessment it is over almost
8 1,000 chemicals that they have found, such as dioxin,
9 phenyls, the particular compounds are also, that I'm
10 well aware of, is Agent Orange.

11 Agent Orange killed the soldiers, they
12 brought it back. These children from the makeup of
13 those two bodies of the man and the woman had brought
14 forth more death. So these are the things that you
15 all are supporting. And we in the District of
16 Columbia, we don't accept people like you all. You
17 know, you got to go. And let's see.

18 First of all, I looked through the files.
19 There is no NWP. You all had just -- you sitting up
20 here and you talk about some Redskins. And all that
21 old crazy stuff. We don't need nobody sitting up
22 here talking about that stuff. You need -- you
23 supposed to know what you know. That's why you were
24 chosen and each one of you from different agencies
25 for your understanding and knowledge and

1 comprehension of the laws in the District of
2 Columbia. So, therefore I share work long with those
3 whom I see are seeking an injunction in this matter.
4 Thank you.

5 CHAIRMAN HOOD: Thank you. Next.

6 MR. OTTEN: Good evening, Chris Otten with
7 D.C. for Reasonable Development. After I attended
8 the last hearing I couldn't help but notice some
9 fundamental questions were being asked by
10 Commissioners, and what I describe as planning on the
11 fly.

12 Commissioner May, you asked the applicant
13 very discreetly, how are the fans going to get
14 dropped off here, or how are the players going to --
15 where are the players going to park? These are basic
16 questions that you have to ask as commissioners the
17 night of the hearing over one of the biggest projects
18 in D.C. history. This is coming from the Commission.

19 So the failure isn't on the applicant and on
20 the Commission, it's on the Office of Planning.
21 Office of Planning should have informed this
22 applicant that these sort of questions should be
23 answered in writing long before the hearings. Same
24 goes with DDOT. Mr. Zimbabwe's "we'll figure it out
25 later," is unacceptable.

1 The comprehensive plan is very clear.
2 There's an entire chapter on the environment.
3 Environmental hazards in the District of Columbia
4 include air, water pollution, contaminated soils,
5 hazardous materials, noise, disease vectors,
6 flooding, light pollution, and electromagnetic
7 fields. It goes on to say, environment hazards to
8 find basic constraints to land use that must be
9 reflected in how and where development takes place.
10 So, indeed this Commission does have jurisdiction
11 over these issues. And that was verified by the
12 *McMillan* case that came out last weekend -- week,
13 where it said, these provisions in the comprehensive
14 plan indicate that the Commission must consider, must
15 consider environmental impacts when deciding a PUD.

16 The environmental impacts here are clear,
17 present, and they're a danger. The lack of reporting
18 from the Office of Planning is no longer acceptable.
19 The Commission, you have the duty, the authority to
20 bring some accountability to the planning apparatus
21 here in the District of Columbia as an independent
22 agency.

23 We would like you to do that. There's no
24 understanding of how the PUD application will impair
25 the current level of community services that include

1 emergency services. For example, when police and
2 fire departments can adequately serve the surrounding
3 existing residents during the PUD project and after
4 it's open. Will those levels be at the existing
5 levels or better? Or will they be worse? How do we
6 mitigate those? How do we mitigate the impacts on
7 emergency service access?

8 We, in our prior filing, also just talked
9 about just the basic fundamental mitigations of the
10 environmental impacts. I think everybody has laid
11 that out clearly here. Certainly if the city council
12 can provide significant funding to a very wealth
13 soccer stadium owner, this city can provide the
14 tents, the spraying, the HEPA air filters, everything
15 to prevent the death or illness of any of the people
16 that live in the surrounding neighborhoods. Thank
17 you.

18 CHAIRMAN HOOD: Thank you. Next.

19 MR. WILSON: Good evening. My name is Dr.
20 Sacoby Wilson. I am an environmental scientist with
21 the School of Public Health, University of Maryland,
22 College Park. And I'm going to provide a few
23 comments. Hopefully, I won't be too redundant
24 because I came a little late.

25 But, when it comes to the issues and concerns

1 around public health, we have to take into account
2 pathways of exposure has already been mentioned,
3 pollutants through air, water, food, and dust,
4 important (garbled speech) exposure as it relates to
5 the construction activities and also the activities
6 of the stadium will be inhalation pollutants,
7 ingestion, dermal exposure.

8 So, we have to take into account who are the
9 vulnerable populations when it comes to exposure to
10 construction related contaminates, and also
11 contaminates associated with traffic and around the
12 stadium. And so we're talking about children.
13 Children are of concern because due to their size and
14 exposure they suffer more significant for their small
15 bodies than for adult.

16 Of course, their nervous systems, their
17 bodies are still in development. When you think
18 about inhalation rates, they have a higher inhalation
19 rates than adults do. And so this makes them very
20 susceptible to pollutants. One of the most important
21 pollutants associated with construction, with these
22 are dust, and also with traffic would be particulate
23 matter. PM is those small particles. You have PM-
24 10, which is basically the larger course particles.
25 That's the particles that you sneeze out. PM-15 are

1 the small particles that can go deep into your lungs,
2 get into your alveoli, can get into your circulatory
3 system, and so it can cross the blood brain barrier.
4 PM is known to impact immune functioning. It can
5 cause cardiopulmonary issues, heart disease, it can
6 contribute to asthma, asthma attacks,
7 hospitalizations, morbidity in general, and also
8 premature mortality.

9 So, anyone that already has an underlying
10 comorbidity, so say someone who has asthma, diabetes,
11 or an older person who may have diabetes and some
12 other condition, they're going to be more at risk
13 from exposure to PM. Children as well. When you
14 think of some of the other pollutants, pregnant women
15 are going to be at risk. People who fish in the area
16 because of you know, what goes up must come down, so
17 through atmosphere disposition whether it be dry or
18 wet could be exposed due to bioaccumulation, those
19 toxicants in the fish tissue, and we know that people
20 are still fishing in that area.

21 So, when you think about people who already
22 live in Buzzard Point, close to some of the current
23 hazards, one of the most important issues that we
24 have to take in account, and this Commission has the
25 power to as just stated, is basically cumulative

1 impacts of pollution. So, when you think about
2 cumulative impacts, many communities already have
3 multiple pollution sources, so you have to think
4 about the combined effects across air and water
5 quality. Current regulations when it comes to our
6 regulatory scheme, whether it be Clean Air Act, Clean
7 Water Act, and others, they do not take into account
8 accumulative impacts. That maybe goes beyond the
9 power of this Commission, but it has to be something
10 that we're aware of.

11 And so, it's just not the -- when you think
12 about cumulative impacts it's just not exposure
13 through one media. You'd be exposed to multiple
14 chemicals through air. You can be exposed to
15 multiple chemicals through water. You can be exposed
16 to multiple chemicals through soil. It's also the
17 fact how those chemical mixtures interact. Some act
18 synergistically, you have multiple effects, and also
19 added effects.

20 And so when it comes into the science to
21 really understand how communities are impacted, we
22 have to have baseline data in pollutants. So, you
23 need to have baseline pollution data. You have to
24 have baseline health data to inform a health impact
25 assessment. The one that was done, I think was

1 probably inadequate because it wasn't a survey of
2 health status for residents. There wasn't an
3 accounting of asthma, which is a very important
4 disease when it comes to exposure to pollution. That
5 didn't really -- I didn't see that there.

6 And as it relates to the stadium itself, the
7 traffic study didn't take into account in the traffic
8 pollutants. So you have PM-5, PM-10, PM-1. Again,
9 these are small particles.

10 You also have volatile organic compounds.
11 When you combust fossil fuels those are also
12 pollutants that can get into the air, can cause
13 burning of eyes, nose, and throat. They can also
14 contribute to cancer. You also have something with
15 the truck traffic called black carbon. Black carbon
16 is a known carcinogen.

17 So, if you think about it again, it's the
18 mixtures of these chemicals and how those who live
19 near these activities are going to be impacted from a
20 health standpoint. But again, you have to take in
21 account, not just the chemical stressors, it's the
22 nonchemical stressors. You've got physical stressors
23 like light and noise have to be taken into account.
24 You can take into account psycho-social stressors.
25 People who are maybe low-income, you think about the

1 stress associated with being low-income, and so it's
2 the interaction, the intersection of the chemical
3 stressors, the physical stressors and the psycho-
4 social stressors, and it also go into informing any
5 type of risk assessment. And I know a risk
6 assessment has been done, but -- and it's not just on
7 the stadium. This is a more of a -- it has to be a
8 cumulative risk assessment.

9 So, all the sources of pollution, all the
10 emissions, all the concentrations the vulnerable
11 populations, the known health risks, the projected
12 health risks to inform any type of -- any type of
13 decision about this stadium, or any other type of
14 facility that may be built in the area.

15 So, I just want to end there. I think these
16 cumulative impacts issue is a very important issue,
17 as others already said. And I think we need to speak
18 more to that when it comes to mitigation. Not just
19 for the stadium's impacts, but other facilities that
20 are already in the community. So, thank you.

21 CHAIRMAN HOOD: Thank you. Next.

22 UNIDENTIFIED SPEAKER: I'm a proponent, sir.

23 CHAIRMAN HOOD: Let me get everyone who is in
24 opposition. Who else is in opposition? So,
25 everybody else is in support? Okay.

1 Did you want to testify, because I called for
2 everybody who wanted to testify in opposition. Do
3 you want to testify in opposition?

4 Okay. Is there anybody else who wants to
5 testify in opposition? Okay. you can come forward,
6 and then we'll get the four people here who are in
7 support.

8 I'm sorry?

9 MS. SCHELLIN: We have three undeclared.

10 CHAIRMAN HOOD: You have three undeclared.
11 Okay. Did you fill out a card?

12 MS. FULLER: You have my name wrong. India.

13 CHAIRMAN HOOD: Okay. Do me a favor. Do me
14 a favor. Let's not hold it up. Come on down. Has
15 everyone filled out a card and give it to the court
16 reporter? I asked you -- let's do that prior, but go
17 ahead and you can fill your card out after you
18 finish. You can go ahead.

19 MS. FULLER: All right.

20 CHAIRMAN HOOD: Go ahead, you may begin.

21 MS. FULLER: Okay. I'm India Fuller. I'm a
22 resident of Ward 6. This is my first time I'm at
23 this type of hearing.

24 The Near Buzzard Point Resident Advisory
25 Committee, also known as NERAC (phonetic), it's a

1 community based organization that includes
2 residential and allies of the neighborhood adjacent
3 to the Buzzard Point historic industrial zone.
4 Community residents live (garbled speech) through the
5 industry. Industry and plan development for the
6 Buzzard Point neighborhood.

7 NERAC members are deeply concerned about the
8 potential impact of the soccer stadium site
9 remediation, construction, and long-term impact on
10 the community. While it is exciting to think of a
11 new soccer stadium for our major league team, it
12 should not be at the expense of our community.

13 The D.C. Comprehensive Plan, Land Use
14 Comprehensive Plan, Chapter 3, plan, 3-8 goes stated
15 as, "Ensure the efficient use of land resources to
16 the long-term neighborhood, statewide, and regional
17 needs to help foster other District goals to protect
18 the health, safety, and welfare of District
19 residents. Institutions and businesses to the same
20 restore or improve the (garbled speech) and stability
21 of neighbors in all parts of the city and to
22 effectively balance the competing demands for lands
23 to support the many activities that take place within
24 District Boundaries.

25 The D.C. United Soccer stadium PUD does not

1 protect the health, safety, and welfare of District
2 residents.

3 Far as health concerns, we as NERAC members
4 do not feel that our best interest is being showcased
5 in this plan -- this planned unit development. Many
6 of us already face issues, including the current air
7 pollution from the concrete yards and the former
8 salvage yards, and the South Capitol Street bridge.

9 Many of our residents have lived through the
10 first urban development of Southwest in the 1950s,
11 and the development of National baseball stadium that
12 was also constructed on toxic land. Both development
13 plans displaced community residents and businesses
14 and impacted the health of the residents.

15 Residents that live in the near Southeast and
16 Southwest have documented health issues such as
17 asthma, respiratory illnesses, and cancer. There is
18 no best management plan or documented strategy for
19 addressing the health and community concerns
20 addressed in the Buzzard Point Community Health and
21 Safety study. The remediation and construction
22 process of the site development will increase these
23 vehicle traffic. The remediation of the site can
24 potentially expose community residents, like myself
25 that live in Ward 6, and site workers to over eight

1 different toxic contaminates found on the grounds of
2 the site during the voluntary clean-up process led by
3 Haley and Aldridge.

4 Exposure can occur from release of the
5 contaminates in the air, soil, and vapor intrusion,
6 introducing additional increased pollutants to the
7 community and the residents. And their health
8 concerns are already vulnerable for the residents.

9 Construction of the site will also disrupt
10 the natural dwelling spaces of wildlife, and vermin
11 in the area, forcing them closer in the residential
12 area. Where I live at near the Buzzard Point area
13 also has a documented issue with rodent control. We
14 are fearful of rodents to transport toxins into our
15 homes from the remediation process. It will throw
16 out our articulated plan must be put in place to
17 reduce road and migration from the site of the near
18 Buzzard Point community.

19 It should be noted that the site is located
20 in a area with a number of other co-pollutants,
21 including concrete and yards from where the South
22 Capitol Street bridge, from ZC-1602EX.45A, data
23 derived from the Environment Protection Agency EJ
24 Screen showcase the census track of 0064CC64, the
25 area closest to the PUD is the 94 percental and EPA

1 Region 3 for diesel particulate matter. Ninety-three
2 percent of the air toxins, cancer risks, and 93
3 percent of particulate matter 2.5, these indicators
4 showcase the present-day environment vulnerability
5 for NERAC members who live in the C64, a documented
6 strategy of implementing community safeguards and
7 long-term protections must be put in place before
8 remediation and construction.

9 We are requesting community health safeguards
10 for the surrounding community, including air monitors
11 and the near Buzzard Point community that recognize
12 only 9PM-10, but also now PM2.5 and volatile organic
13 compounds.

14 The VOC high efficient particulate air that
15 purifies vacuums and dust masks to reduce exposures
16 and contaminated fugitive dust -- I know, I'm trying
17 to rush. And particulate --

18 CHAIRMAN HOOD: Just give us your closing
19 thought. Give us your closing thought.

20 MS. FULLER: So, basically the residents are
21 feeling threatened by the soccer stadium.

22 I'm just trying to generalize, you know --

23 CHAIRMAN HOOD: Okay.

24 MS. FULLER: -- being built on this land that
25 could be toxic.

1 CHAIRMAN HOOD: Okay. Thank you. Any
2 questions up here?

3 MS. FULLER: And I submit my --

4 CHAIRMAN HOOD: Yeah, that's fine. You can
5 give it to Ms. Schellin.

6 MS. FULLER: Because I couldn't get it all
7 the way out, so.

8 CHAIRMAN HOOD: That's fine.

9 MS. FULLER: You have any further questions.

10 MS. BARRAGAN: And I'm also opposing.

11 CHAIRMAN HOOD: You oppose too?

12 MS. FULLER: Yeah, and I oppose.

13 MS. BARRAGAN: I have -- I wrote it in there
14 as an opposing.

15 CHAIRMAN HOOD: Okay. Well, go ahead.
16 You're on both lists. So, but you oppose. What I
17 was asking -- okay. So, you can go ahead.

18 MS. BARRAGAN: All right. Yeah, there we go.
19 Good evening. My name is Claudia Barragan and I'm
20 providing testimony as a D.C. resident and a seasoned
21 urban planner and an environmental policy analyst,
22 with specific site expertise in the Buzzard Point
23 area.

24 From 2005 through 2010, I worked on several
25 projects related to Buzzard Point and Southwest D.C.

1 While I worked as a senior staff planner at national
2 renowned architecture firms who were contracted by
3 Ackridge, the developer, to do designs and specific
4 work and competitions for this particular site.

5 I also worked, in 2010, at the hushed request
6 of D.C. Office of Planning to conduct a zoning survey
7 and building stock analysis of Southwest, which was
8 never really published out to the public. It was
9 meant to be in-house to look at what are the
10 development opportunities for D.C. Office of Planning
11 for this particular area. And that included the
12 impacted area, the impacted residential area.

13 Furthermore, in the last two years I attended
14 at least half a dozen community meetings, including
15 the ANC 6D meetings, and the very few presentations
16 by DOH and D.C. United representatives.

17 So, as an environmental analyst my focus area
18 is environment justice and impact assessments. As
19 the Board can now understand, I am more than
20 qualified to provide my expert opinion on the impacts
21 of this D.C. United stadium. It is this professional
22 authority that I oppose the further advance of the
23 construction and remediation on this project without
24 a thorough community impact assessment.

25 As stated in the ANC 6D resolution, the

1 community health safety study was poorly conducted by
2 DOH, and it only looked at zip codes. I'm not going
3 to continue talking about that because that is
4 definitely a misfactor.

5 The impacts of this project and the lack of
6 compliance of comprehensive mandates as they relate
7 to environmental justice, as you have heard from many
8 of us now, inclusive of unclear zoning mandates,
9 specifically related to the environmental
10 remediation, beyond the issues with the transit
11 parking and green spaces, must all be addressed.
12 Specifically, the risk assessment, community impact,
13 and toxic release is specifically air quality, risk
14 mitigation, and management, and the potential
15 displacement of low-income residents must be reviewed
16 by D.C. Zoning. It is your duty.

17 The neighborhood communities have long been
18 established and underserved, and they have been a
19 marginalized frontline environmental justice
20 community. What you will see in the future, because
21 it hasn't been introduced yet, is the human health
22 risk assessment findings. This is coming from the
23 developers right, from D.C. United, from the D.C.
24 United team.

25 What that study will hopefully have is a

1 full-on reliance on this Chase project, which DOH
2 poorly submitted. In turn, what I'm submitting as
3 part of my testimony is a study done by the CDC which
4 completely explains all of the health risk
5 assessments that -- all the health impacts that are
6 specific to this census track.

7 So, I would ask you to please review all of
8 the images and graphics that I'm showing. Again, as
9 an urban planner, as someone who is an expert, I have
10 provided that information. And this particular
11 census track has some serious health risks associated
12 to the community, specifically because it is an
13 environmental justice community.

14 So, basically, I have redone a little bit of
15 the work of DOH and I have provided that on behalf of
16 the community, as an expert because it is your job
17 and your duty to do due diligence for this project.

18 CHAIRMAN HOOD: Okay. Thank you. Anybody
19 else in opposition? Okay. Mr. Feola, you have any
20 cross of those in opposition?

21 MR. FEOLA: No, sir.

22 CHAIRMAN HOOD: Mr. Litsky, Chairman Litsky,
23 you have any cross?

24 Okay, for those in opposition, we thank you
25 for your presentation and testimony. Let me go to

1 the --

2 MR. OTTEN: Chairman.

3 CHAIRMAN HOOD: -- four --

4 MR. OTTEN: I just want to point out, we had
5 submitted, D.C. for Reasonable Development submitted
6 to the record, I think secretary affirmed it, the
7 D.C. Climate Change report, and this is in a
8 floodplain. We're not sure how the stadium is
9 actually going to prevent the flooding of that area,
10 given climate change. Thank you.

11 CHAIRMAN HOOD: Thank you. All right. Let's
12 go to those who were in support, and we'll start with
13 you.

14 MR. WELLES: Good evening. Thank you. My
15 name is Martin Welles. I am in support of the PUD
16 for D.C. stadium, or D.C. United stadium at Buzzard
17 Point. I am a Southwest resident for the past 16
18 years, a community volunteer, and all the things I'm
19 going to speak about tonight, I've done on a
20 volunteer basis. I'm not here in a paid capacity or
21 representing anyone in any manner.

22 I have three children who live in the
23 neighborhood and attend a public school, Amidon-Bowen
24 Elementary School. And I'm very involved in
25 reforming public education in D.C. and familiar with

1 testifying before the city council on numerous
2 occasions. I've served on former Mayor Gray's School
3 Assignment and Boundary Committee, redrawing all the
4 school boundaries throughout the District of
5 Columbia. I've served on former Chancellor
6 Henderson's Parent Advisory Committee, and I work
7 with both the Nationals and D.C. United on various
8 activities, and I'm the Capitol Hill Little League
9 Triple A Commissioner, so I'm responsible for 120
10 children and 12 teams playing baseball throughout
11 Southwest and Capitol Hill.

12 So, I bring into these things, or I bring
13 these before you to establish some credibility. I'm
14 not here as a general proponent of projects. I'm not
15 here generally opposing projects. I oppose Mayor
16 Gray when he tried to give away land to a charter
17 school at Randall Park. We were successful in
18 opposing that. And then we were successful in
19 getting the Nationals and Ryan Zimmerman to create a
20 brand-new playfield at Randall Park.

21 And, the reason why I'm in favor of this
22 stadium is because I think -- you know, one of the
23 issues here is jobs, and I believe my union folks
24 here will speak to that as well. But you're going to
25 have 100 days' worth of games to employ people, both

1 at the National Stadium ballpark and at D.C. United
2 Stadium, with all the home games.

3 And that's sizable employment for a low-
4 income community. A lot of these jobs are entry
5 level and something that doesn't require tremendous
6 training and professional skill. But the jobs go
7 from April to October or December each year.

8 This having synergies of two professional
9 stadiums within close proximity will force this issue
10 on transportation. I applaud the environmentalists
11 who have been here before expressing outrage over the
12 stadium site. As somebody who lives there and has
13 children there, I am concerned about their health.
14 I'm concerned about the water ways. I wonder where
15 the outrage has been for the past 40 years while
16 these industries were polluting.

17 So, no matter what goes on Buzzard Point, the
18 ground is going to be disturbed, whether you have a
19 stadium there or residential communities. It's
20 fallow ground, it's ripe for development and the
21 community needs development on that point of land.

22 Additionally, you'll see at the back of my
23 proposal is a diagram that Perkins Eastman developed
24 for me to renovate Jefferson Middle School field into
25 a -- what you see here is a football field, but it's

1 also a soccer field, to provide artificial turf. I
2 believe one of the commissioners, on November 28th,
3 said that we needed some more play space.

4 And my hope is that D.C. United will take a
5 look at this proposal and work with Department of
6 Parks and Recreation, to come up with a way to
7 improve the playfields for soccer, for sports, in the
8 neighborhood, Capitol Hill, and the District of
9 Columbia in general.

10 You have my written testimony. I will
11 conclude by saying that I do support this stadium.
12 Thank you.

13 CHAIRMAN HOOD: Okay. Thank you. Next.

14 MS. NICKS: Hi. My name Lavanghda Nicks,
15 Ward 5. Thank you, Mr. Chairman, and Commission, for
16 letting me take a moment to tell you why I support
17 this development.

18 The project that we are -- will have very
19 positive effect on the three D.C. neighborhoods and
20 the process provide a new home for my favorite soccer
21 team, D.C. United. I am indeed a soccer fan and I
22 see this initiative as one more thing we can do today
23 to help assure them of a bright future here in the
24 District of Columbia.

25 Yes, perhaps the most physical result of

1 this, if you give your approval, will be a beautiful
2 new place for D.C. United to play, and for the team
3 fans to enjoy just south, just south of the Capitol.
4 But as others will tell you today, the benefit
5 extends well beyond the soccer community and the
6 Buzzard Point neighborhood.

7 The 240 million of economy activity that this
8 will bring to our city is very important. But I
9 think it will just be the beginning of even more
10 economy activity around the stadium and the U Street
11 and Anacostia neighborhood where related project will
12 rise. Every new building will bring more development
13 around it with jobs for both construction and the
14 business that's set up shop there.

15 The young people in our community will live,
16 work, and play in these place, and they will thank
17 you for having the foresight to make this happen back
18 in 2016. Again, I appreciate you letting me appear
19 here today to talk about what this proposal mean for
20 our young people and for the city that will inhabit
21 in the decade ahead.

22 As you must do, please look carefully at this
23 plan and how it will put together. When you are
24 finished I am very certain that you will come to the
25 same conclusion I have, that this is good for the

1 District and its people and business, and that it is
2 time to move ahead with making the stadium and other
3 project realist -- reality.

4 UNIDENTIFIED SPEAKER: In closing?

5 MS. NICKS: Closing, United had support this
6 project. United here, Local 23 support this project.
7 United here, Local 25 support this project.

8 CHAIRMAN HOOD: Okay. Thank you.

9 MS. NICKS: Thank you, all.

10 CHAIRMAN HOOD: Thank you. Next.

11 UNIDENTIFIED SPEAKER: That's it.

12 CHAIRMAN HOOD: You don't have any? No.
13 Okay. All right. Hold on, let me see.

14 Any questions up here, or comments? Vice
15 Chair Miller.

16 MR. MILLER: Thank you, Mr. Chairman, and
17 thank you all for your testimony and, Mr. Welles,
18 thank you for your civic voluntary civic activism all
19 these years.

20 What is the status of this proposal for
21 improving the field at Jefferson Middle School?

22 MR. WELLES: Oh, it's a dream right now. I
23 have the architectural rendering. I've spoken with
24 Council Members Allen, I've spoken with Mayor Bowser
25 about it, I've spoken with Deputy Mayor of Education,

1 Jennifer Niles. It's a funding issue. I've gotten
2 \$70 million to renovate Jefferson Middle School,
3 which is about a million -- I'm sorry, which is about
4 a mile from the stadium. But that money doesn't come
5 until 2020.

6 So, what I'm hoping to do is get the council
7 and the mayor to advance money to the park side of it
8 because the field is actually a park and not a
9 school. Even though it abuts a school. And
10 therefore, we can put some money into the park and
11 improve it.

12 I've been successful in getting \$13 million
13 put into Amidon-Bowen Elementary School. That's
14 money that's already been spent and improvements that
15 have been made. So, I'm talking this up. I've
16 presented it to D.C. United. You know, their
17 decision is their decision, but they're aware of this
18 project, and I think it would be a benefit to the
19 community. I even suggested to them that perhaps it
20 could be the visitor's training place on gameday if
21 they needed a place to practice, because it is just a
22 mile away in Southwest D.C.

23 So, there's been no money funded. I've had
24 everybody out there from, not GSA, which is the
25 federal but the District -- DGS. Thank you. They've

1 looked at a warehouse that's on the land that needs
2 to be torn down that used to be the old inspection
3 station for Southwest. Everybody has looked at it,
4 and now it's just a matter to get some action. I'm
5 hoping that maybe this serves as a catalyst to get
6 that moving.

7 MR. MILLER: Thank you.

8 MR. WELLES: Thank you.

9 CHAIRMAN HOOD: Any other questions or
10 comments up here? Mr. Feola, you have any cross?

11 MR. FEOLA: No, sir.

12 CHAIRMAN HOOD: Chairman Litsky, you have any
13 cross? Thank you all very much. We appreciate your
14 testimony.

15 Okay. Mr. Feola, let's do rebuttal and
16 cross.

17 MS. SCHELLIN: We have undeclared witnesses.

18 CHAIRMAN HOOD: Oh, I'm sorry.

19 MS. SCHELLIN: Michael Johnson, Kristin
20 Taddei, or Taddei, Fredrica Kramer.

21 CHAIRMAN HOOD: Do we have any other
22 undeclared? Is undeclared now in our new rules?

23 MS. SCHELLIN: Yes.

24 CHAIRMAN HOOD: Okay. All right. We have
25 one more person who is undeclared. So, we only have

1 two?

2 MS. SCHELLIN: Yes.

3 CHAIRMAN HOOD: Okay. We'll start with you.
4 You may begin.

5 MS. TADDEI: Good evening, Commissioners. My
6 name is Kristin Taddei. I'm the planning advocate
7 with Kacey Trees. Kacey Trees is a Washington D.C.
8 based nonprofit, with a mission to restore, enhance,
9 and protect the tree canopy of the nation's capital.

10 To fulfill this mission, we plant trees,
11 monitor the city's tree canopy, and work with
12 developers to encourage tree planting and protection.
13 We are dedicated to helping the District reach its 40
14 percent tree canopy goal by 2032.

15 As a city, we will achieve this goal. When
16 development projects achieve a net gain in tree
17 canopy. We hope to work with the development team to
18 ensure that trees are prioritized in the development
19 of the D.C. United stadium.

20 As you know, the stadium will be located in
21 the Southwest neighborhood of Ward 6. Ward 6 is the
22 ward with the lowest tree canopy in the District. By
23 selecting a diverse tree pallet, and preserving space
24 for trees around the stadium, the development team
25 has the opportunity to increase tree canopy, showcase

1 the best sustainability practices, and create an
2 attractive destination.

3 Increasing planned tree canopy will also
4 improve public health, a noted concern of the
5 community.

6 To achieve the environmental objectives of
7 the Buzzard Point urban design framework, work toward
8 the sustainable D.C. goals, and create an appealing
9 resilient public green space in this community, we
10 recommend that the development team take the
11 following actions.

12 First, adopt a 15 percent tree canopy goal.
13 Our analysis, which you have attached, shows that 15
14 percent of the site was formerly covered by tree
15 canopy. Current development plans show a proposed
16 tree canopy of only three percent. However, there is
17 an opportunity for the development team to achieve a
18 15 percent tree canopy on site without altering
19 building plans.

20 The developer and architects have proposed
21 that parcel B be partial developed as part of this
22 PUD. We propose that the remaining space in parcel B
23 be considered under this PUD and transformed into a
24 forested park to account for lost tree canopy, and to
25 help reach 15 percent tree canopy cover.

1 This green space could be preserved in a
2 conservation easement, which would provide a fan-
3 friendly experience and amazing space for community
4 members year-round. It would also give trees a
5 permanent space to grow.

6 In addition, we encourage the Zoning
7 Commission and development team to take a closer look
8 at the proposed tree pallet. The proposed planting
9 plan only includes two tree species in separate
10 installations, London Plain tree and Eastern Redbud.
11 Monocultures, or groups of only one plant species
12 reduce the resilience of plant communities and
13 increase the risk of disease. We suggest planning a
14 mix of at least five tree species around the new
15 stadium to ensure that trees remain healthy and
16 continue to offer benefits to this community in the
17 future.

18 To be truly resilient, the 10/20/30 rule for
19 a tree diversity should be followed. The rule
20 suggests planting plans should include only 10
21 percent of any one species, 20 percent of any one
22 genus, and 30 percent of any family of trees. Kacey
23 Trees urban tree selection guide, which I have here
24 with me tonight, can be consulted as a reference.

25 The development team has also proposed a tree

1 canopy garden east of the stadium. While we are
2 excited to see trees incorporated into public space
3 design, the tree canopy garden currently only
4 includes Eastern Redbuds, which are not canopy trees.
5 The term canopy trees generally refers to trees that
6 will be large at maturity, thereby offering
7 tremendous environment benefits when compared to
8 small trees. We suggest selecting a pallet of large
9 canopy trees with red fall color like red maple,
10 black gum, or scarlet oak, D.C. State tree to
11 represent D.C. United.

12 Finally, we recommend using advanced tree
13 growth systems to maximize soil volume. Project
14 renderings show trees lining the developments,
15 interior streets and plazas. To allow these trees to
16 thrive and provide maximum canopy benefits, install
17 soil cells or structural soils under new sidewalks.
18 These systems provide adequate soil volume for roots
19 and allow soil to remain uncompacted by pedestrian
20 traffic and facilitate canopy growth.

21 I would be happy to clarify any of our
22 recommendations or work directly with the development
23 team to achieve a 15 percent tree canopy around the
24 new stadium. Thank you for the opportunity to
25 testify.

1 CHAIRMAN HOOD: Okay. Thank you. Next.

2 MS. KRAMER: Good evening. I'm Fredrica
3 Kramer, Vice Chair of the Near Southeast/Southwest
4 Community Benefits Coordinating Council, created
5 explicitly to maintain social diversity and quality
6 of life, and with the ANC 6D to negotiate for
7 community benefits in connection with area
8 redevelopment.

9 We are signatories with D.C. United on a
10 community benefits agreement and will sit on an
11 enforcement committee to ensure the successful
12 implementation of those benefits. You have a copy
13 already of that agreement.

14 We have stated separately our continue to
15 support for the stadium's general concept plan, and
16 the community benefits anticipated in the CBA. But
17 we also have serious concerns around transportation
18 and access, and around health risks from construction
19 activities, and I'll address those two issues.

20 On the first, we're very grateful for D.C.
21 United's commitments to Metro cards and preassigned
22 parking spaces to minimum the effects of automobile
23 use, strategies to facilitate bicycling, and no
24 overlapping of soccer and baseball games. But
25 transportation access remains very poorly thought

1 out.

2 The Gorove Slade study says roadway and
3 transportation systems will be over capacity when
4 there are simultaneous events at all venues. Other
5 events we know will inevitably occur in the
6 redeveloped Navy Yard and Southwest, and when one or
7 both stadiums are in use, and same day scheduling,
8 same day scheduling is in fact allowed.

9 There is potential for increased auto use if
10 Metro doesn't stay open when games last beyond normal
11 closing hours, as we just saw in the Nats playoff
12 series, and the ANC 6D notes the movement of
13 emergency vehicles is going to be severely challenged
14 in this isolated peninsula and that will get worse
15 with anticipated 6,000 new households in Buzzard
16 Point.

17 The Commission should require a commitment to
18 no same day scheduling, engage alternative
19 transportation options when late night Metro service
20 isn't available, and consider other approaches to
21 ensure the stadium traffic doesn't completely choke
22 the neighborhood.

23 Perhaps our greatest concern is the impact to
24 current residents on 2nd, 1st, Half, and 4th Streets.
25 Potomac Avenue and 1st and 2nd Streets are expected

1 to be the principle vehicular in-routes, since
2 traffic from the two Metro stations will be
3 pedestrian, we see no justification for any new
4 vehicular traffic through the residential streets
5 north of the stadium. We are on record expressing
6 our concern for 2nd and Half Streets developed as a
7 transportation spine in the new Buzzard Point Vision
8 Framework, and we endorse ANC, and with ANC are
9 strongly opposed to any threat to housing to
10 accommodate the stadium.

11 The Gorove Slade report even recommends
12 pedestrian and traffic barriers to deter patrons from
13 walking through the adjacent neighborhood. True
14 barriers to allow resident access but prevent
15 vehicular traffic at a minimum on game days should be
16 implemented with stadium opening.

17 Also, according to the report, unrestricted
18 blocks in Buzzard Point will need to be upgraded and
19 metered prior to the opening. Metering all parking
20 surrounding the stadium, including some lengths on M
21 Street indicated in Figure 12 in the November 15th
22 version would remove street parking for current
23 residents with RPPs and for future residents of
24 Buzzard Point.

25 We think automobile traffic should be

1 entirely routed along South Capitol Street and
2 Potomac Avenue, from the north. Visitors from the
3 south, southeast, across the Douglas bridge, could
4 turn south at the junction of Potomac Avenue and
5 South Capitol Street rather than continue on Potomac,
6 and use the new S Street entry, or use R, Half, and S
7 Streets when the oval is completed. And we note,
8 there's no discussion of circulated bus service which
9 might also deflect north/south, pedestrian or other
10 traffic through the neighborhood.

11 With regard to health issues, both our own
12 experience and comments from the community members,
13 and you've heard a lot tonight in much greater
14 detail, there's unchecked dust and other problems
15 from the current PEPCO site, resulting from either
16 inadequate protocol or inadequate enforcement. And
17 what we'd like to be assured that D.C. United
18 protocol either exceed current practices or will be
19 enforced more vigorously than is currently the case.

20 In addition, the health study which has been
21 referenced to establish baseline conditions need to
22 be -- I'm going to skip it in the interest of time,
23 needs to really be using microdata below the zip code
24 level. And although it's not D.C. United's
25 responsibility, we understand that, the costs should

1 be shared appropriately so that you can monitor the
2 health impacts over time to the community immediately
3 adjoining the stadium.

4 On a related matter, we would like further
5 discussion on noise control, including a comparison
6 with the Nationals' noise, noise control for other
7 uses like concerts, and the potential to direct noise
8 away from the surrounding residences. Thank you very
9 much for the opportunity to testify.

10 And my testimony includes the, just a summary
11 of the addendum, includes a summary of the benefits
12 that are included in the community benefits
13 agreement.

14 CHAIRMAN HOOD: Okay. Thank you. Let's see
15 if we have any cross. I mean, any questions or
16 comments. Anybody?

17 Okay. Does the applicant? Chairman Litsky?
18 Okay. Thank you both very much. We appreciate it.

19 Okay, Mr. Feola, let's come up with some
20 rebuttal and closing and let me know about how much
21 time you need for your rebuttal.

22 MR. FEOLA: Thank you, Mr. Chair. Phil Feola
23 for the applicant. We probably just need about 15
24 minutes to get through. We're only going to talk
25 about traffic and transportation and environmental

1 issues.

2 Now, we did submit a series of requested
3 information about a week ago. I don't know if the
4 Commission wants to ask questions about that. We
5 have everybody here to answer them, either now or
6 after rebuttal.

7 CHAIRMAN HOOD: Okay.

8 [Discussion off the record.]

9 MR. MILLER: We're going to proceed with your
10 rebuttal testimony and then we'll open up for
11 questions.

12 MR. KEDLECEK: Okay. Excuse me. Cary
13 Kadlecek from Goulston and Storrs on behalf of the
14 applicant. We're going to provide our rebuttal
15 testimony on two issues, the environmental issues and
16 transportation.

17 Mr. Feola is passing in some resumes of two
18 of the witnesses we're going to have for the rebuttal
19 testimony. We'd like to proffer both of those as
20 experts. Ms. Anita Broughton, we'd like to proffer
21 her as an expert in human health risk assessment and
22 industrial hygiene. And then Mr. David Schoenwolf,
23 as an expert in geotechnical engineering.

24 MR. MILLER: Okay. We're just seeing these
25 for the first time, so we're just going to -- these

1 haven't previous -- these experts haven't previously
2 been proffered as experts before this Commissioner or
3 the BZA?

4 MR. KEDLECEK: No, I don't believe so. No.

5 MR. MILLER: So, let's just have a second, a
6 few minutes for my colleagues to review the resumes
7 and see if they have any concerns.

8 [Pause.]

9 MR. KEDLECEK: If it would be helpful to the
10 Commission we can have the witnesses summarize their
11 experience.

12 MR. MILLER: Sure.

13 MR. KEDLECEK: Ms. Broughton, if you would
14 please summarize your experience?

15 MS. BROUGHTON: Sure. My name is Anita
16 Broughton. Hello and good evening to you all, to the
17 commissioners.

18 As Cary indicated, my background is in human
19 health risk assessment. I'm a certified industrial
20 hygienist. I spent my career assisting with
21 preparing guidance and implementing guidance
22 regarding human health risk assessment, primarily
23 with redevelopment of sites such as this one, where
24 not only are there adjacent or nearby residents, but
25 also residential development on contaminated

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1 properties. And the abbreviated resume that I
2 provided outlines my experience in some relevant
3 projects that I've worked on. Thank you.

4 MR. MILLER: Okay. Thank you.

5 MR. KEDLECEK: Mr. Schoenwolf?

6 MR. SCHOENWOLF: Good evening. My name is
7 Dave Schoenwolf, and I'm a senior Vice President with
8 Haley and Aldridge. I have 38 years of experience
9 practicing geotechnical engineering. My expertise is
10 really in urban development, combining both the
11 geotechnical and the environmental aspects of major
12 developments in urban areas.

13 MR. MILLER: Okay. Thank you. Colleagues
14 and Mr. Chairman, do you have any concerns with the
15 two seconds that you've had to with these two
16 experts, these two witnesses being proffered as
17 experts. I don't have any concerns, but I'm asking
18 my colleagues if they have any.

19 Okay. We'll accept them as expert witnesses.

20 MR. KEDLECEK: Okay. Thank you, Ms.
21 Broughton, your testimony tonight explaining how
22 there is a considerable amount of contaminates in the
23 area and on the site. Can you please briefly explain
24 what the plan is to clean up the site and remediate
25 the site and protect the risk to health nearby to the

1 site?

2 MS. BROUGHTON: Certainly. I guess I first
3 want to start by, you know, I really do acknowledge
4 the concerns of the public. As I indicated, I've
5 spent my career really trying to assist with cleaning
6 up sites, such that you know, residential or other
7 uses of the, you know, as appropriate on the property
8 so that the clean-up can be conducted so that, you
9 know, whether it's a school site or residential
10 neighborhood, or other uses that it is safe and
11 protective of the human health and the environment.

12 So, I just want to give that background
13 because I'm really, like I said, I acknowledge that
14 there is concern.

15 I've spent the last couple of years working
16 on this project and what I thought I would do, maybe,
17 is to answer the question that Cary posed, was to
18 briefly describe the process that we've gone through
19 because as I'm hearing testimony and reading
20 information that's been provided, it's really unclear
21 to me that people fully understand the process that's
22 been implemented, and all the best management
23 practices that are being -- will be imposed and are
24 being imposed. Not only those that have been
25 identified by the testimony of others, but those that

1 were already inherent in the process that we've put
2 together. So, I thought maybe I would start by, it's
3 well known that this property in its recent history
4 has industrial use. And that's true even in the
5 history of this property.

6 Going back even further, it actually was
7 residential, not of this property, but it did over
8 time get transferred to industrial use. As part of
9 what we did is we really evaluated all of those uses
10 and we came up with, during a due diligence, you're
11 probably familiar with due diligence site assessment
12 work. We looked at the history to look at what all
13 the uses were, what all the types of contaminants or
14 chemicals that could have been used and we came up
15 with a plan to assess those.

16 So, we looked at all of the environmental
17 conditions on the property and collected samples in
18 multiple media, whether it was soil, soil gas, or
19 ground water. So, we did a multimedia site
20 characterization.

21 Matter of fact, we did it in multiple steps
22 so when we encountered contaminants at the site, and
23 we didn't think they were appropriately defined or
24 delineated. We went back out and collected
25 additional samples. There were other portions of the

1 property that at the time of sampling, initial
2 sampling, were not accessible. When they were
3 accessible we went out and collected additional data.
4 So, we have a fairly large body of information that
5 is relevant to the historical use of the property as
6 far as site contamination.

7 What we've done with that, and I know that
8 you've recently gotten a copy of the health risk
9 assessment that was prepared, and that risk
10 assessment is a site-specific risk assessment. And
11 I'm going to explain a little bit about what the
12 content and objective of that document is. And we've
13 actually been in the process of developing that. And
14 in addition to that in a dust and odor control plan.

15 I believe you also got a copy of that today.
16 These are not documents that we just produced over
17 the last week. These are documents that we have been
18 working on that have been gone through rigorous
19 review by DOEE, and actually they have also retained
20 an independent consultant to review the work that
21 we've done. So, there has been a review.

22 As a matter of fact, there were not only
23 reviews of the initial drafts and comments, but
24 revisions. All with the intent and objective of
25 making sure that what we were doing at the site was

1 protective and the remediation that we've identified
2 will not only protect folks that are going to be
3 working on the property, construction workers and
4 future on-site occupants, like athletes, like the
5 spectators, like commercial workers, but also the
6 nearby residents.

7 So, in the risk assessment that you'll be
8 looking at, I'll identify that we included an
9 assessment of those various receptors that I
10 indicated, including the off-site resident. And what
11 we do, and there was a gentleman here earlier that
12 talked about looking at multiple pathway exposure,
13 and I'll explain that by we take a look at each of
14 these different people that could be present on site
15 or near the site and say, how could they be exposed
16 to the contaminants that are on the site by soil.

17 So, if you're a construction worker, for
18 instance, you're going to be working there, you're
19 going to breath the air while you're there. You're
20 going to incidentally ingest soil. You're actually
21 going to eat soil. And we have factors that we
22 assume that you might be able to eat -- you'll eat
23 soil. You have dermal contact. If you're excavating
24 trenches, until we dewater, if there's perch water
25 you might have exposure to the water within the

1 trenches.

2 So, we looked at all of the different media
3 and all of the different potential pathways of people
4 that could be exposed. And I could go into a lot
5 more detail but I'll just kind of summarize that,
6 including the off-site resident, both during
7 construction and after site development, we looked at
8 potential exposures to those individuals.

9 And what we do is we then estimate, okay, how
10 much soil are you going to eat? How much dermal
11 contact are you going to have? How long are you
12 going to be at the site? And there are standard
13 assumptions that are used to over-estimate potential
14 risk associated with how you might be exposed at the
15 property, at any site. This is really a fairly
16 standard kind of urban development. I know there was
17 some mention about super fund earlier. But I -- you
18 know, this type of project and the type of
19 constituents that are at this property are really not
20 very typical of general urban, you know,
21 redevelopment projects.

22 I probably need some water. There it is.

23 MR. MAY: Can I interrupt for just a second?
24 I mean, you're giving us a lot of prelude, right?

25 MS. BROUGHTON: Yes.

1 MR. MAY: Can you sort of get to the point?

2 MS. BROUGHTON: Yes.

3 MR. MAY: What did you find and what are you
4 going to do --

5 MS. BROUGHTON: Okay.

6 MR. MAY: -- what steps you're going to take.
7 That would just be really helpful because --

8 MS. BROUGHTON: Okay. Great.

9 MR. MAY: -- you've been talking for five
10 minutes and I haven't heard anything helpful yet.

11 MS. BROUGHTON: Okay. Apologize for that.
12 Why I did that, Mr. --

13 MR. MAY: No, just go into the facts. Don't
14 tell me why you did it.

15 MS. BROUGHTON: Okay.

16 MR. MAY: Tell me what you found and what
17 you're going to do.

18 MS. BROUGHTON: Okay.

19 MR. MAY: I mean, maybe other commissioners
20 are finding this helpful, but I'm not.

21 MS. BROUGHTON: Okay. Fine. So, from that
22 risk assessment we identified what the cleanup
23 criteria was to protect health. Okay? Both on the
24 site, what cleanup would need to be done, and what we
25 would need to do as far as monitoring the air at the

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1 perimeter of the site to protect the nearby
2 residents. We also looked at what we would need to
3 do to clean up the soil, such that we wouldn't impact
4 the surface water and ground water.

5 And so we are actually going to be cleaning
6 up soil such that the adjacent and nearby residents
7 and the onsite receptors will not be exposed to
8 concentrations at the site that would be considered
9 unacceptable or propose a health risk.

10 So, sure --

11 MR. SHAPIRO: [Speaking off mic.]

12 MS. BROUGHTON: Yes.

13 MR. SHAPIRO: You heard the testimony that we
14 heard. So, can you give me, as a lay person, can you
15 give me an example, two or three things that you're
16 going to be doing.

17 MS. BROUGHTON: Sure.

18 MR. SHAPIRO: Specific things to address,
19 especially around, it sounds like the soil was the
20 big issue.

21 MS. BROUGHTON: Right.

22 MR. SHAPIRO: When you move the soil around.

23 MS. BROUGHTON: Right, so --

24 MR. SHAPIRO: So, what do you do?

25 MS. BROUGHTON: So during -- prior to

1 construction we're going to be cleaning up the site,
2 right. We're going to -- and during that process
3 we'll have air monitoring near the workers so that
4 the dust levels right on the site when they're
5 excavating will not exceed any unacceptable
6 threshold.

7 MR. SHAPIRO: Right.

8 MS. BROUGHTON: And when we're seeing that
9 that's occurring we're going to be doing control
10 measures.

11 MR. SHAPIRO: Okay.

12 MS. BROUGHTON: When we excavate soil we'll
13 be stockpiling, it will be covered. So --

14 MR. SHAPIRO: How do you cover it?

15 MS. BROUGHTON: We'll be covering it with --
16 there will be, it's like a fabric such that again,
17 there won't be like wind erosion that's blowing off
18 of the stockpiles.

19 CHAIRMAN HOOD: I think, let me just say
20 this. I think what we're asking for, at least what I
21 would -- what would be helpful for me is the process.
22 You're saying you cover it. Okay, but before you
23 start, how are you working with it? How are you
24 digging it? I mean, what's going on? How are those
25 emittants not getting into the air? What are we

1 doing?

2 MS. BROUGHTON: Right. So, as we're
3 excavating we're monitoring dust, right? We actually
4 are not only doing it like I said, near the worker,
5 we're going to be applying water to reduce dust on
6 the site. So, we're responsible only for -- we can
7 only be in control of the activities that are related
8 to the work that we're doing on the property. So,
9 that's where we're going to control dust that's
10 actually generated from those activities.

11 MR. SHAPIRO: So, if I can. One of the
12 questions that I heard was that one of the problems
13 with using water, depending on how you use the water,
14 is that it could exacerbate runoff that could carry
15 pollutants into the Anacostia. How do you address
16 that? What kind of sediment control do you have in
17 place to make sure that also isn't an issue.

18 MS. BROUGHTON: So, when we're applying water
19 for dust control, that's one thing that we will be
20 very cognizant of not doing to generate so much water
21 that we'll actually have run off.

22 But there is a storm water plan as well that
23 will be -- and is actually in place at this time to
24 control, you know, run off on the site.

25 In addition to the worker monitoring that we

1 have, we also have perimeter monitoring. If you look
2 at the risk assessment you're going to see the
3 concentrations for the off-site residents a lot
4 lower. So we are actually controlling dust at lot
5 lower concentrations, and we have monitors already
6 set up where we do get alerted if we see that dust
7 may be starting to look like it's getting close to
8 being what we might call excessive.

9 MR. MAY: So, is this real-time monitoring?
10 Is it --

11 MS. BROUGHTON: Yes.

12 MR. MAY: Okay. So, as soon as you detect
13 that there is dust that's leaving the site that
14 shouldn't be leaving the site, you will do what?

15 MS. BROUGHTON: We'll either -- we'll come up
16 with -- we have a number of different mitigation.
17 Either it's water, like we're talking about before.
18 We'll apply water, or we might modify the work that
19 we're doing. So, we'll help get --

20 MR. MAY: But how quickly can that happen?

21 MS. BROUGHTON: It's immediate. So, what we
22 have is, they're actually tied to our --

23 MR. MAY: So, you're going to have a dust
24 prevention crew out there --

25 MS. BROUGHTON: We do already.

1 MR. MAY: -- checking the monitors and
2 they're going to be --

3 MS. BROUGHTON: Yes. Yes, sir.

4 MR. MAY: You do already.

5 MS. BROUGHTON: Yes, we do. We have four
6 monitoring stations, and they're linked to the --

7 MR. MAY: So, because there's work happening
8 there already right now, right?

9 MS. BROUGHTON: We do.

10 MR. MAY: So, you're already actively
11 clearing the site or doing something right now?

12 MS. BROUGHTON: We're not doing any clearing
13 or any remediation, but we have set up the monitors.

14 MR. MAY: You set up the monitors.

15 MS. BROUGHTON: Just to ensure that they're
16 working. We are collecting data --

17 MR. MAY: Well, there's some kind of work
18 going on there. I drove by there today.

19 MR. SCHOENWOLF: Yes, it's the archeological
20 excavations that are being done, and all this is
21 being done in accordance with the VCAP that's been
22 approved. And just to clarify --

23 MR. MAY: The VCAP

24 MR. SCHOENWOLF: The Voluntary Cleanup Action
25 Plan that's been approved --

1 MR. MAY: Okay. Thank you.

2 MR. SCHOENWOLF: -- by DOEE.

3 MR. MAY: Right.

4 MR. SCHOENWOLF: So, when there's an action
5 level, we'll call it an action level.

6 MR. MAY: Right.

7 MR. SCHOENWOLF: Our people on site get a
8 beep on their phone. It's wired to their phone. And
9 these happen -- we get a data point every 15 minutes.

10 MR. MAY: Uh-huh.

11 MR. SCHOENWOLF: When that beep goes off our
12 people are instructed to do action. Identify the
13 source of the dust and either shut down the work or
14 apply water or take some corrective action to stop
15 this.

16 MR. MAY: So, within minutes if there is dust
17 leaving the site, you're going to stop it?

18 MR. SCHOENWOLF: That's correct.

19 MS. BROUGHTON: Actually, we get measurements
20 every minute. But they're rolling 15 minute
21 averages.

22 MR. MAY: I understand.

23 MS. BROUGHTON: Okay. Sure.

24 MR. MAY: I mean, you know, want it to be
25 the, you know, monitoring in some circumstances

1 means, you know, sampling things and then sending
2 them out to a lab and getting it tested and all that
3 sort of stuff.

4 MS. BROUGHTON: Certainly.

5 MR. MAY: It's just like, any airborne
6 particles are going to set this off, right? You're
7 not actually chemically testing it in the process of
8 monitoring it?

9 MS. BROUGHTON: No, we're actually measuring
10 real time particulate concentrations.

11 MR. MAY: But it's just particulate
12 concentrations. You don't know what the particulate
13 actually is?

14 MS. BROUGHTON: So, we developed the
15 particulate threshold such that they relate back to
16 the risk assessment and the contaminants that are in
17 the soil. So, our level that is protective is
18 protective considering the constituents that would be
19 in the soil across the site.

20 MR. MAY: I understand that.

21 MS. BROUGHTON: Okay.

22 MR. MAY: But it's not actually testing to
23 see what it is.

24 MS. BROUGHTON: Right. It is not.

25 MR. MAY: It's just based on the assumption,

1 this is what the profile is of the soil and what the
2 dust is like that it contained --

3 MS. BROUGHTON: And it's a cumulative --

4 MR. MAY: -- and this is how -- right, how
5 concerned you have to be based on that profile.

6 MS. BROUGHTON: Yes, sir.

7 CHAIRMAN HOOD: Was this process discussed
8 with the community, what you're telling us here
9 tonight? Was this discussed?

10 MR. SCHOENWOLF: Yes. Yes, we made a
11 presentation to the community.

12 CHAIRMAN HOOD: Now, let me just say this,
13 I've heard community presentations and I've also
14 heard presentations that come down here. And
15 sometimes they differ. They're a little more
16 detailed when they come here and the community kind
17 of skips themselves. So, I want to know what kind of
18 presentation did you make. And I also want to go
19 back to your point. I know we're interrupting you
20 because I want to know specifically the process and
21 the procedures of what you're doing when it goes off
22 that something is escaping the system.

23 MS. BROUGHTON: Certainly.

24 CHAIRMAN HOOD: But answer that question
25 first. What type of presentation?

1 MR. SCHOENWOLF: Yes. So, what we did is
2 when the human health risk assessment was in its
3 final stages, we made a presentation to the community
4 outlining what the results of the human health risk
5 assessment were. We showed them pictures of the air
6 monitors. We showed them pictures of all the
7 activities that were going to happen on site, how we
8 were going to monitor that, what the activities were,
9 what would be the tripping quantities on the air
10 monitors.

11 So, this was all presented to them with the
12 opportunity to ask questions and resolve any issues
13 they may have.

14 CHAIRMAN HOOD: Okay. Let me just say this.
15 Chairman Litsky, is that the same thing that you
16 heard. Are you hearing the same thing in your
17 community meetings that you're hearing in here? And
18 you can just yell out yes or no.

19 MR. LITSKY: I wish that we had Commissioner
20 Hamilton here [Speaking off mic.].

21 CHAIRMAN HOOD: Okay. She attended those
22 meetings? Okay. All I want is yes or no. Are you
23 hearing the same thing that we're hearing tonight at
24 your meeting?

25 MR. LITSKY: Yeah.

1 CHAIRMAN HOOD: You're hearing the same
2 thing. Okay. That's all I want to know. Okay. You
3 can go ahead. You had -- okay.

4 MS. BROUGHTON: Okay. So, we have four
5 monitors around the site and what we do is as David
6 indicated, we're measuring particulate PM10, which is
7 actually 10 microns and lower, so it does capture
8 some of the lower particulates that were mentioned
9 before. And it's every minute we get a reading. And
10 if that reading is greater than a threshold action
11 level that we have, and it sets an alarm on the
12 phone.

13 So, we have an individual that's what they're
14 responsible for doing is monitoring, and when there
15 is an action level the first thing that they do is
16 look at the station, okay, look at what is
17 contributing to that. If it's like an adjacent road
18 or off-site, because we have along the perimeter,
19 something we can't control, that's one thing. But if
20 it is related to the site then we do take measures,
21 either add water or other -- you know, we may stop
22 work for a while, you know, depending upon what is
23 triggering that. Could it be wind or could it be our
24 activity on site? But if it's an onsite activity we
25 do take mitigative measures to reduce that, such that

1 the next readings are less than the action level.

2 MR. SHAPIRO: Mr. Chair, who monitors the
3 monitor?

4 MS. BROUGHTON: We have an individual
5 scientist on site that's there monitoring the
6 monitors.

7 MR. KEDLECEK: And DOEE has been involved in
8 this whole process. And actually, our reports go to
9 DOEE. We submit a bi-weekly report to them, so
10 they're aware of what we're doing as well.

11 MR. SHAPIRO: Thank you. Thank you, Mr.
12 Chair.

13 CHAIRMAN HOOD: Okay.

14 MR. KEDLECEK: Thank you, Ms. Broughton.
15 Excuse me. Have you reviewed the CHASS and the best
16 practice recommendations and the New Jersey Institute
17 of Technology recommendations?

18 MS. BROUGHTON: Yes, I have.

19 MR. KEDLECEK: And in your opinion, those
20 recommendations and recommended best practices, are
21 those accounted for in the plan that you've developed
22 for the remediation and excavation of the site?

23 MS. BROUGHTON: I would say yes, the majority
24 of them are.

25 MR. KEDLECEK: And can you just briefly

1 explain how that's the case?

2 MS. BROUGHTON: So, I mentioned a few of them
3 as far as covering stockpiles. The monitoring that
4 we're doing, setting the criteria that's health
5 protective for remediation. So, those are a number
6 of the best management practices that were
7 identified.

8 MR. KEDLECEK: Thank you. And one last
9 question. In your opinion, are the current
10 conditions at the site more of a risk than once
11 remediation and health monitoring occurs?

12 MS. BROUGHTON: Yes, and I mentioned that
13 previously. Right now, with the property as bare
14 soil and subject to wind erosion, actually the
15 potential exposure is greater today with the soil
16 left -- with the site left that way than it would be
17 subsequent to development.

18 MR. KEDLECEK: Thank you. We're going to
19 turn to transportation issues now.

20 MR. MILLER: I had just one question, Mr. --

21 MR. KEDLECEK: Sure. I'm sorry.

22 MR. MILLER: -- before you leave. The
23 environment. So, are all of these actions that
24 you've just outlined, are they all set forth in
25 writing in the health assessment risk plan that was

1 just submitted, I think today, which I haven't had a
2 chance to look at?

3 MS. BROUGHTON: The risk assessment is a lot
4 of excruciating detail about how we derived the
5 health based criteria that we're using at the site as
6 thresholds for cleanup.

7 MR. MILLER: So I think --

8 MS. BROUGHTON: Both to protect human health
9 and water quality.

10 MR. MILLER: So, I think we're going to need
11 in writing, all of the remediation actions that are
12 being taken and which ones aren't being taken that
13 may have been in the ANC testimony, for example, and
14 why some of those recommendations that are in the
15 air, we just would need that as a post-hearing
16 submission.

17 MS. BROUGHTON: I'm going to let you go --
18 Dave, I'll let you. So, there are various plans and
19 they actually have different types of information, so
20 I mention what the risk assessment has dust and odor
21 control --

22 MR. MILLER: So, are they in our record,
23 though? That's what I want to --

24 MS. BROUGHTON: Yes, they're in your record.

25 MR. SCHOENWOLF: And we will submit, we have

1 a voluntary cleanup action plan which was then
2 parlayed into a dust and odor control plan, and that
3 was all combined with the human health risk
4 assessment that we have. So, we have three documents
5 that we will put into the record which outline all
6 this information.

7 MR. KEDLECEK: The dust and odor control plan
8 we just submitted to the record and then the human
9 health assessment risk we will submit because it's so
10 huge, we need to upload it. We didn't want to burden
11 you with all that paper. But those, as Mr.
12 Schoenwolf mentioned, are included.

13 MR. SHAPIRO: There are three you mentioned?

14 MR. SCHOENWOLF: Three documents, yes. Yeah.
15 And all have been submitted to DOEE and have been
16 approved. They're in the process of being approved.

17 MR. SHAPIRO: And two have been submitted
18 already. The third one you will submit?

19 MR. KEDLECEK: Yes.

20 MR. MAY: Can I ask one more thing on the --
21 so, you know, when it comes to dust control there's
22 language in here of things like, the contractor will
23 implement appropriate procedures in consultation with
24 the site air monitoring professional to control
25 fugitive dust generation during soil disturbance

1 activities.

2 I mean, you know, I mean first of all we are
3 straying outside of what I would normally consider to
4 be a zoning issue. I mean, actual construction
5 practices are not really strongly within our domain.
6 But you know, since we've gotten into this heavy
7 discussion, we've had so much testimony about it, I
8 do think it's worthwhile to make some things clear.

9 And saying that appropriate measures will be
10 taken is not very clear. Right? And so, you know,
11 some of the things that I feel are -- I mean you get
12 into some of it, covering the stockpiles with plastic
13 sheeting, prompt cleanup of dirt, water spray, those
14 are all smart things.

15 But there's also, I mean, we all witness
16 construction across the city all the time and
17 everybody has got in their soil and erosion control
18 drawings that are part of the construction drawing
19 set, the standard diagrams that show, you know, the
20 dump truck and the grill that you have to drive over,
21 and instructions that you've got to hose it down. I
22 mean, it's a standard drawing sheet in every
23 construction project. I have one myself I use for my
24 house, you know, when I've got to do renovation work.
25 I mean, it's all just very standard stuff. Of

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1 course, I never have dump trucks at my house.

2 But they are almost invariably, they fall
3 apart during the course of construction. And so, you
4 know, the grill you drive over that's supposed to be
5 a place where the, you know, where the soil gets
6 washed off and it gets collected and pumped away, gets
7 caked with soil. And the trucks don't get hosed off
8 thoroughly, and so they go driving off with mud on
9 them. And the mud hits the road, and then that --
10 you know, then it dries off. Then it kicks up dust.
11 All these sorts of things. You know, but I don't see
12 much in here about how you're going to actually do
13 those things and not just, you know, submit that
14 standard drawing sheet.

15 I mean, this is -- and this is a neighborhood
16 where there's already a lot going on. I mean, again,
17 I drove by there today and there's a lot of this --
18 you know, it's a dusty place now in the streets.

19 So, I mean, what do you do? You know, it
20 sounds like your domain, Haley and Aldridge, in your
21 dust control plan, stops at the borders of the site.
22 Is that really going to happen?

23 MR. SCHOENWOLF: That's correct.

24 MR. MAY: That's what you're under contract
25 to do?

1 MR. SCHOENWOLF: We're responsible for what's
2 within the confines of the site, yes. That's all we
3 can do. We do have people on site. We have a full
4 time environmental person on site. We've talked to
5 the contractor about what happens if we have a
6 spillage outside the fence.

7 MR. MAY: Uh-huh.

8 MR. SCHOENWOLF: They're committed to
9 cleaning that up with --

10 MR. MAY: Well, that's helpful to know. Is
11 that in that dust control plan too?

12 MS. BROUGHTON: It's not part of the dust
13 control plan. That particular element.

14 MR. SCHOENWOLF: But that's a best management
15 practice.

16 MS. BROUGHTON: But that is a best management
17 practice that we will be doing.

18 MR. MAY: Okay. Is that documented
19 somewhere?

20 MS. BROUGHTON: It's in the --

21 MR. SCHOENWOLF: What, the best management
22 practices? They're on all the documents.

23 MR. MAY: Yeah, I know. I mean, they're done
24 all the time. But I mean, best management practices
25 is a buzz word that doesn't mean anybody to the

1 person who is breathing the dust down the street.
2 So, that's where, you know, some of these things have
3 to be articulated.

4 MS. BROUGHTON: They're in a variety of
5 different reports that we prepared from the
6 corrective action plan --

7 MR. MAY: Okay.

8 MS. BROUGHTON: -- through the VCAP, through
9 the dust and odor control plan.

10 MR. MAY: Okay.

11 MS. BROUGHTON: They are throughout those
12 documents, all the things we're talking --

13 MR. MAY: Yeah, and I think that's part of
14 what's missing here in the conversations with the
15 community is that you're not being explicit enough
16 about what some of these things are. At least that
17 seems to be the indication and that, you know, I'm
18 seeing indications in the audience now that that's
19 been part of the problem.

20 MR. KEDLECEK: We have Tom Sawyer, who is
21 from Turner Construction, the general contractor. He
22 can explain how some of the execution actually
23 happens with respect to implementing the plans that
24 they've talked about.

25 So, Mr. Sawyer, if you could just briefly

1 discuss exactly how the plans will be adhered to and
2 executed?

3 MR. SAWYER: Sure. Thank you. To your
4 question as far as maintenance of the construction
5 entrances, we have a weekly inspection requirement
6 for all storm water, silt fence, the inlet protection
7 gutters, the racks and the grates that have to be
8 weekly inspected. If there's a quarter inch more of
9 rain, they have to be inspected within the next day.
10 Any inspection notices are corrected in 24 hours.
11 Our inspections are documented weekly with photos.
12 They're logged in a computer system.

13 MR. MAY: So, you have -- it's your
14 inspectors who are doing this?

15 MR. SAWYER: We have trained -- you know,
16 our, they are carded in Maryland and Virginia's land
17 disturbers, and we have an in-house environment
18 person to help make sure that we are following the
19 EPA requirements and meeting the requirements of the
20 storm water erosion sediment control permit with the
21 District.

22 MR. MAY: Okay. So, I mean, this is more
23 than just erosion control at this point. I mean, it
24 becomes dust control if you're not doing the erosion
25 control, right?

1 MR. SAWYER: Right.

2 MR. MAY: So I mean, you know, can you tell
3 me with certainty that the projects that you work on
4 that this system you're describing is effective and
5 that you do not wind up with significant amounts of
6 dust in the street that gets kicked up by the trucks
7 that leave?

8 MR. SAWYER: Our program is vigorously
9 enforced. We're graded monthly on the quality of our
10 inspections, how the inspections are performed. You
11 know, we watch the trucks at the gate. We have
12 people on the gate. If there is track out, we have a
13 water truck that's on site and we have sweepers that
14 would go out and --

15 MR. MAY: So, you have street sweepers too as
16 well?

17 MR. SAWYER: We have street sweepers in the
18 neighborhood that could -- would call and be there
19 within a couple hours to address anything that is an
20 issue.

21 MR. MAY: Okay. I mean, you know, I don't
22 think I'm alone in the experience that I have around
23 construction sites, and I drive through -- I drive.
24 I ride through Southwest all the time and go by the
25 other very large project in Southwest, and it is a

1 constant thing that there is stuff from the
2 construction site that gets out, particularly during
3 the excavation phase. It's less so during the actual
4 construction phase.

5 MR. SAWYER: And to that, what we've tried to
6 set up our sediment erosion control program that we
7 have a dual phase system that there are wash racks
8 in-board to the site.

9 MR. MAY: Right.

10 MR. SAWYER: We go over first. Then we drive
11 the trucks down the first street that's asphalt
12 paved, then there's another wash rack before we go
13 out on the public domain, and that's part of our
14 sediment erosion control permit. So, there's two
15 racks that a truck has to travel over before it gets
16 to public space to make sure that we catch it. And
17 if it's tracking on our road in-board, we'll sweep
18 the road in-board to make sure that that road, the
19 dust is not on that road to minimize the dust.

20 So, we're trying to use the old asphalt roads
21 to minimize dust and make sure that we don't track it
22 to the street.

23 MR. MAY: Okay. Well, I hope it all works.

24 MR. SCHOENWOLF: Yeah, could I add something
25 here? Haley and Aldridge has been charged with

1 enforcing the voluntary cleanup program. We're
2 working very closely with DOEE. Everything that we
3 do has been reported to them. We are required to
4 submit a monthly report to them. We are required to
5 submit the air monitoring reports to them. So, if
6 there's a violation of the VCAP DOEE will have that
7 in their records.

8 MR. MAY: So is that -- are those all public
9 documents upon submittal?

10 MR. SCHOENWOLF: I would assume so, yes.

11 MS. BROUGHTON: Yes. Yes.

12 MR. MAY: Right. And do they get posted
13 somewhere? Can they be?

14 MR. WILSON: Yes, they're posted on our
15 website. So --

16 MR. MAY: Like within a day or so when they
17 get it, or --

18 MR. WILSON: Yes, within a few days.

19 MR. MAY: Okay. So, within a few days.

20 MR. WILSON: But HHR&A is not posted yet, but
21 it will be posted early next week.

22 MR. MAY: Okay.

23 MR. SCHOENWOLF: And furthermore, for people
24 who don't have internet access, we're actually
25 posting these in the rec center in the ward. We're

1 posting them on the bulletin board at the
2 construction site, and they're posted on a D.C.
3 United website as well.

4 So, all this information is being publicly --
5 the air monitoring is being publicly disseminated.

6 MR. MAY: Okay. That's all helpful.

7 MR. SCHOENWOLF: Thank you.

8 MR. KEDLECEK: If the Commission doesn't have
9 any more questions about environmental we're going to
10 transition to transportation issues.

11 Mr. Schiesel, you have testimony tonight
12 explaining, or attesting that there's no plans for
13 transit options to the stadium. Can you please
14 summarize the plans for transit options to the
15 stadium that you've proposed and studied?

16 MR. SCHIESEL: Yes, sure. Yeah, we've heard
17 several times tonight that there's no plan for the
18 stadium. We have submitted into the record, four
19 separate studies, and now a memo last week regarding
20 transportation planning. Each of which touches on
21 the transit options available to the stadium.

22 Going back three years ago, when we started
23 working on this project, we first started with the
24 transportation management plan, which you know,
25 reviewed the schedule, the context of the site, the

1 schedule of the team. We looked at team
2 demographics, where they would be coming from, how
3 they already get to RFK, predicting how they would
4 get to a new site and going through each mode of
5 transportation, including transit, and coming up with
6 strengths and weaknesses of each mode, coming up with
7 recommendations for each mode. That's Exhibit 19D.
8 That's this plan.

9 Right on the coat tails of that plan was the
10 transportation chapters that went into the
11 environment mitigation study of the stadium. That's
12 Exhibit 19E. This is really an analytical assessment
13 of the strategies and mitigations that were in the
14 management plan. And that, you'll actually see us
15 doing the number crunching for transit at least, on
16 the Metro rail stations, how we expect people to get
17 there, looking at the numbers and looking at the
18 capacities of the available systems.

19 And that assessment assumes all the riders
20 are taking Metro rail or walking to the stadium as a
21 conservative assumption as we were testing to ensure
22 that the Metro rail and walk mode could accommodate
23 the demands we needed to get a transit high use
24 stadium. It also includes assessments of sidewalk
25 capacity, crossing times, traffic signals. It even

1 sketches out how people would get across South
2 Capitol Street, includes cones, barriers, ideas,
3 police officer, location ideas and signing, pre and
4 post-game to get people back and forth across the
5 street. Those are the type of things on the EMS.

6 Those are both completed over two years ago,
7 and even before the stadium architect was hired. A
8 more recent study is the Comprehensive Transportation
9 Review, written after the stadium was done, and that
10 now looks at the stadium design, compares it to the
11 strategies and analytics, and sees how those compare.
12 That gets into more of the details on the loading
13 docks and includes the curbside use. That is Exhibit
14 19.

15 It also includes a detailed inventory of
16 potential curbside use that could be used. That's
17 shown in Exhibit 19A that outlines potential room for
18 hard vehicles, all the other curbside uses that could
19 happen surrounding the stadium.

20 And then finally there is, not stadium
21 related, but attached is the Buzzard Point Framework
22 Plan Transportation Study, which is a study that
23 looks at the capacities of each mode of travel if the
24 potential redevelopment occurs, all of it occurs on
25 the parcels in Buzzard Point per the framework plan.

1 So, that was actually used to help analyze general
2 typical day to day traffic, instead of just stadium
3 operational traffic concerns, so that the two could
4 be looked at in concert together.

5 All of these touch on transit. I would note
6 that regarding streetcar and other lines, you know,
7 all these stadium planning documents always assumed
8 that the primary way transit riders would reach the
9 stadium would be walking from Metro rail, just
10 because of the capacity issues I discussed last
11 hearing and just now.

12 MR. SHAPIRO: Let me ask you a question.
13 Thank you, Mr. Chair.

14 So, how far away is the northeast corner of
15 the stadium from the two Metro stations, Navy Yard
16 and Waterfront?

17 MR. SCHIESEL: I don't remember every
18 measurement off the top of my head. The walking
19 route from the Navy Yard portal under 55 M Street, to
20 the plaza, you know, that area is -- I measured it,
21 the walking route on sidewalks is .55 miles.

22 I know that the walking route to the gate on
23 the northwest corner of the stadium to Waterfront
24 station is a little bit longer. But they're both in
25 relatively the same ballpark. Depending on where

1 your ticket is, your walk to your seat will be .6 to
2 .7 miles.

3 MR. SHAPIRO: Thank you.

4 MR. SCHIESEL: If you choose to hit a
5 restaurant before the game, you know, and you deviate
6 from that you could be walking even more.

7 So, we did review other transit options.
8 They were all discussed as to how they could be used,
9 but when it came to analyzing the success of the plan
10 they were not analyzed. They were only used, the
11 thought of a secondary or tertiary options, and that
12 the success of the stadium is really built on Metro
13 rail. I mean, you heard testimony earlier that you
14 know, streetcar capacity of 960 per hour, you know,
15 in one direction that's 480 riders. When we're
16 trying to get eight to 10,000 transit riders at a
17 sellout here, you realize that we cannot rely on
18 streetcar. It is a secondary mode.

19 And so, that's why our reports have always,
20 from the beginning, stated that Metro rail and walk
21 is going to be the primary route. Not everybody is
22 able bodied and we have, you know, discussion here
23 about there are going to be some people who will need
24 assistance that last half mile. But that's an
25 operational detail. But the primary mode that we

1 will need most people to take is just a walk in from
2 the Metro rail station.

3 I would also point out that, you know, we
4 have always talked about the fifth, you know, the
5 last piece, which is the operations plan study, what
6 you call it the TOP, the TOPP, and here I would link
7 back to what Commissioner Hood said about
8 transportation plans evolving.

9 Stadiums are different than other projects.
10 You know, I talk to you about, you know, as far as
11 development. You develop neighborhoods and
12 buildings, you think more of infrastructure plans,
13 traffic signals you need, roads you need to widen,
14 things you need. Event planning, like stadiums, is
15 really operational based.

16 And part of that is recognizing that you need
17 an operational plan. And in my opinion, any stadium
18 can work without an operational plan. But what
19 happens is, you know, they're talking about FedEx, it
20 starts off, things don't work well, people try stuff,
21 people are adjusting, and then eventually things
22 change, people get used to it, stuff appears, and
23 things get added to the plan and you get to a stable
24 point and patterns get recognized.

25 The point of operational planning is to

1 identify the strategies beforehand so that yeah,
2 things are going to change. The operations plan we
3 come up with a month before opening day, you know,
4 three months before it, it's going to be changed by
5 game three. It's going to be changed by game two.

6 The point is to keep that stabilization, make
7 it smoother, and make it easier on the patrons and
8 the community. I mean, people can say, it's kicking
9 the can. I don't see it that way. I see it as I am
10 admitting, and we're admitting, we can't predict the
11 future. I could write an operations plan today if I
12 -- you know, assuming I could get, you know, MPD, SOD
13 on the phone to go through, they'll pick their brain.
14 You know, I could.

15 But it would be irresponsible for me to say
16 that it would be a full plan, because these things do
17 evolve and they are needed. That's why our
18 recommendation is, build on the strategies and
19 (garbled speech) we've done, fill in the missing gap
20 of the operations plan as it gets closer and we know
21 the realities on the ground, and continue to evolve
22 it past opening day and each year. It might not,
23 hopefully, after a couple games, after a season,
24 you're talking minor tweaks in each off-season.
25 That's our goal.

1 MR. KEDLECEK: Mr. Schiesel, you heard
2 testimony tonight from Mr. Litsky and others
3 regarding 4th Street and that it's the only point of
4 access and that a lot of people will be using 4th
5 Street to access the stadium. Can you comment on
6 that and opine whether you agree with that statement?

7 MR. SCHIESEL: I am in general agreement that
8 Buzzard Point has limited numbers of ways in and out.
9 And some of those ways go directly through neighbors.
10 I wouldn't classify it as one way in/one way out.
11 Near the stadium the closest street, collector street
12 that leads to an RTO is Potomac Avenue. It leads --
13 takes you one and a half blocks and you're at South
14 Capitol Street.

15 Our planning documents, and even the Buzzard
16 Point that looks at the Buzzard Point framework plan
17 transportation study that looks at all the
18 redevelopment, you know, south of P Street that could
19 happen, it states that traffic going in and out of
20 that area is going to have to rely on the South
21 Capitol Street oval and the front door that it
22 creates to that developing neighborhood, to the point
23 where 80 percent of traffic is assigned through it.
24 It does not use 4th Street, Half Street, 2nd Street
25 or 1st Street. If you look at our transportation

1 management plan which looked at, you know,
2 demographics of spectators, where they're coming and
3 going from before and games, and the parking
4 locations, and the vehicle routing recommendations,
5 none of them, none of the primary vehicle routes use
6 4th Street, 1st Street, 2nd, or Half Street north of
7 the site.

8 Part of it's just because where those origins
9 and the stations link up. Part of it is also
10 acknowledging that those residential neighborhoods
11 exist. There are sections in the report talking
12 about how a successful management plan of this -- for
13 the transportation for the stadium needs to not route
14 people through those residential streets to and from
15 the north of the stadium.

16 MR. KEDLECEK: Mr. Schiesel, you heard Mr.
17 Litsky testify that there's an absence of curbside
18 management, particularly with regard to Uber and Lyft
19 and so forth. Can you please explain how curbside
20 management will occur?

21 MR. SCHIESEL: Yeah. And I won't go through
22 each of the details, but this was thought out like I
23 just said before in the CTR, and it's presented in
24 Exhibit 19A.

25 What I'm trying to do here, like I said,

1 we're not predicting the future. What we're trying
2 to do is make sure we have the pieces in place so
3 that we will be able to have a good operations plan.
4 There is more curbside shown, reserved for potential
5 game uses in that exhibit than what we needed. It's
6 just a matter of we know that you know, we have that
7 curbside delineated. We have general idea of where
8 everything is going to go. Everything that's going
9 into the stadium is accommodated and it's shown on
10 it. And we have routing diagrams with and without
11 the oval.

12 And within that I know there is sufficient
13 space to accommodate all the stadium needs.

14 MR. KEDLECEK: Thank you. You also heard Mr.
15 Litsky testify that the stadium will have
16 insufficient bike valet and bike share support
17 facilities. Can you please explain whether you
18 believe that to be the case and how those facilities
19 would be sufficient?

20 MR. SCHIESEL: Yeah. Simply put, I -- when
21 this stadium opens it will be at the upper echelon of
22 bicycle friendly stadiums in MLS. It will have a
23 bike valet. It will have protected on-street bicycle
24 facilities leading to the stadium from multiple
25 directions. That will instantly catapult it. That

1 said, you know, we have a plan and we develop a plan
2 to respond to the different type of cyclists, and we
3 outlined this a little bit in our memo we submitted
4 last week, how the parking plan can be flexible and
5 can evolve based on how -- like I was just saying, we
6 can't predict the future but we can plan for
7 different multiple outcomes. So, we're showing close
8 to 800 parking spaces surrounding the stadium, some
9 temporary, some potential, showing what could happen.

10 There's multiple types of cyclists and how
11 they park. The majority of people are going to just
12 park at a rack. They won't be using Bikeshare or
13 valet. Just based on how other events happen, a lot
14 of cyclists show up and park where they arrive.
15 Which is why you'll see a lot of racks on the
16 northern side of the stadium. A lot of people who
17 get there early will probably park near the plaza or
18 near 1st Street, you know, as the activity pregame
19 starts building up. A lot of people will park on the
20 2nd Street, the northwest side of the stadium near
21 the other gate. There's a bunch of racks over there
22 that we're contemplating.

23 The second most common will be the bike valet
24 and the least common will be the Bikeshare. The bike
25 valet is a different type of user. It's somebody

1 with an unorthodox bicycle. Maybe, they had one of
2 the carries that had, you know, a toddler behind them
3 or something that they might not want to chain to a
4 rack. They are the primary target for the valet.
5 Maybe they have a very expensive bicycle and they'd
6 like it to be locked up and not on a rack. They are
7 the primary target of the valet.

8 A lot of the locations for these facilities
9 is based on what I said, a lot of cyclists like to go
10 on the route they arrive. And the second thing we're
11 trying to avoid is having too many bicycles try to go
12 down the first street and the plaza where there's
13 going to be the restaurants and the pregame activity.

14 So, that's what you'll see a lot. And the
15 bike valet is located on the 2nd Street cycle track
16 for that reason. We think -- we want the cyclists to
17 be on those protected facilities and have quick and
18 easy access to the major parking hubs. And then
19 realizing that there are still going to be scattered
20 racks all the way around the site, just because
21 people are going to be arriving from all directions
22 and in all numbers.

23 So, I mean, I'm of the opinion that the
24 bicycle plan as presented is very strong and adequate
25 to serve the demand.

1 MR. KEDLECEK: Thank you. I just have two
2 more questions. Speaking of bicycles, did you
3 correspond or meet with a representative from the
4 Washington Area Bicycle Association?

5 MR. SCHIESEL: Yes, since the last hearing we
6 did meet. D.C. United and a representative from WABA
7 met, and we discussed the bicycle parking situation,
8 the routes, the facilities, what needs to happen to
9 make this a bicycle friendly stadium, and also
10 concerns about things like the traffic oval, other
11 developments, things not necessarily in D.C. United's
12 purview, but how both WABA and D.C. United could be
13 an advocate to make sure that those links are done in
14 a way that really makes this the best bicycle
15 friendly stadium in MLS.

16 And, you know, we left that meeting with an
17 agreement, you know, that we're just going to keep on
18 working. The stadium and WABA have had -- or the
19 team and WABA have already worked before on bicycle
20 programs and they just continue to work and refine
21 and help transform that area.

22 MR. KEDLECEK: Thank you. And one last
23 question. You heard testimony tonight concerning the
24 construction of the South Capitol Street oval. Can
25 you explain a little bit, the plans that you have

1 devised, or how you intend to accommodate movement to
2 and from the stadium before the oval is constructed
3 and then during construction of the oval because that
4 seemed to be some concern about testimony that you
5 heard earlier tonight.

6 MR. SCHIESEL: Well, all the reports that we
7 have gone through about the stadium have contemplated
8 life with and without the oval. You'll see paired
9 circulation diagrams showing, here's how pedestrians
10 and cars will get there before the oval and after the
11 oval.

12 The primary analysis and our report is
13 without the oval because it was looking at opening
14 day conditions. Our prior report did look at long-
15 term conditions with the oval. So, there has been
16 vehicular analysis and just circulatory planning on
17 both conditions.

18 During construction, any future construction
19 project, or any project in general, has to gain, you
20 know, permits that involve traffic control plans
21 showing how transportation needs of the surrounding
22 area are accommodated. This has been the case, you
23 know, in this area, anybody looking to build near
24 Nationals Park has to demonstrate that they have
25 sidewalk width and other necessary facilities

1 available to accommodate game day conditions, or
2 multiple traffic control plans showing that they have
3 the flexibility to accommodate that.

4 You know, as such, these will be reviewed by
5 the District to secure that they provide this type of
6 accommodation.

7 MR. KEDLECEK: Thank you. That concludes our
8 rebuttal.

9 CHAIRMAN HOOD: Okay. Any questions or
10 comments up here on rebuttal? Commissioner May?

11 MR. MAY: All right. So, I'm sure, Chairman,
12 you'd probably ask this too, but I was curious about
13 the water taxi issue and I think that they actually -
14 - there's a water taxi that serves Nationals Stadium,
15 right?

16 MR. SCHIESEL: Yeah, I believe so.

17 MR. MAY: So, I mean, was there any thought
18 of doing that here?

19 MR. SCHIESEL: I think -- I don't think
20 there's been any detailed thought. I remember
21 discussions about it. And I think we could
22 accommodate it as we go. I would note that right now
23 ferries and water systems are kind of -- fill a niche
24 right now, just because of one main factor and that's
25 speed. They're somewhat tourist based.

1 MR. MAY: But there is an active water taxi.

2 MR. SCHIESEL: There is.

3 MR. MAY: I mean, there's not -- we don't
4 have a ferry system like you have in New York City
5 or --

6 MR. SCHIESEL: Yes.

7 MR. MAY: -- Seattle, or things like that.
8 But and I don't know what the capacities are, but it
9 actually would be a good thing to understand, and
10 whether that's feasible.

11 I know there's an issue with where you can
12 dock, and I think that, you know --

13 MR. SCHIESEL: I mean, I think at minimum the
14 current dock serving Nats Park, I think is at the
15 terminus of 1st Street Southwest.

16 MR. MAY: Yeah, so that may be close enough.

17 MR. SCHIESEL: That would only be three or
18 four blocks.

19 MR. MAY: Because I know if you try to go to
20 the Park Service it's going to be long and
21 complicated.

22 MR. SCHIESEL: Yeah, and I don't know --
23 because there will be a (simultaneous speech).

24 MR. MAY: I don't know that we ever say yes.
25 You know, it's just --

1 MR. SCHIESEL: There will be one for need in
2 the middle.

3 MR. MAY: Right.

4 MR. SCHIESEL: I definitely think it's
5 something that at minimum, you know, the team should
6 be looking at coordinating with the certain ferry
7 services to see if they'd be interested in providing
8 that service.

9 MR. MAY: Well, I think it would be helpful
10 to actually find out more about it. I know that the
11 water taxi system is expanding with the development
12 of the Wharf. They've introduced -- you know,
13 they're buying new boats for that service, and
14 they're planning to do more to move more, and they're
15 actually, you know, getting faster boats with smaller
16 wakes and all those sorts of things. So, it's, I
17 mean, it's a growing thing. I wouldn't dismiss it.
18 So.

19 MR. SCHIESEL: No, I agree.

20 CHAIRMAN HOOD: Let me just say this. Let's
21 take this a step further. Let's look in to it and
22 see if we can make that doable. That's where I am.

23 MR. SCHIESEL: Okay.

24 CHAIRMAN HOOD: I mean, I appreciate
25 Commissioner May looking into it, but let's see

1 because I thought that was a very good idea that Mary
2 had, you know whether -- let's see if we can make
3 that happen. That will ease, I think, and you know,
4 some of the pressures and some of the tension off of
5 the community. Some. Not all, because apparently,
6 what I'm hearing everybody is going to be riding a
7 bicycle to the soccer field. I don't believe that,
8 but let's see what we can do to try to mitigate some
9 of those impacts, those adverse impacts on the
10 neighborhood.

11 MR. MAY: Okay. So, you know, I think part
12 of the thing that we're struggling with here is just
13 that there seems to be something wrong with what is
14 being communicated about the plans. I mean, we get
15 more and better information as we talk more.
16 Certainly Mr. Schiesel's rebuttal had helpful
17 information in it.

18 But there are other -- you know, there is
19 previous testimony and probably previous meetings
20 where things come out confused. I mean, just take
21 for example, the issue of how the players are going
22 to get to the stadium. And when I asked the question
23 it was, you know, fumbled back and forth between the
24 different people, you know, at the table. And then
25 somebody finally said that it was going to be valet

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1 parking, which seemed like a perfectly reasonable
2 answer. But now we get an additional submittal from
3 you saying that it's, no, it's actually going to be -
4 - they're going to come on a bus from the practice
5 facility. You know, also a reasonable answer, but
6 why wasn't that known? Why wasn't that already
7 communicated.

8 And, you know, from what I understand, that
9 was a question that was previously asked, not in the
10 commission setting but in the, you know, in community
11 meetings or something like that. It's like, you
12 know, I mean, it seems like it's basic stuff and I
13 think, you know, that's part of what you're fighting
14 here, is that community issue. I think that may also
15 have something to do with the issues with the ANC.

16 But I mean, this is an ANC that is
17 extraordinary in its ability to work with developers
18 on a wide range of projects. And they've seen, as
19 Commissioner Litsky testified, extraordinary levels
20 of development in this area. And yet they're open to
21 it. They work well with a range of developers and
22 are very practical about developing solutions that
23 are not just strident, you know, not in our
24 neighborhood type people. And it just, it's -- to
25 have this -- I mean, a 12-page thesis on how

1 problematic this proposal is from Chairman Litsky is
2 just, you know, I don't think I've ever seen anything
3 like that from him.

4 So, I mean, this is a really, it's a
5 troubling thing and I think there's still more work
6 that needs to be done.

7 I'm going to go back to the particulars of
8 what you have submitted. The comparable stadium
9 information, I appreciate getting it. I don't think
10 it's particularly helpful. Providence Park is served
11 by light rail and bus rapid transit from the parking
12 locations, so there are ways for people to get down
13 there. I mean, granted, it isn't going to be
14 everybody and the parking may be a little bit further
15 away, but there are ways for people to get there that
16 are proximate.

17 And Red Bull stadium, you know, there's still
18 a very large parking lot that's right next to it.
19 It's not all you know, .55 miles away.

20 So, you know, maybe there's more that can be
21 learned from other stadiums. I don't know.
22 Certainly, there are plenty of European stadiums that
23 have absolutely no parking and they're in urban
24 settings and of course, you know, there are also lots
25 of crazy things that they do in European stadiums

1 that wouldn't happen here, you know, people just
2 parking on the sidewalk and you know, stuff like
3 that. It can be really crazy there.

4 But I think that there might be something
5 more to be learned from other examples. Let me ask
6 one other thing about transportation, which is that,
7 I mean, did you think about actually using buses from
8 -- that would bring people over from a place like RFK
9 because I know they did that when they opened the
10 Nats stadium.

11 I don't know how long that continued but I
12 know it was when they started.

13 MR. SCHIESEL: I mean, it's an idea that
14 crossed our minds, but it's not something that we
15 thought about, given that the walk from the -- you
16 mean, given how many parking spaces were nearby, that
17 it was efficient to accommodate the demand, and that
18 they were distributed in a way that you know, there
19 was some within various walking distance, you know,
20 that we thought it would be sufficient.

21 The original Nats, you know, recommendations
22 did not include that parking. That is --

23 MR. MAY: And how long did it last?

24 MR. SCHIESEL: Well, it was instituted in the
25 first season. But it wasn't a recommendation we

1 made.

2 MR. MAY: Right. I understand, but I mean,
3 did it continue past the first season?

4 MR. SCHIESEL: I believe so. I don't know.

5 MR. MAY: Okay. So, it may actually be
6 helpful to know what occurred previously. I mean, do
7 you know?

8 MR. SCOTT: Yes, sir. It lasted three years.
9 The first year it was -- I would call it mildly
10 successful and then it started to be used mainly by
11 employees after that.

12 MR. MAY: I see. Oh, yeah.

13 MR. SCOTT: Sorry, Troy Scott, Vice President
14 for Stadium Development Operations.

15 MR. MAY: Okay. I mean, that's helpful to
16 know. I mean, I don't know. I mean, I feel like
17 there probably has to be something more that's done
18 to move people down to the point, because I think we
19 heard a lot of testimony about how difficult it is to
20 get in and out of that area, and I don't know that
21 everybody is going to be willing to walk that
22 distance, particularly, you know, in the way that you
23 know, the walk actually is through some of that
24 stretch.

25 Also, did you actually submit anything to

1 address the issues that had been raised about noise?

2 MR. FEOLA: No.

3 MR. MAY: So, will you do that?

4 MR. FEOLA: No.

5 MR. MAY: No?

6 MR. FEOLA: The problem is, excuse me, we --

7 MR. MAY: You're not going to answer the
8 questions that I asked about noise?

9 MR. FEOLA: No, I'm going to answer the
10 question but we cannot solve, for the current decibel
11 levels that are placed in the D.C. Code. It's the
12 maximum decibel level is 65dbas at the property line.
13 The current, and I'll turn in the environmental
14 assessment report that was done at the best part of
15 the IES initially, already or at or exceed that
16 because of traffic and noise in the general area.

17 The Nationals Ballpark exceeds it on every
18 game day. They're at 80, 85 decibels on average.

19 MR. MAY: Because of the cumulative noise in
20 the crowd? Is that what you're talking about?

21 MR. FEOLA: Crowd and amplified announcers.
22 So, we couldn't -- we tried. We tried to figure out
23 how to do it, how to, in an open-air stadium, to keep
24 the sound at a level at 65 decibel levels, which is
25 about the level of a loud restaurant if you think

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1 about it. It's not terribly high.

2 MR. MAY: Okay. So --

3 MR. FEOLA: And it wasn't designed for open
4 air. Excuse me. Designed for open air stadium.

5 So, what we are going to propose is that we
6 are going to work with the deputy mayor and the
7 council to come up with a licensing plan that allows
8 us to exceed that 65-decibel level on game day or
9 other events.

10 MR. MAY: So, do the Nationals have that?

11 MR. FEOLA: No.

12 MR. MAY: Okay. So, all the things that you
13 just said would be useful to actually have that
14 submitted in writing. And also, I mean, another
15 thing, because I can't remember decibel levels and
16 what they mean, but you know, you get that handy-
17 dandy chart and say, you know, 40 decibels is
18 conversation in a room and 50 decibels is, you know,
19 the average street noise, and all those sorts of
20 things. You know, that sort of information that
21 helps us understand exactly what it is.

22 And even the comparable information that you
23 have about Nationals stadium is helpful to know. You
24 know, and if there's any information about you know,
25 what it's like when they do concerts there, because

1 they do concerts there, right? I mean, I know
2 anecdotally what it was like living a block and a
3 half from RFK, and you know, it was quite loud. So.

4 MR. FEOLA: We can put it in a comprehensive
5 package, yes.

6 MR. MAY: That would be helpful.

7 MR. FEOLA: But I wanted to explain, as
8 opposed to just submitting it that you know, we
9 looked at 100 ways of trying to contain the sound.

10 MR. MAY: And that's useful information too.
11 I mean, I may be asking the impossible. But the
12 point, I mean, I got a little -- I was just a little
13 shocked that you were saying, no, you weren't going
14 to say anything. I was like, well, got to say
15 something.

16 MR. FEOLA: I didn't mean it to say it that
17 way, but --

18 MR. MAY: Okay. All right. Well, thank you
19 very much.

20 CHAIRMAN HOOD: Any other questions from us
21 up here on rebuttal?

22 MR. MILLER: Yeah.

23 CHAIRMAN HOOD: Okay. Vice Chair.

24 MR. MILLER: So, when is opening day supposed
25 to be? Let me start out there. When is opening day

1 supposed to be on the current schedule? I know you
2 don't know whether you even have approval us, but
3 assuming things go reasonably well.

4 MR. SCOTT: June of 2018.

5 MR. MILLER: So, the transportation
6 operations and parking plan is supposed to be
7 developed, according to DDOT's report, by six to 12
8 months, and I thought they said they preferred 12
9 months before opening day. So, that would be June,
10 next June. Are you prepared to do that; have that
11 plan? I mean, I'll say it's an evolving plan, even
12 if you open. But is that what you're on schedule to
13 do?

14 MR. SCHIESEL: It's up for discussion with
15 DDOT. We've kind of sketched out a schedule that
16 starts at the 12-month process, and talking to
17 stakeholders before launching straight into a plan.
18 The plan would be done probably, you know, the six to
19 nine month out range, which would then be refined up
20 until probably 90 days is when you want to kind of
21 have everything set to go with final refinements.

22 Federal guidance on this issue says, you
23 know, that a plan, the draft plan 60 days out and the
24 final is 30. So, you know, we're not recommending
25 following that guidance. We're recommending, you

1 know, a few more months than that. If it needs to be
2 extended, it can. It's just there's a threshold
3 between starting too early, and taking it too close.
4 And so, we've kind of outlined on our December 8th
5 memo, what we think straddles that line correctly.
6 But we can talk with DDOT, you know, and come to
7 agreement if we need to.

8 MR. ZIMBABWE: Can I just add to that a
9 little bit?

10 MR. MILLER: Sure.

11 MR. ZIMBABWE: So, I think one of the key
12 drivers of that development of the initial operations
13 plan for the stadium will be the status of the South
14 Capitol Street bridge, Frederick Douglas (garbled
15 speech) bridge project. So, we've received bids on
16 that project now. It's under active procurement now.
17 It's a design build project, so once there's a team
18 on board we'll have a lot more information about the
19 staging and scheduling of construction. That's going
20 to be a key driver of all operations within that
21 first few years of stadium operations.

22 And so, both coordination on construction
23 activity and coordination on operations activity
24 really can't start until that project is awarded and
25 there's a bit more definition about the construction

1 timeline here.

2 MR. MILLER: So, just to reiterate something,
3 the dialog that I had at our November 28th hearing,
4 the DDOT report on page 26 of its 30-page report,
5 said, "The TOPP must address the current lack of
6 direct transconnection between nearby Metro stations
7 to the stadium site." And then it goes on to say
8 that, "In the absence of a public transit option the
9 applicant should commit to providing a private
10 shuttle connection from the Metro station, until such
11 time that public transit service is provided."

12 And you kind of walked that back verbally to
13 say that that could just be for disabled, those with
14 disabilities. And that's what the applicant had said
15 in terms of any private shuttle, that it's not
16 feasible to have a private shuttle.

17 I continue to have a concern about the
18 distance from the Metro station, the Navy Yard Metro
19 station where you prefer people to come from, and
20 it's where the park -- or where most of the parking
21 garages are clustered. You're saying 0.55 miles.
22 The DDOT report says 0.7 miles, ANC said it's 0.8
23 miles, which actually conforms with one I just found
24 on Google Maps. It said .08, 16-minute walk.

25 So, I don't know if your 0.55 is a bird

1 walking in the sky. How can you explain that
2 discrepancy? I mean, that's kind of a big difference
3 between when you've taken the -- when you've gotten
4 on the Metro or you've driven to those garage,
5 whether you have a 16-minute walk or an 11-minute
6 walk, I think, or 10-minute walk is what I think you
7 mostly said in your written and your verbal
8 testimony, I think it's closer to the 16. But can
9 you say something that assures me I'm not going to
10 have to be a bird that flies directly there to get
11 there in --

12 MR. SCHIESEL: It may be best just to provide
13 a map showing exactly which route I selected and what
14 I measured. Yeah. And then to just demonstrate
15 difference that I quoted from both stations.

16 MR. MILLER: Yeah. Well, I think it still
17 should -- that still should be, in addition to the
18 ferry service, which I think may -- would have a lot
19 of promise, another mode of transportation from a
20 different direction on this very constrained area, I
21 take the DDOT report at its word that this issue
22 needs to be looked at in the TOPP process. So, I
23 think that's all my questions or comments at this
24 time, Mr. Chairman.

25 CHAIRMAN HOOD: Okay. Any other comments or

1 questions up here?

2 Okay. Mr. Litsky, you have any cross on any
3 rebuttal? You can come forward.

4 MR. LITSKY: Thank you for the opportunity.
5 To Ms. Broughton, one of the things that you had
6 mentioned was that -- you talked about how the trucks
7 are going to be moving in and out and carrying debris
8 and dirt out of the construction area, and that they
9 were going to be covered and you're going to water
10 them down.

11 What I haven't heard from anybody is the
12 route that's going to be used getting those trucks in
13 particular in and out of the area. What do you know
14 about that and what do you recommend?

15 MR. FEOLA: Excuse me. It's probably more
16 better directed to Turner Construction.

17 MR. LITSKY: Okay.

18 MR. SAWYER: So, we've submitted a traffic
19 control plan to the District for the routing of those
20 trucks. They would be coming out the entrance to the
21 site, going east on -- going east on Potomac, and
22 getting on Capitol Street. The shortest route from
23 the site to the, you know, to the interstates.

24 MR. LITSKY: So, there would be no trucks,
25 then, moving through the neighborhood?

1 MR. SAWYER: No.

2 MR. LITSKY: Okay. That's contrary to what I
3 had hear again from the new information that we --
4 not that they would be going through our
5 neighborhood, but the manner in which a construction
6 management plan would be developed, and the
7 information that we received from the applicant that
8 talked about a construction management plan, it said
9 that the truck and transportation plan was going to
10 be developed in conjunction with the applicant and
11 DDOT.

12 And so, I don't understand why we're getting
13 a disconnect here. I just want to know that if what
14 you're saying is so, is so, then why is the new
15 information that we got on December 8th stating that
16 the applicant and DDOT are going to work out a
17 transportation plan to move the trucks back and
18 forth. I'm pretty sure I got that right. I'll pull
19 it out here.

20 MR. FEOLA: If I might? There are two
21 different plans. The traffic control plan is a
22 requirement of the regulations, so Mr. Sawyer's
23 trucks can, as they do the archeological dig and
24 remove the debris, if you will, it's a requirement of
25 DDOT. The construction management plan is much

1 broader and involves hours of operation, consultation
2 with the community, just the whole series of things
3 as opposed to just how the trucks are going to be
4 driven.

5 MR. LITSKY: I understand that, and I'm
6 looking right at it. It's the construction
7 management traffic, traffic deliveries, "All
8 construction vehicles will comply with the approved
9 construction routes as designated by the applicant
10 and DDOT."

11 And so, again, I suppose that goes to
12 construction management and not necessarily hauling
13 out environmentally toxic waste.

14 MR. SAWYER: I'm not sure the -- I mean, if
15 the plans, DDOT has approved the plan, it is drafted
16 and coordinated with them for the hauling of trucks,
17 and we're not going on residential streets, we're
18 going out Potomac, I'm not sure of the difference, or
19 the question.

20 MR. LITSKY: What I'm trying to determine is
21 that at no point in time is it anybody's, not
22 intention, or just by happenstance, that because of
23 the construction of the South Capitol Street bridge,
24 or anything else, that we're going to wind up having
25 construction vehicles from the stadium, and maybe

1 that goes to Rob, maybe that goes to you. You know,
2 I don't know who it goes to.

3 MR. SAWYER: I mean, our construction
4 management -- our truck plan has to be revised every
5 so many months per DDOT, and so we would have to
6 coordinate and resubmit based on the various
7 conditions that arise and work with that contractor
8 as they have plans and work with DDOT. We don't know
9 when it's starting or what it's going to be, but as
10 their work proceeds we will have to coordinate with
11 them, our trucking.

12 MR. LITSKY: Right. And again, and again --

13 MR. SAWYER: But DDOT would be the central --

14 MR. LITSKY: I understand. And again, you
15 know, maybe this goes to DDOT, but DDOT, you know, is
16 not sitting at this table. So, I just want to make
17 sure, as the commissioners had understood our angst
18 from the standpoint of the community, that we would
19 not have truck traffic going through the community.
20 And that's a big concern.

21 So, what I need to do is to get some
22 assurance from the folks sitting at this table, that
23 that's not going to happen.

24 MR. SAWYER: Yeah, we want to get our trucks
25 as expeditiously on to the highway as possible and

1 not drive through the neighborhood.

2 MR. LITSKY: So, you're not going to be
3 driving --

4 MR. SAWYER: Going down Potomac Avenue and
5 getting on --

6 MR. LITSKY: Will there be any point in time
7 when Potomac Avenue will not be able to be used?

8 MR. SAWYER: Not based on work that we're
9 doing as far as the future bridge construction. I'm
10 not familiar with the plans.

11 MR. LITSKY: And again, that is why I had
12 spoken in my testimony that there's a plan for pre-
13 oval, and there's a plan for oval. And there's no
14 plan for during, and I want to know what that plan is
15 because that concerns us. It concerns us. It's a
16 big deal.

17 So, I don't know if you can answer it now,
18 and maybe that's something that Sam can, you know,
19 discuss. He said that there is going to be a plan
20 for it, but we're waiting.

21 MR. ZIMBABWE: Right. That would be part of
22 the discussions around the staging of both of these
23 major projects and adjacent to each other, to avoid
24 exactly what you're talking about, of impacting the
25 neighborhood with trucks.

1 MR. LITSKY: I understand that. Just want to
2 make sure that it doesn't impact.

3 You spoke about -- Rob had spoken about the
4 number of -- that there will be an extraordinary
5 number of racks that will be available for bicycles.
6 So, how many racks, how many spaces will there be
7 available to put bikes in? I don't remember. You
8 may have put that down, I'd just like to hear it
9 again.

10 MR. SCHIESEL: Yeah. Fine. I'll refer to
11 the memo we submitted last week.

12 MR. LITSKY: Yeah.

13 MR. SCHIESEL: It shows a bike parking plan.
14 It's on figure five. It shows an opening day plan of
15 447 spaces. It's a little bit tangible. I mean, a
16 bottomless bike corral has a, you know, bottomless
17 number. And you know, and the bike valet can fit
18 more bicycles than racks.

19 MR. LITSKY: Right.

20 MR. SCHIESEL: But it's somewhere in that
21 plan. And then like I said, it would be monitored,
22 and there's an identification of an additional 328
23 spaces for a total of 775. But even if -- I mean,
24 theoretically you could even go more. I mean you
25 know, temporary racks can be placed and even --

1 there's even more space you could fit more.

2 So, you know, I think if we're successful we
3 can continue to add more racks and increase that
4 number.

5 MR. LITSKY: That's helpful. I just wanted
6 to go back to the concern that had been raised about
7 the LOIs. That had been raised originally from the
8 Commissioners. And when I saw the document that
9 listed individual letters from individual -- the
10 parking owners and people who had control of the
11 parking lots, when I totaled them up I didn't get the
12 number that you had said were going to be available,
13 and had said were available. There may be a list or
14 parking spots that are -- that exist, but it doesn't
15 approach the what, 3,700 or 2,700 parking spaces that
16 we were told where LOIs were existing. But when I
17 totaled it up I got 1,350.

18 And so, where is the discrepancy here and
19 when will we find out what the actual number of
20 parking spaces are going to be on opening day? And I
21 don't know who that gets addressed to.

22 MR. FEOLA: The LOIs that we submitted have
23 2,924 parking spaces. You've got a copy of it so you
24 can -- that's what my calculator said, so you can
25 check my math.

1 MR. LITSKY: I did. I got parking spaces and
2 then those that the individual lots had said that
3 they would provide. And then Debra Ratner-Salzburg's
4 (phonetic) letter said that she would, you know,
5 consider up to 500. And there was a little bit of an
6 equivocation in what I read in her letter. So, if
7 that 500 is included in that, not so sure that that's
8 kosher.

9 But I'll have the commissioners, you know,
10 take a look at it, but you know, I'm pretty sure that
11 I got my addition right.

12 So, I don't have any other questions. Thank
13 you.

14 CHAIRMAN HOOD: All right. Any other follow
15 up, up here?

16 MR. MILLER: Yeah.

17 CHAIRMAN HOOD: Vice Chair.

18 MR. MILLER: Thank you, Mr. Chairman. Yeah.
19 Just a follow up to that. I saw that it looks like
20 the Nationals Garage B and C are part of what you
21 want to be available, and that's like one-third of
22 what you need to be available. That's almost 1,200
23 spaces. But I didn't see a letter of intent or
24 anything from the Nationals.

25 But you've had conversations with them that

1 they might make their garages available, or anything
2 like that? That's a third of what you need.

3 MR. SCOTT: No, absolutely. It's an
4 important part. I mean, we've had conversations with
5 Greg McCarthy, ongoing, as well as Jonathan Stall,
6 and we're actually having a meeting, hopefully prior
7 to Christmas. There were some conflicting vacations.

8 MR. MILLER: Okay. Thank you.

9 CHAIRMAN HOOD: Any other follow-up comments,
10 questions?

11 MR. FEOLA: And I will point out, there's no
12 economic reason why these garages wouldn't open their
13 -- when they're not otherwise in use, and collect
14 revenue from D.C. United parkers. So, the LOIs are
15 what they are, but we're pretty confident that if we
16 get this stadium approved and opened the parking
17 operators will be happy to fill up their empty spaces
18 with paid customers.

19 So, I don't think it's, quite frankly, a real
20 issue.

21 CHAIRMAN HOOD: Okay. Any other thing?
22 Anything else?

23 Do we need to recap some of the things that
24 we've asked for?

25 MS. SCHELLIN: I think the list is pretty

1 long. I mean, unless the Commissioners want it, I
2 imagine they have an extensive list.

3 MR. KEDLECEK: Yes, we've been keeping track.

4 MS. SCHELLIN: The only thing I think would
5 be just to make sure, I think that the Commission
6 asked OP and DDOT to respond to each of the items in
7 the ANC report. And so, I just want, just for the --
8 other than the applicant, maybe, so we had that and
9 let me see what else.

10 CHAIRMAN HOOD: Before we go through. Let me
11 ask this. Can we get collaboration between DDOT, Mr.
12 Litsky, his team, ANC, and environmental folks?
13 Let's see if we can get some coordination, Mr. Feola,
14 before -- think about it before you say anything.
15 Just think about it, because I see you going to the
16 mic and I haven't even finished my question.

17 What I'm hearing is, I would like to see some
18 more conversation. You probably been conversating
19 (sic) for three or four years. And the reason I'm
20 trying to move this way, because I don't want to
21 disregard any testimony that I heard. I want it to
22 be taken care of and give people a reason of ease
23 moving forward.

24 But I would like to try to move things,
25 because I understand we're trying to open in 2018,

1 and my goal is not to disregard anybody. So, I know
2 that there are some things that the environmental can
3 assure folks and deal with. I know that the
4 transportation piece, we can pinpoint whether we go
5 down this street and make a left on that street and
6 we can try to start gearing people that way, whether
7 we do the ferry. I'm not necessarily talking about a
8 taxi, because you probably only get two or three
9 people in that. Maybe eight.

10 But however, ways. Let's look at some
11 innovative ways that we can take the adverse impacts
12 off of that neighborhood, and you all can continue to
13 have those discussions.

14 Now, Mr. Feola, you can tell me why you can't
15 do it.

16 MR. FEOLA: It's not a question of can't do
17 it, Mr. Chairman. There's a bit of a disconnect, if
18 you will, between what this applicant is capable of
19 doing and what the ANC and the community wants to
20 have done.

21 I think as we've tried to demonstrate, we can
22 control and solve problems on our site. We can't
23 solve problems that are off of our site. Much of the
24 ANC's testimony, and Mr. Litsky's very comprehensive
25 testimony, deals with a bigger, bigger picture than

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1 this D.C. United stadium. It deals with traffic in
2 Buzzard Point. It deals with environmental issues in
3 Buzzard Point. Which is a lot of bigger than our
4 stadium site.

5 If we could narrow to our stadium site, that
6 dialog would be productive. But we can't solve for
7 the South Capitol Street bridge, or the oval, or the
8 6,000 units that might come online south of the
9 stadium five, or six, or 10 years from now. And
10 that's what, if you read the statements in the
11 resolution, that's what they want to see done first
12 before they would think about getting behind support
13 for the stadium.

14 And so, that's a disconnect that we can't
15 solve.

16 CHAIRMAN HOOD: But, Mr. Feola.

17 MR. FEOLA: We don't have the resources to do
18 a health study for all of Southwest.

19 CHAIRMAN HOOD: And my ask tonight, Mr.
20 Feola, until you said that, was -- because I was
21 going to recommend to us to do proposed action, and
22 that was what I was going to do. But now after that
23 comment, I don't know what may happen.

24 But understand this, this Commission, and you
25 weren't here when I used major on the minor. This

1 Commission does not -- we don't major on the minor
2 stuff and we don't minor on the major. We can
3 separate the whole area. We understand that. We
4 understand that they're looking for a whole DDOT plan
5 for all of Buzzards Point. We're not going to
6 penalize this applicant for that. We understand
7 that.

8 But we are going to push the relative
9 agencies to do exactly what Commissioner Litsky,
10 Chairman Litsky is asking for. But we're not going
11 to hold D.C. United or no other particular applicant
12 for a while universal scope of a DDOT plan.

13 What I'm trying to do is if we can nail it
14 down and work with this piece, then maybe -- here's
15 the thing. The holidays are coming up. We've got --
16 apparently, you got a schedule coming, and I wanted
17 to make sure that some of those outstanding issues,
18 whether it be environmental from the community, get
19 worked on if we were to take proposed action.

20 But after that, I don't know what may happen.

21 MR. FEOLA: We will be absolutely happy to do
22 that. I like working with Mr. Litsky. I've worked
23 with him before.

24 CHAIRMAN HOOD: You'll work with him because
25 I said proposed action.

1 MR. FEOLA: No, no, no, because --

2 CHAIRMAN HOOD: But I asked you, I was asking
3 prior to me even mentioning what I was trying to do.

4 MR. FEOLA: No, no, no. I just wanted to
5 make sure that what you were asking us to do, were
6 working on our project. And I'm happy to work with
7 the ANC and Mr. Litsky. We have done this many times
8 on other projects. And he's, as Mr. May said, this
9 ANC is actually pretty easy to work with if we can
10 get past the bigger picture.

11 CHAIRMAN HOOD: Right. Okay.

12 MR. FEOLA: So, I'm happy to do that. I'm
13 happy to have that dialog.

14 CHAIRMAN HOOD: All right. Those are my
15 comments. I'll leave it up to the other
16 commissioners now. I've tried.

17 MR. SCOTT: Chairman, if I could make a
18 comment?

19 Beyond all this we also, we have started our
20 meetings with, or at least scheduled our meetings
21 with the community to continue to talk about the
22 HHRA, you know, the environmental impacts, we
23 actually have a meeting scheduled for Monday the
24 19th, to continue the dialog. And I've said all
25 along to the ANC, to Ms. Hamilton, that it doesn't

1 help our cause not to be transparent with them.

2 We're going to be down on that site for a
3 long time. We're going to have offices down there.
4 We're going to be in that community for a long time.
5 We have been a big part to the community. That's my
6 comment.

7 MR. SHAPIRO: Thank you, Mr. Chair. I'd like
8 to move this project forward. I could use a little
9 help from my colleagues since I'm newer to the
10 process, to figure out exactly the best way to do it.
11 I know there's a number of issues, there's a number
12 of -- there's additional information that we've
13 requested. So, I would look for a little bit of
14 advice about the best way to word it. But if the
15 will is there I'd like to move the project forward.

16 CHAIRMAN HOOD: Okay. Let me open it up for
17 any other comments. Anybody else? Commissioner May?

18 MR. MAY: Mr. Chairman, you know, I would
19 just say that we don't normally move to take proposed
20 action when there are substantial issues associated
21 with the project, and substantial testimony and
22 opposition. And so, I didn't even think that we were
23 even considering this now. I mean, I understand
24 there are schedule issues and, you know, but I'm not
25 sure that it's -- that given the current state of

1 this project, the fact that I'd like to hear more on
2 some of the information that we requested, and have
3 some time to think about some of the things that were
4 submitted tonight and that are still to be submitted
5 before we start making decisions about it.

6 So, I'm not you know, generally inclined to
7 try to take proposed action tonight. I would also
8 note that we are missing one of our fellow
9 commissioners tonight, who may want to be in on the
10 proposed actions discussion.

11 CHAIRMAN HOOD: Anything?

12 MR. MILLER: Thank you, Mr. Chairman. I
13 think that last point probably a useful one. But I
14 also though, would -- there are a number of things
15 that we have asked for and we typically can get in a
16 post-hearing submission before we take -- before we
17 even decide that we're satisfied with the responses
18 we've gotten before we would get to final action.

19 So, there is a real scheduling issue here and
20 so I think that if we're able to take a proposed
21 action at one of our -- how many -- we only have two
22 more meetings in this coming week, Thursday and
23 Monday.

24 CHAIRMAN HOOD: Thank goodness. Yes.

25 MR. MILLER: So, I mean, I would like Mr.

1 Turnbull's, the benefit of his deliberations as well.
2 But I would be prepared to move forward this evening,
3 or shortly, and get a response.

4 I think we do need a very good -- some of it
5 we got verbally, but I think we do need a good
6 response from both the applicant and from the
7 district agencies who are here this evening, OP,
8 DDOT, and DOEE, to the ANC testimony in particular.
9 Just a response. Not everything has to be solved,
10 but just a response as part of -- I mean, some of it
11 is laid out in your original reports, but I think we
12 need a -- we need that for our own path forward, if
13 our path forward is going to be a successful path
14 forward.

15 So, that's what I would say.

16 CHAIRMAN HOOD: Let me just opine on what I
17 was thinking, because I've heard from Chairman Litsky
18 a number of times, and I understand that he's
19 probably looking at a broader scope, Mr. Feola, but I
20 think that the reason why I was going to offer that
21 is because I think we would probably get more done,
22 and you're right, Commissioner May. Well, you're
23 right some time, on some part, Commissioner May on
24 that, because there have been times that we've had a
25 lot of opposition and we've taken the proposed and

1 between proposed and final we've gotten more done.

2 And there have been times that we did not
3 take proposed, and between proposed and final we
4 didn't get anything done. So, it works both ways.
5 So, I think in this case, because from what I'm
6 hearing from the community is, that's what I want to
7 know. Are you presenting the same thing to us as
8 you're presenting to the community? Is it documented
9 somewhere? Are we narrowing it down to just this
10 project? What is the scope of it?

11 So, I think though, knowing that we've given
12 you proposed, this is just my thought, knowing we've
13 given you proposed, and knowing that final won't
14 happen until we make some headway, I think there
15 would be some more work being done in this case.
16 That's what my 17 years show me in this case. If you
17 don't believe me, I'll say this, ask Georgetown. Ask
18 Georgetown University.

19 So, you know, I may be wrong. I've been
20 wrong. I shouldn't probably toot our horns on that
21 one. But I just think with this case going on,
22 especially, with working with the chairperson there
23 and his ANC, and some of the community, Ms. Hamilton
24 and others, I think we can get more done knowing that
25 you have what's holding you up is final action. And

1 that's where I am. But I think Commissioner May
2 brings up a good point. I would like to have a full
3 vote. But I don't want this thing -- I don't want to
4 carry this over to -- proposed over to 2017.

5 So, what I would like to do, when is our last
6 hearing for this year? Monday? Is that enough time?
7 Oh, we can waive our rules. We can do what we want
8 to do. In that case. I think this is the -- what is
9 it, 2018? June 2018? It's critical.

10 MR. FEOLA: Yes, sir.

11 CHAIRMAN HOOD: I don't want to -- we don't
12 want to put up a stadium quickly, and it falls right
13 back down. So, we want to make sure that what we do
14 is sufficient and done correctly, timely, and also
15 considerate of the community.

16 So, that's kind of where I'm trying to get
17 with all this. So, let me open it back up.

18 MR. SHAPIRO: Mr. Chairman, I'm not quite
19 clear. Are you suggesting we take --

20 [Pause.]

21 CHAIRMAN HOOD: All right. I'm sorry. I
22 didn't hear you.

23 MR. SHAPIRO: No, I was just looking for some
24 clarification. But, I --

25 CHAIRMAN HOOD: Okay. All right. So, it's

1 on the table. I think -- but you know what, I still
2 think Mr. Turnbull, I want Mr. Turnbull on this. We
3 can do it Monday. And I plan on moving forward. I'm
4 not asking, but between proposed and final, from my
5 standpoint, I don't know if I have the votes, I want
6 to see some major work done. Major. When I say
7 major, I want Mr. Litsky, not for him to be happier,
8 happy, but I want him to be happier. Him and Ms. --
9 my friend. I forgot your last name. I've been
10 talking so much I forgot your -- hold on one sec.

11 MR. FEOLA: Hamilton.

12 CHAIRMAN HOOD: Rhonda. Yeah, Ms. Hamilton.
13 Commissioner Hamilton, excuse me.

14 All right. So, what do you guys want to do?
15 I'm only one vote so what do you all want to do?

16 MR. MILLER: Mr. Chairman, I support the path
17 forward that you just suggested, which was the
18 Monday. The Monday.

19 CHAIRMAN HOOD: Yeah, but I'm just telling
20 you.

21 MR. MILLER: Well, I support you in whatever
22 direction you want to go.

23 CHAIRMAN HOOD: Okay. Well, this is what I'm
24 going to do. And I hope this doesn't come back to
25 haunt me because I will deal with it. I'm going to

1 move proposed action of approval of Zoning Commission
2 Case No. 16-02, D.C. United Soccer Stadium, and ask
3 for a second.

4 MR. MILLER: Second.

5 CHAIRMAN HOOD: It's been moved and properly
6 seconded. Any further discussion?

7 MR. MAY: Yes.

8 CHAIRMAN HOOD: Yes.

9 MR. MAY: Mr. Chairman, I just think it's
10 premature to take a vote on this. I'm not saying
11 that I'm opposed to it at this point, but I'm
12 certainly not ready to vote in favor of it, so I'm
13 planning to abstain from this vote. And hopefully
14 you will be -- you know, this will be the right
15 strategy and you'll get what you need out of it. I
16 just, I'm not comfortable proceeding.

17 CHAIRMAN HOOD: Okay. Any further
18 discussion?

19 [Vote taken.]

20 CHAIRMAN HOOD: Okay. Ms. Schellin, would
21 you record the vote?

22 MS. SCHELLIN: Yes. Staff records the vote
23 three, to zero, to two to approve proposed action in
24 Zoning Commission Case No. 16-02, Commissioner Hood
25 moving, Commissioner Miller seconding, Commissioner

1 Shapiro in support, Commissioner May abstaining,
2 Commissioner Turnbull not present, not voting.

3 CHAIRMAN HOOD: Now, here's what I want. I
4 want that environmental plan streamlined by process
5 so that the community knows how it's going to work,
6 what the triggers are. I want that transportation
7 plan done. I'm talking about for this stadium. How
8 people get there, what streets they go down, no
9 adverse impacts in the community because I don't have
10 any -- let me just say this, I'm in no rush to go
11 final. So, let's see how this works.

12 MS. SCHELLIN: Can I set some dates now?

13 CHAIRMAN HOOD: Yes.

14 MS. SCHELLIN: Are you ready?

15 CHAIRMAN HOOD: Yeah.

16 MS. SCHELLIN: So, Mr. Feola and Mr.
17 Kadlecek, how much time are you looking at, keeping
18 in mind what Chairman Hood just asked about meeting
19 with everyone? Are you looking at maybe going to the
20 first meeting in February, or the last meeting in
21 January?

22 CHAIRMAN HOOD: I want the first meeting in
23 February. I'm going to answer that for them.

24 MS. SCHELLIN: Okay.

25 CHAIRMAN HOOD: Because the holidays come up

1 and commissioners are volunteers, and they're going
2 to have a holiday season and all that. So, I think
3 to be fair.

4 MS. SCHELLIN: Okay. So, can you get all of
5 your submissions in by January 30th?

6 Okay. And that would also include the ANC,
7 as far as a report back about your meeting. You
8 know, any outcome to the meeting that you have
9 together. If anything changes. So, you would want
10 to submit it by 3:00 p.m. on January 30th.

11 DDOT and OP, the response to the ANC's report
12 would be due then, and also Commissioner Turnbull, I
13 looked, there was one more thing that Commissioner
14 Turnbull asked DDOT for, and that was -- find that.
15 It was a little -- he wanted them to flush out a
16 little more about the operation plan for the area.
17 So, that also would be due by 3:00 p.m. on January
18 30th.

19 And then each of the parties, the applicant
20 and the ANC, would have until 3:00 p.m. on February
21 6th to respond to those submissions only, so the ANC
22 would be able to respond to DDOT and OP's submission,
23 and the applicant's submission. The applicant would
24 be able to respond to the ANC and DDOT and OP's
25 submission. Got it?

1 CHAIRMAN HOOD: Okay. Are we all on the same
2 page?

3 MS. SCHELLIN: And then draft findings,
4 facts, conclusions of law would also be due by 3:00
5 p.m. on February 6th. I'm sorry. The draft findings
6 of facts, conclusions of law would be due by the
7 30th. Actually, I need to back those dates up
8 because I got to have -- OAG needs more time.

9 I need all of those submissions, instead of
10 January 30th, they need to be by 3:00 p.m. January
11 23rd. Is the applicant going to be able to get all
12 of those things in?

13 MR. FEOLA: Yes.

14 MS. SCHELLIN: DDOT, OP.

15 MR. FEOLA: Yes.

16 MS. SCHELLIN: The ANC. A follow-up to your
17 meeting that you have. If you have one. Be
18 positive. You're going to have it. And then the
19 responses to everything would be due by 3:00 p.m. on
20 January 30th, as well as drafts, findings of facts,
21 conclusions of law, 3:00 p.m. on January 30th. And
22 then the meeting is 6:30 p.m. on February 13th.

23 CHAIRMAN HOOD: Okay. Again, I took a bold
24 step. I expect for everybody to make it work. Okay?

25 Chairman Litsky, I took a bold step. I want

1 everybody to make it work. Mr. Zimbabwe, let's make
2 it work. Okay?

3 Did you have something pertaining to the
4 schedule? If you do, come forward. Come forward.

5 MR. LITSKY: [Speaking off mic.] We may need
6 several commissioners here to testify.

7 MS. SCHELLIN: There's no testimony, it's a
8 meeting.

9 CHAIRMAN HOOD: No, not at the meeting.

10 MR. LITSKY: Oh.

11 CHAIRMAN HOOD: But your meeting is on the
12 13th?

13 MR. LITSKY: Yeah.

14 MS. SCHELLIN: Yeah.

15 CHAIRMAN HOOD: Yeah, that will be final
16 action. So, let me ask you, so you all meet on the
17 13th?

18 MR. LITSKY: We do, yeah. Second Monday of
19 the month.

20 MS. SCHELLIN: They shouldn't --

21 CHAIRMAN HOOD: But you never know. I mean,
22 a whole lot of things shouldn't. Everybody saying we
23 should and should not. I hear that all the time.
24 But then when we get here they're going to be looking
25 for you.

1 Can we do -- do we have anything earlier?

2 MS. SCHELLIN: January 30th.

3 CHAIRMAN HOOD: Oh, that puts the schedule --
4 do we have anything after the 6th? Like the 8th?
5 Just in case you all want to come down to
6 deliberations.

7 MS. SCHELLIN: After the 6th of what?

8 CHAIRMAN HOOD: February. Oh, whatever the
9 meeting --

10 MS. SCHELLIN: The meeting date was the 13th.

11 CHAIRMAN HOOD: Okay. After the 13th.

12 MS. SCHELLIN: The 27th.

13 CHAIRMAN HOOD: We don't have anything until
14 the 27th?

15 MS. SCHELLIN: As far as the meeting?

16 CHAIRMAN HOOD: Yeah. I mean, no, no. Do we
17 have a hearing?

18 MS. SCHELLIN: Oh, yes.

19 CHAIRMAN HOOD: Okay.

20 MS. SCHELLIN: We could do it on the 16th.

21 CHAIRMAN HOOD: Okay. So, 13th, that
22 Thursday?

23 MS. SCHELLIN: Uh-huh. 13th is Monday.

24 CHAIRMAN HOOD: I want to give you all an
25 opportunity to be here.

1 MR. LITSKY: Thank you.

2 CHAIRMAN HOOD: Okay. So, let's do that.
3 Thursday. Let's say 5:45.

4 MS. SCHELLIN: 5:45, for final? Uh-huh.

5 MR. MAY: There's no hearing set that night
6 already, is there?

7 MS. SCHELLIN: There is.

8 MR. MAY: On the 13th? On the 16th?

9 MS. SCHELLIN: Yes.

10 MR. MAY: Oh, okay.

11 MS. SCHELLIN: It just hasn't been published
12 so it's not on your schedule yet.

13 CHAIRMAN HOOD: Okay. So, what we think,
14 5:45? Is it a major hearing?

15 MS. SCHELLIN: No, it's actually very short.
16 It should be very short.

17 CHAIRMAN HOOD: Oh, okay. 6:00. Okay.
18 6:00. We're going to do a special public meeting,
19 Mr. Litsky, so if you and Commissioner Hamilton want
20 to come down, or whoever.

21 MR. LITSKY: I appreciate that because we
22 have the mayor coming on the 13th, so I really wanted
23 to be there.

24 CHAIRMAN HOOD: You mean, you all going to
25 see the mayor instead of coming to hear us on the

1 13th? No, I'm just playing. Tell her I said that.

2 Okay. Anything else? All right. All right.

3 So, with that I want to thank everyone for their
4 participation tonight and this hearing is adjourned.

5 [Hearing adjourned at 10:38 p.m.]

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