



COUNCIL OF THE DISTRICT OF COLUMBIA  
THE JOHN A. WILSON BUILDING  
1350 PENNSYLVANIA AVENUE, NW  
WASHINGTON, D.C. 20004

**CHRISTINA HENDERSON**  
Councilmember, At-Large  
Chairperson, Committee on Health

**Committee Member**  
Hospital and Health Equity  
Judiciary and Public Safety  
Transportation and the Environment

**Statement of Introduction**  
**Food Access by Public Transit Study Amendment Act of 2023**  
**October 24, 2023**

Today, I am proud to introduce the Food Access by Public Transit Study Amendment Act of 2023, along with Councilmembers Charles Allen, Robert C. White, Jr., and Brooke Pinto. This legislation would require the District Department of Transportation (DDOT) to conduct a study on public transportation access to supermarkets in low food access areas. DDOT would be required to administer the study to 500 District residents living in low food access areas to assess current transportation modes and routes used to travel to and from supermarkets.

In the District, there are extreme geographic disparities in access to full-service grocery stores. Despite rapid economic development in the District from 2010 to 2020, Wards 7 and 8 lost four of their seven full-service grocery stores. In that same period, 37 grocery stores opened in the other six Wards.<sup>1</sup> Of the nearly 171,000 residents of Wards 7 and 8, 85 percent live more than a mile from a full-service grocery store.<sup>2</sup> These disparities are not limited to Wards 7 and 8. In Ward 3, 85,301 residents can purchase groceries from 16 full-service grocery stores. Ward 5, with a population of 89,617, has only six full-service grocers.<sup>3</sup>

The District government has attempted to attract new supermarkets to low food access areas for years, but little progress has been made. The Supermarket Tax Exemption Act of 2000 waived certain taxes and fees for grocery stores that opened in specific neighborhoods, and this initiative was later expanded in 2010 by the FEED DC Act. This law included a Qualified Supermarket incentive, which offered property tax, business license fee, personal property tax, and sales and use tax exemptions to attract additional grocery stores, and cost the District \$29 million between 2010 and 2017.<sup>4</sup> Between 2000 and 2015, 22 supermarkets received incentives, but only two of these supermarkets were located east of the Anacostia River. One of the two closed shortly after opening.<sup>5</sup> When evaluating the effectiveness of these programs, the CFO said, “the incentives on their original goals shows that almost \$29 million of foregone District revenues cannot be shown to have affected supermarkets’ location decisions, generally, or produced economic or other benefits that would not have happened but for the incentive.”<sup>6</sup>

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<sup>1</sup> [Opinion. Wards 7 and 8 are ‘food swamps.’ D.C. should make building grocery stores there a priority. Esther Priscilla Ebuehi, Divya Vemulapalli and Emel Yavuzel, Washington Post.](#)

<sup>2</sup> [Black-owned stores work to end D.C.’s food deserts. Vanessa G. Sánchez, Washington Post.](#)

<sup>3</sup> [Still Minding the Grocery Gap in D.C. A 2023 Update. D.C. Hunger Solutions.](#)

<sup>4</sup> [Good News for the District’s Food Deserts: FEED DC Act Passes. DCFPI.](#)

<sup>5</sup> [November 2018 Review of Economic Development Tax Expenditures](#)

<sup>6</sup> [Revenue Revealed: It’s Time to Amend DC’s Tax Expenditure Programs. Amy Lieber, DCFPI.](#)



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Many residents in low food access areas rely on public transportation to buy food. Transit scores, which describe how well a location is served by public transit, highlight that District residents in Wards with fewer supermarkets not only have the lowest car ownership rates in the city, but also have fewer public transportation options. On a scale of 0-100, Wards 7 and 8 have median transit scores of 48.5 and 43, respectively, and have a total of three grocery stores. Wards 1, 2, and 6, have median transit scores over 88, and have a total of 35 grocery stores.<sup>7</sup> Studying the existing public transportation routes in low food access areas, while not a substitute for efforts to open new stores, will better inform the District and its public transportation partners of the areas where routes need to be added or modified, and represents a necessary first step to improve underserved residents' access to healthy and nutritious food options.

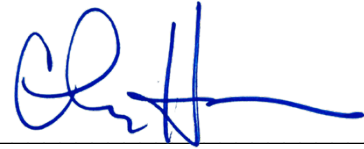
As the Chair of the Committee on Health, I am committed to addressing the social determinants of health for District residents, including access to healthy food. This legislation will build on my previously introduced legislation that would address food insecurity, the Give SNAP A Raise Amendment Act of 2022, and the Universal Free School Meals Amendment Act of 2023. Studying public transportation options in low food access areas is not at all a replacement for building new stores, but it is a fundamental part of the equation, particularly given the lack of lasting progress made on attracting and retaining new stores in low food access areas. I will continue to work to ensure that District residents have their nutrition and overall health needs met, and I look forward to working with my colleagues on the Council to pass this legislation.

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<sup>7</sup> [Still Minding the Grocery Gap in D.C. 10th Anniversary Grocery Store Report. D.C. Hunger Solutions.](#)

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2 Councilmember Charles Allen



Councilmember Christina Henderson

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6 Councilmember Robert C. White, Jr.



Councilmember Brooke Pinto

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12 A BILL  
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17 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
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21 To amend the Department of Transportation Establishment Act of 2002 to require the District  
22 Department of Transportation to conduct a study on public transportation access to  
23 supermarkets in low food access areas.  
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25 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this  
26 act may be cited as the “Food Access by Public Transit Study Amendment Act of 2023”.

27 Sec. 2. The Department of Transportation Establishment Act of 2002, effective May 21,  
28 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.01 *et seq.*), is amended by adding a new  
29 section 9r to read as follows:

30 “Sec. 9r. Food access by public transit study.

31 “(a)(1) DDOT shall conduct a study on the accessibility of supermarkets by public  
32 transportation in low food access areas in the District of Columbia.

33 “(2) DDOT shall submit the study required by this subsection to the Council and  
34 the Mayor by September 1, 2024.

35 “(b) The study required by subsection (a) of this section shall include:

36                   “(1) Data on the number and percentage of residents in low food access areas  
37 residing within walking distance of direct public transportation routes to supermarkets;

38                   “(A) DDOT may include in this data analysis supermarkets under active  
39 construction on the District that have not yet opened.

40                   “(2) Data on the transportation modes used by residents in low food access areas  
41 to travel to supermarkets, including private vehicles, public transportation, rideshare, and other  
42 means, based on the findings of the survey required in subsection (c) of this section and other  
43 data sources identified by DDOT;

44                   “(3) Recommendations for changes to existing public transportation routes that  
45 would increase access to supermarkets by public transportation in low food access areas;

46                   “(4) Recommendations for additional public transportation routes that would  
47 increase access to supermarkets by public transportation in low food access areas; and

48                   “(5) Recommendations for decreasing the cost of public transportation for  
49 individuals in low food access areas.

50                   “(c) Prior to administering the study required by subsection (a) of this section, DDOT  
51 shall administer a survey to at least 500 District residents in low-food access areas to assess  
52 current transportation modes and routes used to travel to and from supermarkets, including the  
53 extent to which residents use grocery delivery services. Survey respondents should represent all  
54 Wards in which low food access areas exist.

55                   “(d) For purposes of this section, the term:

56                   “(1) “Low food access area” shall have the same meaning as the term “eligible  
57 area” as defined in D.C. Official Code § 47-3801(1D)(A).

58                   (2) “Supermarket” shall have the same meaning as defined in D.C. Official Code  
59 § 47-3801(3).”.

60                   Sec. 3. Fiscal impact statement.

61                   The Council adopts the fiscal impact statement in the committee report as the fiscal  
62 impact statement required by section 4a of the General Legislative Procedures Act of 1975,  
63 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a)

64                   Sec. 4. Effective date.

65                   This act shall take effect following approval by the Mayor (or in the event of veto by the  
66 Mayor, action by the Council to override the veto), a 30-day period of Congressional review as  
67 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December  
68 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of  
69 Columbia Register.