

Dallas sues Navy, again, with Hensley Field redevelopment plans in limbo

August 21 2023, by Everton Bailey Jr., The Dallas Morning News



Credit: Pixabay/CC0 Public Domain

Dallas is once again suing to try to force the U.S. Navy to finish cleaning up a contaminated former Naval airfield after the military branch has

blown its previous deadline to clear the site by seven years.

Dallas is seeking damages and a firm timeline in a lawsuit filed this month saying the Navy has breached the terms of a 2002 legal [settlement agreement](#) to have the soil and groundwater at Hensley Field clean by 2017. The city says its plans to redevelop the 738-acre property that borders Mountain Creek Lake in southwestern Dallas are in limbo indefinitely as the cleanup effort drags on with no apparent finish line and as the contamination continues to diminish the land's market value.

The city says the Navy has given no definitive timetable on when the site will be clear of contaminants such as pre- and polyfluoroalkyl substances, also known as PFAS. The compounds can be hazardous to humans and studies have shown that they could lead to increased risks of cancer, liver damage, pregnancy complications, birth defects and other health effects, according to the Centers for Disease Control and Prevention.

"The United States has failed to keep multiple binding promises to remediate the significant environmental contamination caused by its decades-long use of the Hensley Field site," the city said in an Aug. 2 complaint filed with the U.S. Court of Federal Claims. "As a result, Dallas cannot implement its master plan that contemplates the reuse and redevelopment of the Hensley Field site into a vibrant mixed-use community for more than 12,000 residents and 12,000 jobs."

The 2002 settlement agreement stemmed from a lawsuit the city filed the year before over the property's environmental concerns following decades of military use. City officials said last December that the Navy's cleanup costs were at \$92.4 million, but Hensley Field wasn't close to getting approval from state and federal environmental regulators that the conditions would meet residential standards.

The city said in the complaint that as long as the toxic chemicals remain at the site, Dallas' property rights are being infringed upon.

"By causing and failing to remediate significant environmental contamination, the United States has deprived Dallas of the economically viable or beneficial use of the Hensley Field site, which constitutes a taking by the United States of the property," the complaint said.

Navy spokesman Bill Franklin said the military branch declined to comment on questions from The Dallas Morning News including on the current status of the cleanup, citing the ongoing litigation. Court records show a legal response has not yet been filed in the case and the deadline to submit one is Oct. 3.

The city bought the Hensley Field site in the late 1920s and leased it to the U.S. Army to train reserve pilots. A naval reserve air station was built in 1941, administration of the field was transferred to the Navy in 1949, and the air station remained operational until it closed in 1999.

Parts of Hensley Field today are used for a random assortment of city storage, including old police squad cars and Confederate-era monuments.

The Navy agreed in a 2002 [court settlement](#) with Dallas to pay the city more than \$18 million and clean up the site by 2017. Remediation efforts to clean the soil have concluded and been approved by the Texas Commission on Environmental Quality, according to the city last year. But groundwater contamination still hasn't been fully addressed.

The City Council last December approved a 20-year plan estimated to cost around \$390 million to turn Hensley Field into a new walkable community with more than 6,800 new homes, over 12,000 jobs, new

parks and waterfront trails, a marina, a possible film studio and other amenities.

Aircraft maintenance hangars built in the 1940s and 1970s, military officers' houses from the 1930s and a 1-acre cemetery that has been around since the mid-1800s are historic sites at Hensley Field there that could be preserved or repurposed, according to the master plan.

According to the latest lawsuit, the Navy asked the city to create the redevelopment plan in January 2019 to help guide the remediation work.

City Manager T.C. Broadnax said Dallas plans to keep working with the Navy to clean the site as the legal dispute continues.

"We appreciate all of the U.S. Navy's efforts to remediate the site for the past 20 years," Broadnax said in a statement. "We are confident that we can reach an agreement on the final phase of the project that ensures Hensley Field can be safely developed into a premier community offering mixed income housing, recreation, commercial space, and more."

2023 The Dallas Morning News.

Distributed by Tribune Content Agency, LLC.

Citation: Dallas sues Navy, again, with Hensley Field redevelopment plans in limbo (2023, August 21) retrieved 28 April 2024 from <https://phys.org/news/2023-08-dallas-sues-navy-hensley-field.html>

This document is subject to copyright. Apart from any fair dealing for the purpose of private study or research, no part may be reproduced without the written permission. The content is provided for information purposes only.