



**Council  
Communication**  
Office of the City Manager

**Date** November 20, 2006

**Agenda Item No.** 13  
**Roll Call No.** 06-  
**Communication No.** 06-727  
**Submitted by:** **Jeb E. Brewer, P.E.**  
**City Engineer**

**AGENDA HEADING:**

Acceptance of Real Estate Documents for property located in Northeast Polk County (tax parcels 300/00387-000 and 300/0391-001) from Edward Ochylski for wetlands mitigation purposes for the Airport Runway 13R/31L Project.

**SYNOPSIS:**

Recommend Approval and Acceptance of Real Estate Documents. This action is required to authorize closing of the necessary property interests required from Edward Ochylski for wetlands mitigation purposes for the Airport Runway 13R/31L Project.

**FISCAL IMPACT:**

Amount: \$208,200

Funding Source: 2006-07 CIP: Airport Improvements, Runway 13R/31L - Land Acquisition, AIR117, Page 28. Airport Improvement Program grants (FAA funds) will fund 95% of the project. A 5% local match will be funded through passenger facility charges (PFC Fund).

**ADDITIONAL INFORMATION:**

On February 6, 2001, the Airport Board received the Runway 13R-31L Implementation Plan as the first step in confirming the purpose and need for the future construction of a 5,500-foot long parallel runway. On July 29, 2003, the Federal Aviation Administration approved a Finding of No Significant Impact / Record of Decision (FONSI) and Section 4(f) Determination for the proposed 5,500-foot runway construction. The FONSI specifies, and Federal Regulations require, that 16.852 acres of wetlands be mitigated prior to runway project implementation according to the Clean Water Act Section 404 permit requirements, which include meeting Section 401 State water quality standards. Developing an off-airport wetlands mitigation site is permitted and necessary because of FAA directives to minimize bird habitats and the resulting airplane-bird strikes around the airport.

The Engineering Department has met with Polk County Conservation staff and determined that it is mutually beneficial to jointly further develop the Polk County Conservation Board's Chichaqua Wetlands and Wildlife area as a means to satisfy the Airport's wetland mitigation and further the development of the Chichaqua area. The Polk County Conservation staff identified several properties that would be acceptable for their development and the Airport's Runway Environmental Assessment consultant has evaluated the Ochylski property and noted that it will be reasonable to mitigate for the Airport Runway 13R-31L project on this property. Jointly developing a mitigation site next to the Polk

County Conservation's Chichaqua Wetlands and Wildlife area allows the City to transfer ongoing operation and maintenance of the wetlands control structures to the Polk County Conservation Board.

Edward Ochylski is the owner of property located in Northeast Polk County (tax parcels 300/00387-000 and 300/0391-00), which is adjacent to Polk County Conservation's Chichaqua wetlands and wildlife area. The property owner has agreed to convey the above referenced property at the approved fair market value of \$208,200. The fair market value was approved by the Airport Board and was based on an independent appraisal that was reviewed by the City of Des Moines' Real Estate Division Appraiser and approved by FAA.

**PREVIOUS COUNCIL ACTION(S):**

Date: March 7, 2005

Roll Call Number: 05-541

Action: Authorization to proceed with acquisition of the necessary right-of-way for the Airport Runway 13R/31L Project (Total Estimated Cost \$16,000,000). ([Council Communication No. 05-112](#)) Moved by Hensley to adopt. Motion Carried 7-0.

**BOARD/COMMISSION ACTION(S):** Airport Board

Date: May 02, 2006

Roll Call Number: A06-74

Action: Established Fair Market Value and Authorized Acquisition of Property owned by Edward Ochylski for the Airport Runway 13R/31L Project by gift, negotiation, or condemnation for \$208,200.

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:**

Acceptance of Real Estate Documents for additional properties identified for acquisition as part of the Airport Runway 13R/31L Project.