


COUNCIL COMMUNICATION

 <p>CITY OF DES MOINES OFFICE OF THE CITY MANAGER</p>	Number: 24-478	Meeting: December 9, 2024
	Agenda Item: 7	Roll Call: 24-1620
	Submitted by: Steven L. Naber, P.E., City Engineer	

AGENDA HEADING:

Approving City Engineer to sign Letter of No Objection, with stated qualifications, to be submitted to the United States Army Corps of Engineers (USACE) by ICON Water Trails to start the Section 408 permit review for the Fleur Drive site.

SYNOPSIS:

Recommend approval of the signing and submission of the “Letter of No Objection” to ICON Water Trails. This provides ICON Water Trails the ability to start the Section 408 permitting process with the USACE for the downtown Water Trails - Fleur Drive site. The City is required to provide the letter as the levee sponsor. The letter outlines qualifications that will need to be accounted for prior to the final “Letter of No Objection” to be drafted and provided at the end of the permitting process.

FISCAL IMPACT: NONE

ADDITIONAL INFORMATION:

- ICON Water Trails operates as a regional public-private partnership for the purpose of implementing a recreational and dam safety plan for 150 miles of water trails throughout Central Iowa.
- ICON Water Trails has a plan for Downtown Whitewater Access, which includes a site referenced as the “Fleur Drive Site”. This site is located just upstream (west) of the Coleman Bridge to the north of Gray’s Lake and will include improvements that will be adjacent to and directly on top of the existing flood control levee.
- The Water Trails - Fleur Drive project is proceeding and is nearing 60% design completion. Once this project milestone is complete, a Section 408 Permit application will be submitted to the USACE for review due to the site’s proximity to the levee.
- The Section 408 submittal to the USACE requires a “Letter of No Objection” from the City, as the levee sponsor being impacted. This action will authorize the City Engineer to sign and issue the required letter subject to the qualifications listed in the letter.

- A final “Letter of No Objection” will be drafted and issued at the end of the Section 408 review process, which will include the City’s review of final design documentation, and any final qualifications.
- Of note, current qualifications include the need to submit a geotechnical/environmental investigation report, that all costs for redesign and construction, if proposed improvements require redesign of the levee system, will be borne by ICON Water Trails, and that an agreement will be finalized for the transfer of land from the City to Polk County allowing ICON Water Trails to construct, operate, repair, and maintain the proposed improvements.
- Responsibility for funding, performing construction, maintenance, repair and operation of improvements will be handled by ICON Water Trails.

PREVIOUS COUNCIL ACTION(S): NONE

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

- Approval of an agreement with Polk County to transfer land and outline conditions associated with the transfer.
- Approval and issuance of a final “Letter of No Objection” to be drafted, signed, and provided to the ICON Water Trails at the conclusion of their Section 408 permitting process with the USACE.

For more information on this and other agenda items, please call the City Clerk’s Office at 515-283-4209 or visit the Clerk’s Office on the first floor of City Hall, 400 Robert D Ray Drive. Council agendas are available to the public at the City Clerk’s Office on Thursday afternoon preceding Monday’s Council meeting. Citizens can also request to receive meeting notices and agendas by email by calling the Clerk’s Office or sending their request via email to cityclerk@dmgov.org.