

MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
HELD AT 6:00 P.M. WEDNESDAY, SEPTEMBER 3, 2003
6100 SOUTHPORT ROAD
PORTAGE, INDIANA

Chairperson Arlene Colvin called the meeting to order at 6:05 p.m. Nine (9) Commissioners were present. Pledge of Allegiance was recited. Guests were recognized.

Development Commissioners:

Arlene Colvin
Robert Huffman
Mark Reshkin
George Carlson
Emerson Delaney
Charlie Ray
Bob Marszalek
Curt Vosti
Steve Davis

Visitors:

Jomary Crary – IDNR, Div. of Water
Kelsee Waggoner – Congressman's Office
Imad Samara - COE
Phil Gralik – R.W. Armstrong Company
Jim Flora – R.W. Armstrong Company
Sandy O'Brien - Hobart
Don Ewoldt - LEL
Steve Enger – Munster resident
Spike Peller – GSWMD
Otho Lyles – GSD/GSWMD

Staff:

Dan Gardner
Sandy Mordus
Lou Casale
Jim Pokrajac
Judy Vamos
Lorraine Kray

The minutes of the August 6, 2003 meeting were approved by a motion from Curt Vosti; motion seconded by Bob Huffman; motion passed unanimously.

Chairperson's Report – Chairperson Arlene Colvin announced that a meeting was held where District Commander Colonel Gary E. Johnston met the Board members. Accompanying him were Roy Deda, Deputy for Project Management, and Imad Samara. The meeting went well and the Colonel pledged his cooperation in any way he could help. He would make himself available if we need to meet with any legislators or the Budget Committee; and if he would not be available for other meetings, Roy Deda would be available to us.

- Ms. Colvin reported on the presentation to the State Budget Committee on August 14. She felt that they were favorably impressed with our presentation/documentation of the project status or we would not have gotten the \$5 million allocation request approved. The Budget Committee's business meeting was on August 15, in which Dan Gardner, Curt Vosti and Arlene Colvin attended. There were a few questions from the Budget members but the \$5 million was approved for allocation to the Commission. We received a follow-up letter from the State Budget Agency listing out 4 requirements that must be met before being able to use the \$5 million. Mr. Gardner will answer the letter and transmit pertinent documentation to them. Discussion was held regarding the letter. Mr. Vosti stated that with the Committee's questioning how O&M will be addressed, at least that has them thinking about the project's completion. They stated that they would not be willing to fund O&M after the project completion. Mr. Gardner has drafted an O&M approach that he will share with them. The Finance Committee will address the issue of O&M funding in their committee. They will approve the draft O&M approach before it is submitted to the State Budget Agency.

- Mr. Gardner publicly thanked Kelsee Waggoner (Congressman's Visclosky's Office), Tim Sanders (Senator Lugar's Office), and Representative Earl Harris, as well as some of the Commissioners (Arlene Colvin, Curt Vosti, Steve Davis, Bob Huffman, Mark Lopez) who attended the presentation on August 14.

Executive Director's Report – Executive Director Dan Gardner referred to the IDNR notice in the packet stating that the permit applications for the Little Calumet River and Hart Ditch were administratively complete.

- There was discussion on whether the Grand Cal Task Force has a clear understanding of our project and whether they are completely supportive of the project. It was noted that they have a new Director and it was suggested that perhaps the Commission should meet with them.
- Mr. Gardner stated that he and Jim Pokrajac attended a meeting at the Lake County Surveyor's Office regarding the floodplain remapping by FEMA. Since the city of Gary has committed funding for the completion of Burr Street Phase 2, Mr. Gardner has asked FEMA to begin the process as soon as possible of removing Gary out of the floodplain. He stated that Kelsee Waggoner is working on setting up a meeting with FEMA, the COE and IDNR.
- Mr. Gardner referred to the agreement that USGS has sent us asking for commitment for funding the gaging station at Hart Ditch in Munster for next year at a cost of \$5470. (The Commission has already made a commitment to fund the station for this year.) After a lengthy discussion, staff was directed to pursue other means of funding, either with IDEM or Lake County Emergency Management – this station is being used by them but it is also for our project. Staff will report back at next meeting. Curt Vosti suggested we table the discussion to the Finance Committee. Mark Reshkin thought it should be considered by the O&M Committee.
- Mr. Gardner stated that he has been in contact with Priscilla Abeyta, the COE contracting officer, as well as Jim Meyer, the city of Gary's point of contact regarding the Burr St. contract, and they have scheduled a conference call next week for all pertinent parties to begin discussions on how the Phase 2 contract will be let for Burr Street. The Mayor has stressed his concern about using local participation in this construction.
- Mr. Vosti asked if the outstanding issues we had with the Gary Sanitary District were resolved. Jim Pokrajac answered that all but 3 items have been resolved.

Outstanding Issues – Discussion was held on the soil storage that had been seen at Wicker Park in Highland. The mounds of dirt had been placed along the east side of Hart Ditch. Mr. Gardner did talk to Dennis Simala and he stated that there are several recreational projects within the park that are ongoing and they are moving soil around on a temporary basis – not permanently. They have talked to IDNR. Mr. Gardner said there were about 8 truckloads. Munster resident Steve Enger disagreed, stating there were more like 80 truckloads. Mr. Pokrajac stated that he would visit the site to determine how much material was present.

- Mr. Gardner stated that we received a response from Greg Moore regarding the 89 acres at Carlson-OxBow Park. The letter stated why the land at the park site was not suitable for mitigation.
- Mr. Gardner stated that Attorney Casale is setting up a meeting with Lake Erie Land Company's attorney, as directed by the Environmental Committee.

Land Acquisition/Land Management Committee – Committee Chairperson Arlene Colvin gave the report. She proceeded to make a motion authoring staff to pursue getting quotes for demolition of 5 structures in the east reach remediation area; motion seconded by Emerson Delaney; motion passed unanimously. The demolitions are being pursued because of a concern by the Commission's insurance carrier.

- Ms. Colvin reported that there were no increased offers and no condemnations.

Operation & Maintenance Committee – Committee Chairman Bob Huffman gave the O&M report. He reported that a meeting was held on August 21. Notes from that meeting are in the packet.

- Mr. Huffman also reported that a field inspection was held on August 25 to review the levee construction between Grant and Harrison. Committee members Mr. Huffman, Steve Davis, and Bob Marszalek attended, as well as several COE representatives and Mr. Gardner and Mr. Pokrajac. The intent of the inspection was to familiarize the O&M Committee with various issues the Commission will have to deal with once the O&M responsibility lies solely with the Commission. There were several items of concern that were found, i.e. trouble with sluice gate opening, observation deck area grown over, cracked asphalt on paved section of trail, trail overgrown, fire damage, settlement around gages,

etc. Mr. Pokrajac stated that we would send a letter to the COE expressing the concerns the Committee had with what they saw. Phil Gralik brought a modified check list for the O&M Committee members' use.

Environmental Committee – Committee Chairman Mark Reshkin was happy to report that the Commission is making progress in the Hobart Marsh area. Trust for Public Lands has sent the appraisal on 173 acres to the COE review appraiser. TPL has an option on this parcel and we are hopeful it will be approved and IDNR/Commission can acquire it soon.

- Dr. Reshkin reported that a meeting with LEL will be scheduled shortly.
- He referred to the letter from Spencer Cortwright, Associate Professor of Biology from IUN, Mr. Cortwright talks about the plants that are native to this area. He has planted native plant species on a 10-acre area on the south side of the levee between Harrison and Broadway. He is also trained to lead controlled burns. Dr. Reshkin suggested that Dr. Cortwright be invited to give a presentation to the Environmental Committee. The O&M Committee would probably also benefit from such a presentation. Staff will pursue. Staff transmitted a copy of Dr. Cortwright's letter to the COE; with the Landscaping Phase 2 contract coming up, it was felt that the timing of a presentation could be beneficial to the Commission and to the COE.
- Bob Huffman informed Board members that he visited the in-project mitigation site where a contract is ongoing. He found it very interesting. Non-native trees are being removed with the native trees being saved. A controlled burn will be done in that area also. Mr. Huffman asked what will happen to the lands that we acquire in Hobart Marsh. Mr. Gardner replied that the COE will have a contractor do the restoration on the properties.
- Mr. Vosti questioned if all the lands we need for mitigation would be available at Hobart Marsh; and once the lands are acquired, would that be sufficient to obtain the DNR permit. Dr. Reshkin replied that we are pursuing acquisition, one parcel at a time, in the Hobart Marsh area. If all goes well, there should be sufficient land available for mitigation purposes. As long as we're moving along and showing progress, that should be enough to obtain a permit. The estimated figure we are using to purchase these lands is \$1.9 million. Judy Vamos added that there are 1200 acres of potential land in Hobart Marsh; the Commission only needs 311 acres for mitigation.
- Discussion took place regarding Chicago Wilderness of Northwest IN. There may be some opportunity there to obtain grant from them in the future for wetland development.

Legislative Committee – Committee Chairman George Carlson stated that Mr. Gardner has already talked about the meeting with the State Budget Committee and our success in obtaining the \$5 million for allocation.

Project Engineering Committee – Committee Chairman Bob Huffman stated that all engineering issues were discussed in the Work Study Session.

Recreation Committee – Committee Chairman Emerson Delaney stated that the Kennedy Avenue bridge re-construction by Lake County Highway Dept. and the inspection of the levees by the O&M Committee have already been discussed. There are no additional items.

Marina Committee – Committee Chairman Emerson Delaney reported that he visited the Portage Public Marina earlier and saw that all the boat slips were full with about 7 transient boats off to the side. Mr. Gardner stated that he had an opportunity to see John Smolar, Portage Port Authority, and he asked about getting together to see where we're headed on the marina build-out. Committee Chairman Delaney thought that was a good idea. Staff will pursue.

Finance Committee – Committee Chairman Curt Vosti gave the financial report. He referred to and made a motion to approve the financial status sheet and the claims for the month of August totaling \$69,637.13; motion seconded by Bob Marszalek; motion passed unanimously.

- Mr. Vosti stated that a Finance Committee meeting will be scheduled next week. Staff will be in touch with members. Media will be notified of meeting.

Policy Committee – There was no report.

Public Relations Committee – There was no report.

Other Issues – Bob Huffman stated that there is a website containing information about rainfall data, including rainfall in northwest Indiana. It is on the Channel 5 NBC site under weather.

Statements from the Floor –

- Steve Enger brought to the Board's attention that on July 5, some basements near the Munster Baring Avenue Pump Station flooded. He believed the flooding occurred because the Pump Station is not completed yet. Imad Samara stated that there should be sufficient pumping going on there. It is frustrating to the COE that the contractor has not completed his work at the pump station but he did not think that was why basements flooded.
- Mr. Enger also stated that he thought additional security needed to be at that particular site (there was an earlier problem with a pump being stolen).
- Mr. Enger thanked Mr. Gardner for looking into the soil storage at Wicker Park but asked if we would please look again to confirm his statement that a lot more material is being stored there than we were let to believe. It was mentioned IDNR and the Lake County Drainage board have some regulatory function over that stretch of Hart Ditch.

There being no further business, the next meeting was scheduled for 6:00 p.m. Wednesday, October 1, 2003.