



# Little Calumet River Basin Development Commission

8149 Kennedy Avenue Highland, Indiana 46322 (219) 923-1118

*Sandy*

*10 members*

## MEETING NOTICE

THERE WILL BE A MEETING OF THE  
LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION  
AT 6:30 P.M. THURSDAY, AUGUST 2, 1990  
AT THE OFFICE OF THE REGIONAL PLANNING COMMISSION  
8149 KENNEDY AVENUE  
HIGHLAND, INDIANA

### A G E N D A

Pages

~~BOYLE NIEMEYER, Chairman~~  
Governor's Appointment

ARLENE COLVIN, ~~Vice~~ Chairman  
Mayor of Gary's  
Appointment

CLYDE BAUGHARD, Treasurer  
Governor's Appointment

WILLIAM CRITSER, Secretary  
Governor's Appointment

CHARLES AGNEW  
Governor's Appointment

GEORGE CARLSON  
Mayor of Hammond's  
Appointment

NATHANIEL LEONARD  
Lake County Commissioners'  
Appointment

STEVE DAVIS  
Dept. of Natural Resources'  
Appointment

JOHN DEMEO  
Governor's Appointment

DAVID SPRINGMAN  
Governor's Appointment

WILLIAM TANKE  
Porter County Commissioners'  
Appointment

DAN GARDNER  
Executive Director

1. Call to Order by Chairperson Arlene Colvin
2. Recognition of Visitors, Guests
3. Reorganization of the Commission - Election to fill vacancy of Vice Chairman
4. Approval of minutes of July 5, 1990 meeting
5. Reports of Standing Committees

A. Finance/Policy Committee - Clyde Baughard, Treasurer

- Financial status report
- Approval of claims for July
- Other issues

B. Legislative Committee - George Carlson, Chairman

- Federal Issues:

- Project Initiation Signing Ceremony:

W August 16 - 10:00 a.m.

W Indiana University Northwest Conference Center

W Invitation to area elected officials  
W Discussion of arrangements

1  
2-5

6  
7

8-9

*add on  
But little  
about Robert  
Don - we didn't put  
in Dave Hunter's  
etc.*



Pages

B. Legislative Committee (cont'd)

• State Issues:

1990/91 Biennium Budget Process - Request  
Briefing of Governor's executive assistants on  
NW Indiana projects  
Other Issues

10-17

C. Land Acquisition/Management Committee -  
Charles Agnew, Chairman

- Committee meeting at 5:30 p.m.
- Appraisals, offers, acquisitions, recommended actions
- Schererville borrow site issues status
- Summary of area meetings on project land needs/park recreation plans
- Other issues

D. Interim Flood Control/Planning Committee -  
Clyde Baughard, Chairman

- Meeting with North Township, County Surveyor officials re: Wicker Park project relationship/improvements
- Update on Conrail culverts improvement project

E. Breakwaters/Marina Committee - Bill Tanke,  
Chairman

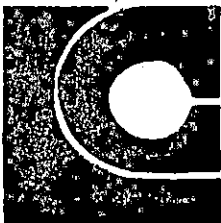
- Status report of public marina developments/sand removal-mitigation project
  - Meeting held with Marine Reserve Unit, Mayor Maletta, Bart Peterson
  - Response letter from Major Van Dyke, Marine Reserves
  - Letter to Governor Bayh re: marina obligation/sand
  - Status of Federal permits for Portage marina developments
    - > Set aside of ±300 public slips/public launch lanes
- Other Issues

18  
19-20

6. Other Business

7. Statements to Board from the floor

8. Set date for next meeting, adjournment



# Little Calumet River Basin Development Commission

8149 Kennedy Avenue Highland, Indiana 46322 (219) 923-1118

July 13, 1990

DOYLE NIEMEYER, Chairman  
Governor's Appointment

ARLENE COLVIN, Vice-Chairman  
Mayor of Gary's  
Appointment

CLYDE BAUGHARD, Treasurer  
Governor's Appointment

WILLIAM CRITSER, Secretary  
Governor's Appointment

CHARLES AGNEW  
Governor's Appointment

GEORGE CARLSON  
Mayor of Hammond's  
Appointment

NATHANIEL LEONARD  
Lake County Commissioners'  
Appointment

STEVE DAVIS  
Dept. of Natural Resources'  
Appointment

JOHN DEMEO  
Governor's Appointment

DAVID SPRINGMAN  
Governor's Appointment

WILLIAM TANKE  
Porter County Commissioners'  
Appointment

DAN GARDNER  
Executive Director

The Honorable Evan Bayh  
Governor, State of Indiana  
State House Room 206  
Indianapolis, IN 46204  
Attn. Laura Scheele


Dear Ms. Scheele:

I am writing you in reference to our telephone conversation of earlier this week. Enclosed is a copy of the letter of resignation sent to the Development Commission from Doyle Niemeyer, the current Chairman of the Commission. It is our understanding that he did not forward this letter to the Governor's Office but instead to the Commission so I am sending it to you. I am also enclosing, for your information and use, a chart of the current commission membership, appointing authorities and term expirations as we currently understand them. The vacancy and term expirations are highlighted in yellow marker. Also for your use is a copy of the applicable State Enrolled Act which governs the Governor's appointing responsibility relative to the Little Calumet River Basin Development Commission.

I trust that this information will be useful to you and offer any assistance I can provide if you have any additional questions.

The Little Calumet River project construction start is scheduled for this fall after some 25 years of planning and anticipation; so the Commission's Board will be called upon as never before. We appreciate your attention to this and the Governor's support for the project and will pledge to work with you in the future to achieve a successful completion.

Sincerely,

  
Dan Gardner  
Executive Director

/encl.

cc: Bart Peterson

MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION  
HELD AT 6:30 p.m. THURSDAY, JULY 5, 1990  
AT THE COMMISSION OFFICES  
8149 KENNEDY AVENUE, HIGHLAND, INDIANA

-----

In Chairman Doyle Niemeyer's absence, Vice Chairman Arlene Colvin called the meeting to order at 6:35 p.m. Eight (8) Commissioners were present. Quorum was declared and guests were recognized.

Development Commissioners:

Charles Agnew  
Clyde Baughard  
Dave Springman  
Steve Davis  
Arlene Colvin  
Nathaniel Leonard  
William Critser  
John DeMeo

Staff:

Dan Gardner  
Lou Casale, Attorney  
Bruce Stouffer  
Sandy Mordus

Visitors:

Frank Mock - 6835 Kentucky, Hmd  
Pete Zak - South Shore Marina  
Mary Jane Zak - " "  
Ola Kennedy - Lake County  
Park Board  
Dick Wawrzyniak - IDNR  
Ed Johnston - Gary  
Bob Bittke - Gary  
Sue Ross - The Times  
Jerry Castle - Castle Estates,  
Munster  
Tom Yancy - Lake County  
Rudy Clay - Lake Cty Commis-  
sioner  
Debbie Schubert - Black Oak

Ms. Colvin acknowledged the resignation letter of Chairman Doyle Niemeyer. Mr. Niemeyer has accepted a position with the State of Kansas, Dept. of Wildlife and Parks as Unit Supervisor for their State Parks and Wildlife Areas. His resignation is effective immediately. In light of this and considering Mr. Niemeyer was the Commission's Chairman, Chuck Agnew made a motion to appoint Vice Chairman Arlene Colvin as Chairman to fill the remaining term; motion seconded by Nathaniel Leonard; motion passed unanimously. Discussion was held on filling the Vice Chairman position. The two options are to move everyone up or just appoint a new person to the position. Two terms have expired and now there is one vacancy. We expect to hear from the Governor's Office shortly in regard to appointments. In view of this, Mr. Agnew made a motion to table the filling of the Vice Chairman position until next month; motion seconded by John DeMeo; motion passed unanimously.

A motion was made by Clyde Baughard to approve the minutes of the June 7th meeting; seconded by John DeMeo: motion passed unanimously.

Finance/Policy Committee - Treasurer Clyde Baughard presented the financial status report for May as well as the claims. Mr. Baughard made a motion to approve the pending claims; motion seconded by Dave Springman; motion passed unanimously.

Legislative Committee - Dan Gardner announced that a request for \$3 million from the Build Indiana Fund was made to the State Budget Agency. Mr. Gardner informed the Commission that over \$1.2 billion of requests was received from around the State. A Projects Review Committee will review the many requests and make recommendations to the State Budget Agency.

Mr. Gardner informed the Commission he attended the hearing in Washington on June 13th with the Corps in regard to finalizing the Local Cooperation Agreement. Staff has answered all Corps questions and responded in writing to the Deputy District Engineer. There were minor changes made in the Agreement as well as in the Escrow Agreement. An escrow account needs to be set up at a bank in order to deposit the Commission's cash contribution to the project. From this account, the Corps will draw funds as needed. A motion to reaffirm approval of the Local Cooperation Agreement was made by Chuck Agnew; seconded by Clyde Baughard; motion passed unanimously.

It is still hopeful that the signing ceremony of the contract will be held later this month or first of August. Staff will pursue arrangements for the Governor, Congressman, Senators and other area elected officials to be present at the ceremony. The site that is being considered is Indiana University Northwest.

As soon as the contract is signed, the Corps is ready to let contracts for the demolition of structures already purchased in the Tolleston Club area.

Mr. Gardner reported that the House has passed an appropriations bill that included \$3.39 million for the flood control project.

Land Acquisition/Management Committee - Committee Chairman Chuck Agnew made a motion to approve a compromise amount of \$14,500 for DC246. Our original approved amount was \$12,500. However, the property owner has produced documentation that the structure on the property is worth \$17,500. The property owner is agreeable to the \$14,500. Motion was seconded by Clyde Baughard; motion passed unanimously.

Mr. Agnew made a motion to approve moving expenses of \$2,000 for DC325; seconded by John DeMeo; motion passed unanimously. (\$2,000 was lowest of 3 quotes submitted).

It was the consensus of the land acquisition/management committee that someone needs to be on contract with the Commission on an emergency basis. Since the Commission has inherited the jurisdiction over the river from the Lake County Drainage Board, it is felt that someone needs to be on call. To that end, staff had solicited quotes for mowing and cleanup work the Commission needs to have done. Only one quote was received from Bob Porter. He stated reasonable price quotes to us. Mr. Agnew made a motion to contract with Bob Porter; motion seconded by Clyde Baughard; motion passed unanimously. The attorney will prepare contract.

The Commission will tour the river and properties owned in the near future.

Mr. Gardner informed the Commission that an afternoon meeting was held with the Corps and Gary officials in regard to Burr Street levee protection. The Corps had proposed different alternatives to the Commission in place of just floodproofing the homes. After meeting with Gary and discussing the alternatives, it was jointly decided to direct the Corps to implement Alternative #3 which is placing a levee from just west of Mansard Apartments to Burr Street with tie-back levees to the south on both ends. Adding the Burr Street levee would add an additional approximate cost of \$2 million to the project. Mr. Agnew made a motion to accept Alternative #3; motion seconded by Bill Critser; motion passed unanimously.

Interim Flood Control Committee - Attorney Lou Casale stated that he has received a revised contract from ConRail in regard to culvert replacement at Penn Central at Martin Luther King Dr. He is reviewing it now. A meeting needs to be called with the Little Calumet River Basin Commission.

Breakwaters/Marina Committee - In Committee Chairman William Tanke's absence, Dan Gardner reported he is still working with the Governor's staff in regard to the sand issue. Staff is attempting to try to have the Governor write a letter to the Marine Corps urging their participation in the sand removal. Staff will pursue.

Statements from the floor - Lake County Commissioner Rudy Clay inquired about the recent newspaper article regarding levee protection on Burr Street.

LCRBDC Minutes  
July 5, 1990  
Page 4

Debbie Schubert of Black Oak inquired about the projected time frame of the project. Staff informed her that it would take from construction start about five years for construction to reach Cline Avenue and about an additional four years to reach the state line.

Ed Johnston inquired about the river levees. He was informed that the area east of Cline Avenue will receive the same level of protection as the west side. The level of flood protection to be afforded by the levees will be a 200 year level of protection.

Bob Bittke of Gary inquired of Commissioner Arlene Colvin concerning sewers in Black Oak. The city of Gary has contracted for a study of the required sewers. To answer his direct question, he was informed that Calhoun Street is one of the streets being considered for sewers.

There being no further business, the meeting was adjourned at 7:35 p.m. The next meeting was scheduled for August 2, 1990.

/sjm

MERCANTILE NATIONAL BANK

JANUARY 1, 1990 - JUNE 30, 1990

CASH POSITION - JANUARY 1, 1990

Checking Account			
Land Acquisition	\$	19,369.97	
General Fund		55,692.86	
Tax Fund		1,124.07	
Investments		<u>916,500.00</u>	
			\$ 992,686.90

RECEIPTS - JANUARY 1, 1990 - JUNE 30, 1990

Lease Rents	\$	31,366.68	
Interest		42,127.87	
Land Acquisition		544,361.26	
Tax Fund		8,840.96	
Miscellaneous Income		<u>97.39</u>	
			\$ 626,794.16

DISBURSEMENTS - JANUARY 1, 1990 - JUNE 30, 1990

1989 Expenses Paid in 1990	\$	15,988.84	
Taxes		5,383.53	
Legal Services		1,542.52	
N I R P C		23,736.00	
Travel Mileage		1,637.25	
Printing & Advertising		414.97	
Bonds & Insurance		5,918.50	
Meeting Expenses		1,030.66	
L/A Professional Services			
(a) Appraisal Services		10,025.00	
(c) Engineering		1,100.00	
(d) Land Purchase Contractural		15,666.36	
(e) Operational Contractural		26,518.85	
(f) Market Economic Services		7,610.90	
(g) Moving & Relocation Expenses		33,574.93	
L/A Legal Services		14,577.00	
L/A Land Purchase Cost		117,537.94	
L/A Land Cap. Improvements		72,292.04	
L/A Insurance		<u>14,044.50</u>	
TOTAL DISBURSEMENTS:			\$ 368,599.79

CASH POSITION - JUNE 30, 1990

Checking Account			
Land Acquisition	\$	248,042.42	
General Fund		81,644.06	
Tax Fund		4,694.79	
Investments		<u>916,500.00</u>	
			\$ 1,250,881.27





**NORTHWESTERN INDIANA  
REGIONAL  
PLANNING COMMISSION**

8149 Kennedy Ave.  
Highland, Indiana 46322

219-923-1060  
312-731-2646

DATE: JUNE 11, 1990

ORGANIZATION: LITTLE CALUMET RIVER BASIN  
DEVELOPMENT COMMISSION

CONTRACT NO: P1.01

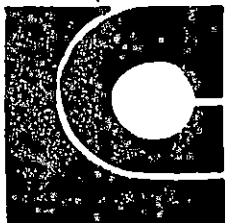
CONTRACT CODE: 952

PROJECT: FOR SERVICES PERFORMED DURING MAY 1990

INVOICE NO: 05

I N V O I C E

SALARIES AND FRINGE BENEFITS: DAN GARDNER & SANDY MORDUS	\$ 3,900.00
ROOM RENTAL FOR ADDITIONAL LCRBDC STAFF	215.00
ACCOUNTING SERVICES	150.00
TELEPHONE: LOCAL SERVICE	60.00
TELEPHONE: BILLABLE CHARGES (ATTACHMENTS)	95.32
POSTAGE	29.20
COPYING CHARGES @ \$.05 PER COPY	-0-
GRAPHICS/PRINTING TIME @ \$17.50 PER HOUR (ATTACHMENTS)	-0-
STAFF MILEAGE/EXPENSES	637.51
OTHER CHARGES (ATTACHMENTS) (PETTY CASH)	<u>28.95</u>
TOTAL MAY 1990	\$ 5,115.98
OUTSTANDING PAYMENT DUE	-0-
TOTAL PAYMENT DUE	\$ 5,115.98



# Little Calumet River Basin Development Commission

8149 Kennedy Avenue Highland, Indiana 46322 (219) 923-1118

DOYLE NIEMEYER, Chairman  
Governor's Appointment

ARLENE COLVIN, Vice-Chairman  
Mayor of Gary's  
Appointment

CLYDE BAUGHARD, Treasurer  
Governor's Appointment

WILLIAM CRITSER, Secretary  
Governor's Appointment

CHARLES AGNEW  
Governor's Appointment

GEORGE CARLSON  
Mayor of Hammond's  
Appointment

NATHANIEL LEONARD  
Lake County Commissioners'  
Appointment

STEVE DAVIS  
Dept. of Natural Resources'  
Appointment

JOHN DEMEO  
Governor's Appointment

DAVID SPRINGMAN  
Governor's Appointment

WILLIAM TANKE  
Porter County Commissioners'  
Appointment

DAN GARDNER  
Executive Director

July 10, 1990

Col. Randall Inouye  
LTC, Corps of Engineers  
District Engineer, Chicago District  
111 N. Canal Street  
Chicago, IL 60606-7206  
Attn. Paul Benkowski

Dear Mr. Benkowski:

The Little Calumet River Basin Development Commission at its board meeting held July 5, 1990 voted unanimously (8-0) to reaffirm its intent and willingness to sign the Local Cooperation Agreement with the U. S. Army Corps of Engineers for the purpose of construction of the Little Calumet River Flood Control and Recreation Project in Lake County, Indiana. The document voted upon was dated June 27, 1990 and contained some minor changes agreed to in the Washington review of the agreement held June 13.

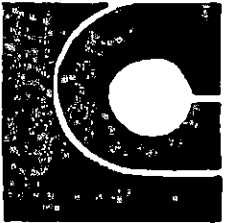
Additionally, the board voted unanimously (8-0) to sign the Certification Regarding Lobbying which was attached behind the Local Cooperation Agreement. The Development Commission fully understands these documents and willingly has supported signature by these two board votes.

If you have any questions, please feel free to call me.

Sincerely,

Dan Gardner  
Executive Director

cc: Beldon McPheron



# Little Calumet River Basin Development Commission

8149 Kennedy Avenue Highland, Indiana 46322 (219) 923-1118

DOYLE NIEMEYER, Chairman  
Governor's Appointment

ARLENE COLVIN, Vice-Chairman  
Mayor of Gary's  
Appointment

CLYDE BAUGHARD, Treasurer  
Governor's Appointment

WILLIAM CRITSER, Secretary  
Governor's Appointment

CHARLES AGNEW  
Governor's Appointment

GEORGE CARLSON  
Mayor of Hammond's  
Appointment

NATHANIEL LEONARD  
Lake County Commissioners'  
Appointment

STEVE DAVIS  
Dept. of Natural Resources'  
Appointment

JOHN DEMEO  
Governor's Appointment

DAVID SPRINGMAN  
Governor's Appointment

WILLIAM TANKE  
Porter County Commissioners'  
Appointment

DAN GARDNER  
Executive Director

July 24, 1990

Randall Inouye  
LTC, Corps of Engineers  
District Engineer  
219 S. Dearborn Street  
Chicago, IL 60604-1797

Dear Col. Inouye:

The Little Calumet River Basin Development Commission would like to confirm approval by the Corps of Engineers of an August 16, 1990 date for the signing ceremony for initiation of the construction phase of the Little Calumet River Flood Control/Recreation Project for Lake County, Indiana. The location for this ceremony will be at the Indiana University Northwest Conference Center in Gary, Indiana. This location is a short distance from the river, in a state facility to be protected by the project and in Gary - the city where the first construction will take place. It offers a good facility to have such a ceremony. The date is the best opportunity to allow participation of Governor Bayh, Congressman Visclosky, Senator Coats and other area elected officials.

We hope to work closey with the Corps to make this event a successful and notable occasion heralding the start of this long awaited and much needed project.

Please feel free to call me if you have any questions.

Respectfully,

Dan Gardner  
Executive Director

/sjm

cc: Evelyn Schiele

## Funds asked for projects

Sen. Richard Lugar, R-Ind., this week asked a U.S. Senate subcommittee to approve \$3.7 million for three water projects in Lake County.

The request includes \$3.39 million for the Little Calumet River recreation and flood control project; \$220,000 for the initial planning and design of the Cady Marsh Ditch flood control project in Griffith; and \$125,000 to finish a planning and engineering report on Lake George in Hobart.

Those amounts also were part of the Energy and Water Appropriations bill that passed the U.S. House in June.

The Senate subcommittee on energy and water development is marking up that bill now, Lugar aide David Shapiro said.

# Levees OK'd for stretch of Little Cal

HIGHLAND — The Little Calumet River Basin Development Commission voted Thursday to provide levees for flood protection on the south side of the Little Calumet west of Burr Street in the Black Oak section of Gary and in Griffith.

The commission, in response to complaints from the city of Gary and property owners in the flood plain, decided to add \$2 million as the estimated cost of building the levees.

No levees for the stretch west of Burr Street on the south side of the river were included in plans for the \$82.6 million Little Calumet flood control and recreation project.

The U.S. Army Corps of Engi-

neers, which is in charge of the federally funded project, has tentatively agreed to relent and include levee protection if the commission pays the additional cost, commission members noted.

"We are essentially providing full levee protection as opposed to flood proofing for individual structures that was in the plans," said Dan Gardner, the commission executive director.

The original plans provided for levees east and west of the affected area.

"We voted to send to the corps a modified plan for full levee protection so that all areas will be protected equally," said Gardner.

The absence of levees along that stretch of the river had brought complaints from residents and public officials that the area would be exposed to greater flooding as water backed up from levees upstream and downstream.

The stretch where no levees were planned extends along a Northern Indiana Public Service Co. right of way from Burr Street west through part of Black Oak and Griffith north of the Mansards apartment complex. Plans already provide for levees on the north side of the river.

The added levees on the south side would protect some 41 additional structures including two

apartment buildings in the flood plain at the extreme north end of the Mansards, Gardner said.

"The added levees will increase the cost of the project but in the long run is the fair and only way to go," said Gardner.

The federal government is providing about \$50 million for the project.

The basin commission will be asking the Indiana General Assembly over the next three bienniums for around \$10 million more to round out the non-federal share of the project cost, said Gardner.

Meanwhile, construction is expected to begin this fall with molition of older, dilapidated buildings and construction of flood control structures at some NIPSCO stations, Gardner said.

The construction of levees is expected to start next year, according to Gardner.

In other business, the commission elected as its new chairman Arlene Colvin, the city of Gary's director of development and planning and economic development. She replaces Doyle Niemeyer, who resigned from the 11-member commission when he moved out Northwest Indiana.



# River project not alone in fund wait

By SUE ELLEN ROSS

Times Correspondent

HIGHLAND — State and federal funding issues were on the minds of Little Calumet River Basin Development Commission members this week.

Last month the commission requested \$3 million for its Little Calumet River Project. The request was sent to the state's Build Indiana Fund, which was created out of excess revenues from the state lottery.

At Thursday's meeting, commission Executive Director Dan Gardner said the state received \$1.2 billion worth of requests for Build Indiana money. The fund stands at \$100 million.

A 12-member Capital Projects Review Committee will recommend

to the legislature and Gov. Evan Bayh projects for funding. General Assembly appropriations for the Little Calumet River Project have reached approximately \$13 million since 1975.

On the federal front, the U.S. House of Representatives recently approved \$3.39 million for the Little Calumet River Flood Control/Recreation Project and other area water projects.

The flood control plan calls for levees and flood walls between Cline Avenue in Gary and the Illinois state line. The main project is designed to prevent flood damage, which is estimated at \$11.9 million annually.

Although the entire project is not yet fully scheduled, the work may take eight to nine years to complete, Gardner said. Construction will begin

next spring in Gary and work west toward the state line.

Lake County Commissioner Rudolph Clay asked the commission about certain homes in an area designated for floodproofing. Forty-one homes in the Black Oak section of Gary are involved.

"These homes will be fully protected through a levee right where they sit," Gardner said.

In other business, commission Chairman Doyle Niemeyer has resigned his position, effective immediately.

Niemeyer has accepted a position with the State of Kansas as a unit supervisor for state parks and wildlife areas.

The vacancy will be filled by Vice Chairman Arlene Colvin for the rest of Niemeyer's term.

# Little Cal at building stage

Flood-control project could take 8 years, cost \$80 million

By Rich James

Staff writer

Back during the flood of 1954 there were barely enough people in Dyer, St. John and Schererville to warrant dots on the map. It was the year that the meandering Little Calumet River spilled over its banks during a massive down-

pour, just as it frequently does today. The flooding has worsened recently, and part of the blame falls on the St. John Township communities that have grown up in the last 30 years.

That wasn't the case in 1954 when most of the rain soaked into the township's corn fields. But today, the homes and shopping malls and blacktop are forcing more and more water into Hart Ditch, which flows from the south to the north, emptying into the Little Calumet River at the Munster/Highland line, frequently flooding the adjacent Wicker Park and Woodmar Country Club golf courses.

"As the suburban areas add additional development,

more water gets here (Little Cal) more quickly," Daniel Gardner, executive director of the Little Calumet River project said last week.

Gardner, who has directed the project for 15 years, made his comments as he announced an August signing ceremony between the Army Corps of Engineers and the Little Calumet River Basin Development Commission.

The signing moves the river project from the talking stage, which was prompted by that 1954 flood, to the construction stage. Construction is expected to take

See Little Cal, Page A10

## Little Cal

From Page A1

eight years. The total project cost could reach \$80 million, Gardner said, with \$67 million of that federal.

The project will protect 9,500 homes that are now flooded or threatened by the river. When construction is completed, those homeowners will no longer have to carry flood insurance.

The history of the project is almost as complex as the river itself. It is one of the few rivers in the country that flows in two directions — heading west into Illinois and east into the Portage/Burns Waterway and Lake Michigan. The division point is where Hart Ditch empties into the river in Highland.

"Flood control will be regulated at Hart Ditch," Gardner said. "More water will be directed to the west."

Besides the suburban growth that sends water rolling off pavement to the north end of the county, Gardner said the volume of water being carried by Deep River slows the flow of the Little Calumet to the east. Deep River meets the Little Calumet near Interstate 94 in Lake Station.

The late U.S. Rep. Ray J. Madden introduced a resolution in 1955 seeking federal support to halt the flooding.

Little happened until 1965 when Madden and former U.S. Sen. Birch Bayh introduced a second resolution, which led to an initial plan to have a 600-foot-wide channel. The idea was scrapped as too costly and environmentally insensitive. The plan now is for a channel 40- to 50-feet wide.

In 1975, then-state Sen. Adam

Benjamin Jr. won a \$550,000 appropriation to begin land acquisition. Some 2,500 acres along the river are publicly owned.

Benjamin carried the fight after being elected to Congress in 1976. U.S. Rep. Peter Visclosky is now the caretaker.

After Benjamin left the General Assembly, state legislators began securing money for the river each time the state adopted a budget. It was always a fight. Gardner credits state Sen. John Bushemi, former Sen. Ernie Niemeyer, state Sen. Earline Rogers and state Reps. Chester Dobis and Jerome Reppa for keeping the project moving.

The plan calls for construction of levees from the Indiana-Illinois state line to where the Penn Central Railroad intersects with Interstate 65.

Work will begin in Gary where levees will be set back from the north side of the river between King Drive and Cline Avenue to provide a flood plain. That will take about four years.

West of Cline, where the river flows close to homes, the existing levees will be reconstructed.

"Literally, we will be in people's backyards doing construction," Gardner said, adding that the river also will be dredged.

The recreational aspect of the project will include canoeing, hiking and biking trails, wetlands for laboratory studies, picnic areas and play areas.

Other than bringing Washington officials here for the signing ceremony, Gardner's next project is to coordinate the construction with the I-94 interchange improvement projects. The river frequently floods the I-94 exit ramps.

The interchange work begins in 1991.

# Little Calumet work to begin

By Rich James

Staff writer

**HIGHLAND** — Dwight D. Eisenhower was president when elected officials began working on the Little Calumet River flooding problem.

Ike is gone and the river is still flooding. But not for long.

The project will move from the planning stage to the construction stage in August when the Army Corps of Engineers and the Little Calumet River Basin Develop-

ment Commission sign an agreement through which the federal government will provide \$67 million.

Daniel Gardner, executive director of the development commission, told the Northwestern Indiana Regional Planning Commission Wednesday that a signing ceremony is expected to be held the week of Aug. 13.

U.S. Rep. Peter J. Visclosky, D-Merrillville, who inherited the project in 1985, said he is "deeply satisfied with the developments."

"It is also a fine example of what regional cooperation can mean," Visclosky said, adding that Gardner de-

serves credit for seeing the project through. Gardner said the construction — which is both flood-control and recreation — will take about eight years.

The first four years will be spent constructing levees to provide a flood-control plain between King Drive and Cline Avenue, Gardner said.

Land acquisition has been completed, Gardner said, except for about 18 dilapidated structures immediately east of Lake Etta County Park on the north side of the

See Little Cal, Page A12

## Little Cal

From Page A1

river.

About \$12.5 million — all state money — has been spent or appropriated for the project, Gardner said.

"About \$3 million in state money will be needed for the next couple of bienniums," Gardner said in reference to the local match for the federal money.

The late Adam Benjamin Jr., a former state senator and U.S. representative from the 1st District, secured the initial state financing in 1975.

With the years of planning and land acquisition about over, Gardner said the immediate concern is the redesign of five interchanges along Interstate 94, which parallels the river. Work on the interchanges begins next year.

"We are trying to have an impact

**T**he project will move from the planning stage to the construction stage in August.

on that planning project," Gardner said. It is critical they (interchanges and river) be done in concert.

Gardner said the basin commission is working with the Army Corps of Engineers to have construction contracts awarded to local firms.

Gardner said Gov. Evan Bayh and federal and state legislators are expected at the signing ceremony.

Bayh's father, former U.S. Sen. Birch Bayh, and the late U.S. Rep. Ray Madden sponsored the resolution on which the Little Calumet project has grown.

EDITORIAL

---

## **Stopping the floods on the Little Calumet**

Hurrah! The Little Calumet River flood prevention project finally is to be implemented. It only took 35 years to get from the "We've got a problem" stage to "Start the construction" stage.

In between, of course, there was a lot of work. Several state and national legislators, past and present, kept clamoring for the needed money. The state came through in bits and pieces and finally the planning and necessary land acquisition is about done.

Now federal money is coming in, and with the signing of an agreement, scheduled next month, between the Army Corps of Engineers and the Little Calumet River Basin Development Commission, area residents soon will see some concrete evidence of progress toward flood control.

There really should be a speedier way to get relief.

And don't breath too easily. With commercial and residential development sprawling throughout the area, flooding problems could get worse. Planners must work to see that the problem doesn't grow so fast that the remedy can't keep up.

The propensity toward more regional cooperation in recent years is what finally got the flood project on target. That must continue both in the public and private sector if the Little Cal is to be effectively controlled.

One thing about rivers and their tributaries, they have a powerful influence. Let something happen at one spot and its ramifications are felt up and down the line. That's nature's way of forcing people to work together.

---

ESTIMATED COST SHARE REQUIREMENTS  
PROJECT SPONSOR FINANCIAL CAPABILITY

	COMPL	FT 90	FT 90	FT 91	FT 92	FT 93	FT 94	FT 95	FT 96	FT 97	FT 98	FT 99	TOTAL
TOTAL PROJECT COSTS													
NON-FED CASH	\$1,604,000	\$2,802,000	\$16,444,000	\$15,847,000	\$16,502,000	\$15,769,570	\$16,763,000	\$5,622,000					\$91,353,570
NON-FED LEASED	\$73,404	\$60,415	\$135,130	\$794,429	\$1,055,235	\$1,108,830	\$1,195,635	\$401,251					\$4,824,329
OPERATIONS & MAINTENANCE COSTS	\$0	\$109,000	\$9,369,000	\$5,647,000	\$2,971,000	\$364,000	\$23,000	\$10,000					\$18,793,000
	\$0	\$0	\$0	\$50,000	\$50,000	\$100,000	\$100,000	\$150,000					\$900,000
SPONSOR'S RESPONSIBILITY	\$73,404	\$469,415	\$9,504,130	\$6,491,429	\$4,076,235	\$1,572,830	\$1,318,635	\$561,251					\$24,517,329
-----													
SPONSOR'S FUNDING SOURCES													\$0
BASIS CAPITAL INVESTED	\$700,000												\$700,000
COMMISSION LOCAL OPERATING ACCOUNT	\$272,299												\$272,299
ALLOCATED STATE FUNDS ON DEAR DOWN CLAIM	\$1,786,896												\$1,786,896
APPROPRIATED FUNDS YET TO BE ALLOCATED	\$4,000,000												\$4,000,000
FUTURE FUNDING FROM STATE													\$9,000,000
LANDS IN COMMISSION OWNERSHIP	\$4,284,101												\$4,284,101
LANDS PROVIDED BY OTHER PUBLIC ENTITIES	\$1,380,000												\$1,380,000
LANDS AVAILABLE THROUGH DRAINAGE BOARD EASEMENTS	\$369,297												\$369,297
RELOCATIONS PROVIDED BY UTILITY													\$300,000
RELOCATIONS ACCOMPLISHED BY 1007													\$4,000,000
TOTAL SPONSOR FUNDING BY FT	\$12,792,595	\$0	\$3,100,000	\$2,100,000	\$3,100,000	\$2,000,000	\$3,000,000	\$0	\$0	\$0	\$0	\$0	\$26,092,595
BALANCE FORWARDED FROM PRIOR YEAR	\$0	\$12,719,191	\$12,249,776	\$5,845,646	\$1,454,217	\$477,982	\$905,152	\$2,586,517	\$2,025,266	\$1,875,266	\$1,725,266	\$1,725,266	
EXPENSES BY FT	(\$73,404)	(\$469,415)	(\$9,504,130)	(\$6,491,429)	(\$4,076,235)	(\$1,572,830)	(\$1,318,635)	(\$561,251)	(\$150,000)	(\$150,000)	(\$150,000)	(\$150,000)	
FINANCIAL POSITION AS OF THE END OF THE YEAR	\$12,719,191	\$12,249,776	\$5,845,646	\$1,454,217	\$477,982	\$905,152	\$2,586,517	\$2,025,266	\$1,875,266	\$1,725,266	\$1,575,266	\$1,575,266	



Federal/Non-Federal Allocation of Funds  
Little Calumet River Flood Protection and Recreation Project

Year	Total Proj. Costs	Non-Fed LEERD	Sched Const	Percentage	Non-Fed Cash	Fed Cash
-----	-----	-----	-----	-----	-----	-----
Compl. FY 90						
Structural	\$1,394,000	\$0	\$1,394,000	2.1%(2)	\$87,727	\$1,306,273
Non-Structural	\$210,000	\$0	\$210,000	5.7%	(\$14,323) (3)	\$224,323
Recreation	\$0	\$0	\$0	0.0%	\$0	\$0
F & W Enhancement	\$0	\$0	\$0	0.0%	\$0	\$0
Subtotal	\$1,604,000	\$0	\$1,604,000	2.2%(1)	\$73,404	\$1,530,596
FY 90						
Structural	\$1,695,000	\$111,000	\$1,584,000	2.4%	\$99,684	\$1,484,316
Non-Structural	\$1,079,000	\$298,000	\$781,000	21.4%	(\$53,269)	\$834,269
Recreation	\$28,000	\$0	\$28,000	2.2%	\$14,000	\$14,000
F & W Enhancement	\$0	\$0	\$0	0.0%	\$0	\$0
Subtotal	\$2,802,000	\$409,000	\$2,393,000	3.3%	\$60,415	\$2,332,585
FY 91						
Structural	\$12,398,000	\$8,115,000	\$4,283,000	6.4%	\$269,537	\$4,013,463
Non-Structural	\$3,921,000	\$1,256,000	\$2,665,000	72.9%	(\$181,907)	\$2,848,907
Recreation	\$63,000	\$0	\$63,000	5.1%	\$32,500	\$32,500
F & W Enhancement	\$60,000	\$0	\$60,000	6.2%	\$15,000	\$45,000
Subtotal	\$16,442,000	\$9,371,000	\$7,078,000	9.8%	\$135,130	\$6,942,870
FY 92						
Structural	\$15,323,000	\$5,647,000	\$9,676,000	14.5%	\$608,929	\$9,067,071
Non-Structural	\$0	\$0	\$0	0.0%	\$0	\$0
Recreation	\$218,000	\$0	\$218,000	17.1%	\$109,000	\$109,000
F & W Enhancement	\$306,000	\$0	\$306,000	31.6%	\$76,500	\$229,500
Subtotal	\$15,847,000	\$5,647,000	\$10,200,000	14.1%	\$794,429	\$9,405,571
FY 93						
Structural	\$15,814,000	\$2,971,000	\$12,843,000	19.3%	\$608,235	\$12,034,765
Non-Structural	\$0	\$0	\$0	0.0%	\$0	\$0
Recreation	\$300,000	\$0	\$300,000	23.6%	\$150,000	\$150,000
F & W Enhancement	\$388,000	\$0	\$388,000	40.0%	\$97,000	\$291,000
Subtotal	\$16,502,000	\$2,971,000	\$13,531,000	18.6%	\$1,055,235	\$12,475,765
FY 94						
Structural	\$15,369,570	\$364,000	\$15,005,570	22.5%	\$944,330	\$14,061,240
Non-Structural	\$0	\$0	\$0	0.0%	\$0	\$0
Recreation	\$258,000	\$0	\$258,000	20.3%	\$129,000	\$129,000
F & W Enhancement	\$142,000	\$0	\$142,000	14.7%	\$35,500	\$106,500
Subtotal	\$15,769,570	\$364,000	\$15,405,570	21.2%	\$1,108,830	\$14,296,740
FY 95						
Structural	\$16,396,000	\$23,000	\$16,373,000	24.6%	\$1,030,385	\$15,342,615
Non-Structural	\$0	\$0	\$0	0.0%	\$0	\$0
Recreation	\$294,000	\$0	\$294,000	23.1%	\$147,000	\$147,000
F & W Enhancement	\$73,000	\$0	\$73,000	7.5%	\$18,250	\$54,750
Subtotal	\$16,763,000	\$23,000	\$16,740,000	23.1%	\$1,195,635	\$15,544,365
FY 96						
Structural	\$5,512,000	\$10,000	\$5,502,000	8.3%	\$346,251	\$5,155,749
Non-Structural	\$0	\$0	\$0	0.0%	\$0	\$0
Recreation	\$110,000	\$0	\$110,000	8.6%	\$55,000	\$55,000
F & W Enhancement	\$0	\$0	\$0	0.0%	\$0	\$0
Subtotal	\$5,622,000	\$10,000	\$5,612,000	7.7%	\$401,251	\$5,210,749
Individual Totals						
Structural	\$83,901,570	\$17,241,000	\$66,660,570	100.0%	\$4,195,079	\$62,465,492
Non-Structural	\$5,210,000	\$1,332,000	\$3,878,000	100.0%	(\$249,500)	\$3,907,500
Recreation	\$1,273,000	\$0	\$1,273,000	100.0%	\$636,500	\$636,500
F & W Enhancement	\$969,000	\$0	\$969,000	100.0%	\$242,250	\$726,750
Total	\$91,353,570	\$18,793,000	\$72,560,570	100.0%	\$4,824,329	\$67,736,242

## Footnotes:

(1) FY sub-total sched. const. % of total sched. const. (typical for column).

(2) FY individual feature sched. const. % of individual feature sched. const. total (typical for column).

(3) Represents sponsor LEERD contributions above requirements (typical for column).



UNITED STATES MARINE CORPS  
INSPECTOR-INSTRUCTOR STAFF  
ENGINEER SUPPORT COMPANY  
6TH ENGINEER SUPPORT BATTALION  
4TH FORCE SERVICE SUPPORT GROUP, FMF, USMC  
860 NORTH LAKE STREET  
GARY, INDIANA 46403-1097

IN REPLY REFER TO:  
1000  
3ADMIN  
18 Jul 90

Little Calumet River Basin  
Development Commission  
Attn: Mr. Dan Gardner  
8149 Kennedy Avenue  
Highland, IN 46322

Dear Sir:

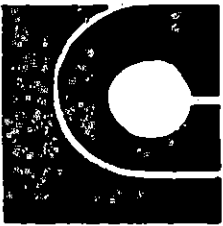
In accordance with discussions held during the meeting of July 17, 1990, I regret to inform you that without **written** approval from the local union, Engineer Support Company will not be able to conduct the training operations, as it pertains to this project, you have requested.

In the event that in the future you would be able to provide the documentation as requested, I would be glad to again consider your request.

If I can be of any future service or assistance, please don't hesitate to call me at (219) 938-1955.

Sincerely,

R. B. VAN DYKE  
Major, U. S. Marine Corps  
Inspector-Instructor



# Little Calumet River Basin Development Commission

8149 Kennedy Avenue Highland, Indiana 46322 (219) 923-1118

DOYLE NIEMEYER, Chairman  
Governor's Appointment

ARLENE COLVIN, Vice-Chairman  
Mayor of Gary's  
Appointment

CLYDE BAUGHARD, Treasurer  
Governor's Appointment

WILLIAM CRITSER, Secretary  
Governor's Appointment

CHARLES AGNEW  
Governor's Appointment

GEORGE CARLSON  
Mayor of Hammond's  
Appointment

NATHANIEL LEONARD  
Porter County Commissioners'  
Appointment

STEVE DAVIS  
Dept. of Natural Resources'  
Appointment

JOHN DEMEO  
Governor's Appointment

DAVID SPRINGMAN  
Governor's Appointment

WILLIAM TANKE  
Porter County Commissioners'  
Appointment

DAN GARDNER  
Executive Director

July 26, 1990

The Honorable Evan Bayh  
Governor of Indiana  
State House Room 206  
Indianapolis, IN 46204

Dear Governor Bayh:

I am writing you upon the direction of the Little Calumet River Basin Development Commission board and as the result of recent failed efforts to effect sand removal from a proposed marina development site the Development Commission owns for the purpose of shoreline enhancement in the Portage area. The Development Commission is under obligation to the U. S. Army Corps of Engineers for the development of a +300 slip public use marina development, public launch lanes and transient slips as the result of the Federal Section 107 project at the mouth of the Portage-Burns Waterway in 1983. Economic feasibility analysis contracted for by the Development Commission have shown that to attract private investors to submit proposals to construct, maintain, and manage such a public marina on land purchased by the Development Commission - the some 400,000 to 500,000 cubic yards of excess clean sand must be removed at little or no cost to the developer. This cost could run as high as \$2 million based on estimates of \$2.00/cubic yard to excavate and \$3.00/cubic yard to transport. To burden a developer with this added cost eliminates the private development option due to the increased costs far exceeding the revenue possible from the development, resulting in no bid proposals.

In attempting to follow your position statement to keep Indiana sand for the purpose of beach mitigation in Indiana, we have repeatedly attempted to identify no or low cost options to accomplish this objective. Attempts, with the aid of Bart Peterson of your staff, with the Marine Reserve unit in Gary, Indiana National Guard, and even pleas to the Corps of Engineers have failed for

Governor Evan Bayh  
July 26, 1990  
Page 2

a variety of reasons. (A copy of the recent negative response by Major Van Dyke of the Marine Reserve Unit for reasons of needing a written union waiver that cannot be obtained is included).

At this time, the Development Commission requests a meeting with key members of your staff, Indiana Department of Natural Resources staff, the U. S. Army Corps of Engineers staff, the city of Portage, and our marina development committee to explore all options available to meeting this State commitment of a public use marina development in Portage. The already constructed breakwaters have brought much safer boating conditions to the existing +600 boaters berthed in the waterway and have been instrumental in spawning four separate private marina development proposals totaling in excess of 2,000 new slips, so there are clear benefits, economic and other, being realized. The need is to now strategize how the much-needed public use marina can be developed, thus eliminating a nearly \$2 million obligation (the non-Federal share of the breakwaters project) that hangs over the Development Commission.

I urge attention to this matter so as to best meet all State obligations, the provision of needed public use slips, launches and access, and to proactively address a means of moving clean sand to the lakefront to mitigate loss of Indiana shoreline.

Please call if you have any questions or if I can provide any further information to you.

Respectfully,



Dan Gardner  
Executive Director

/sjm  
encl.  
cc: Bart Peterson

## LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION

FOR AUGUST MEETING

## MONTHLY BUDGET REPORT

BUDGET CODE	BUDGET CATEGORY	BUDGET AMOUNT	AMOUNT PAID PREVIOUSLY	UNPAID BALANCE	AMOUNT READY FOR PAYMENT	PROJECTED BALANCE
119	PER DIEM EXPENSES	16000.00	3614.50	12385.50	0.00	12385.50
311	LEGAL SERVICES	7500.00	1795.98	5704.02	307.33	5396.69
312	NIRPC SERVICES	94000.00	28851.98	65148.02	4937.55	60210.47
323	TRAVEL MILEAGE	6000.00	2541.25	3458.75	3313.45	145.30
331	PRINTING ADVERTISING	2500.00	414.97	2085.03	465.53	1619.50
341	BONDS INSURANCE	7500.00	5918.50	1581.50	0.00	1581.50
361	EMERGENCY MAINTENANCE COSTS	3500.00	0.00	3500.00	0.00	3500.00
399	MEETING EXPENSES	3000.00	1060.53	1939.47	0.00	1939.47
411	LEGAL SERVICES	50000.00	14577.00	35423.00	2622.00	32801.00
412	PROFESSIONAL SERVICES	150000.00	97214.04	52785.96	5487.86	47298.10
413	LAND PURCHASE COSTS	5790576.00	155693.52	5634882.48	0.00	5634882.48
414	LAND CAPITAL IMPROVEMENTS	150000.00	72292.04	77707.96	44915.66	32792.30
415	BURNS WATERWAY BREAKWATER	0.00	0.00	0.00	0.00	0.00
416	STRUCTURES CAPITAL IMPROVEMENT	40000.00	0.00	40000.00	0.00	40000.00
417	PROPERTY/STRUCTURES INSURANCE	25000.00	15267.90	9732.10	0.00	9732.10
		6345576.00	399242.21	5946333.79	62049.38	5884284.41

## CLAIMS READY FOR PAYMENT

BUDGET CODE	VENDOR NAME	AMOUNT	EXPLANATION OF CLAIM
311	LOUIS M. CASALE	24.00	ADDITIONAL LEGAL SERVICES JULY 1990
311	LOUIS M. CASALE	283.33	ATTORNEY RETAINER FEE JULY 1990
312	NIRPC	4937.55	FOR SERVICES PERFORMED JUNE 1990
323	THE FAIRMONT HOTEL	3313.45	COST INCURRED RE: LODGING EXPENSES AT WATER RESOURCES CONGRESS
331	THE CALUMET PRESS	67.49	PRINTING EXPENSES INCURRED ON FLOOD CONTROL PROJECT
331	THE PRINTING EXPRESS	398.04	PRINTING EXPENSES INCURRED ON FLOOD CONTROL PROJECT
411	LOUIS M. CASALE	2622.00	LAND ACQUISITION LEGAL SERVICES JULY 1990
412	NIPSCO	16.30	UTILITY BILL FOR PUMPING EXPENSES 6/14/-7/16/90
412	CHICAGO TITLE INSURANCE	350.00	TITLE WORK INCURRED ON DC325,279,277,295,249,250,287 & 290
412	ROBERT B. STOUFFER	673.75	LAND ACQUISITION/MANAGEMENT SERVICES RENDERED 7/6-19/90
412	HARRY ELMORE	790.65	COST INCURRED RE: MOVING EXPENSES
412	HARRY ELMORE	2000.00	COST INCURRED RE: ACTUAL MOVE OF PERSONAL PROPERTY
412	ROBERT B. STOUFFER	951.75	LAND ACQUISITION/MANAGEMENT SERVICES RENDERED 7/20-8/2/90
412	NIPSCO	485.41	UTILITY BILL FOR PUMPING EXPENSES 5/15-6/14/90
412	CHICAGO TITLE INSURANCE	220.00	TITLE WORK INCURRED ON DC283,220,227 & 285
414	LAKE COUNTY PARKS	2834.66	FINAL PAYMENT OF SERVICES RE: MAINTENANCE BUILDING
414	BOB ELENORE PORTER	910.00	MOWING SERVICES INCURRED ON LCRBDC PROPERTY
414	LAKE COUNTY PARKS	41171.00	COST INCURRED RE: MULTI-PURPOSE BUILDING @ LAKE ETTA
		62049.38	



2-1-92-2

# ATTENDANCE ROSTER

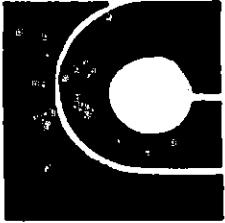
Name of meeting: LCRBDC

Date: 8/2/90

	NAME (please print)	Organization and/or Address	
1	DICK WAWRZYNIAK	DNR-DIV. WATER	1
2	Cynthia Graham	DIXON Development CORP.	2
3	ALICE WILLIAMS	4111 W. 31 <sup>st</sup> AVE	3
4	Jodi Dickey	LCPRD	4
5	Thomas Browne	Rep. Viselovsky's office	5
6	Sherylin Freeland	Congressman Viselovsky office	6
7	Bob Hoffman	LCRBC	7
8	Steve Zah	South Shore Marine	8
9	JERRY E. CASTLE	CASTLE ESTATES MASTER	9
10	Kath Conroy	LC	10
11	Bob Bittner	3131 Burn Gary	11
12			12
13			13
14			14
15			15
16			16
17			17
18			18
19			19
20			20
21			21
22			22
23			23
24			24
25			25
26			26
27			27
28			28
29			29
30			30
31			31

Chairman: Arlene Colvin

Location:



# Little Calumet River Basin Development Commission

8149 Kennedy Avenue Highland, Indiana 46322 (219) 923-1118

August 2, 1990

DOYLE NIEMEYER, Chairman  
Governor's Appointment

ARLENE COLVIN, Vice-Chairman  
Mayor of Gary's  
Appointment

CLYDE BAUGHARD, Treasurer  
Governor's Appointment

WILLIAM CRITSER, Secretary  
Governor's Appointment

CHARLES AGNEW  
Governor's Appointment

GEORGE CARLSON  
Mayor of Hammond's  
Appointment

NATHANIEL LEONARD  
Lake County Commissioners'  
Appointment

STEVE DAVIS  
Dept. of Natural Resources'  
Appointment

JOHN DEMEO  
Governor's Appointment

DAVID SPRINGMAN  
Governor's Appointment

WILLIAM TANKE  
Porter County Commissioners'  
Appointment

DAN GARDNER  
Executive Director

Richard E. Carlson  
Deputy District Engineer  
U. S. Army Corps of Engineers  
111 North Canal Street  
Chicago, IL 60606-7206

Dear Mr. Carlson:

I am writing in response to your letter dated June 7, 1990 regarding alternatives to providing additional structural flood protection measures to the Burr Street area of Gary south of the Little Calumet River. The Development Commission staff has met with representatives of the city of Gary, Gary Sanitary District, Gary City engineer and Indiana D.N.R. Div. of Water to elicit views and opinions as to the best approach.

The Development Commission board considered these inputs as well as staff recommendations and as a result, at the July 5, 1990 board meeting voted unanimously (8-0) to support the inclusion of levee protection of the Burr Street segment (alternative 3) into the flood control plan for the Little Calumet River. This alternative provides structural protection, better management of the future floodplain, and has broad local support. The Development Commission understands that this inclusion raises the project and the non-federal cost share by an estimated additional \$2,020,000.

The Development Commission board and staff feels this alternative will provide much improved protection and commends the Corps of Engineers for responding to our concerns with a range of improvement options. We believe this will be a definite improvement for the project as a whole and this area in particular. Please feel free to call me if you have any questions or need additional information.

Sincerely,

  
Dan Gardner  
Executive Director

cc: Beldon McPheron

## ESCROW AGREEMENT

This Agreement, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, by and between The Little Calumet River Basin Development Commission (hereinafter referred to as the "Commission"), the Department of the Army (hereinafter referred to as the "Government") and, the \_\_\_\_\_, (hereinafter referred to as the "Bank"),

## WITNESSETH THAT:

WHEREAS, ON \_\_\_\_\_, the Commission and the Government entered into a Local Cooperation Agreement for the construction of the Little Calumet River, Indiana Local Flood Protection and Recreation Project; and,

WHEREAS, pursuant to the Local Cooperation Agreement, the Commission is required to contribute, over the period of construction of the Project, a cash contribution calculated in accordance with said Agreement; and,

WHEREAS, the Commission and the Government have agreed that the required contribution may be deposited into an escrow account and held therein until the Government withdraws the funds in accordance with the Local Cooperation Agreement; and

WHEREAS, the Bank has agreed to serve as depository for the escrow account and to accept appointment as escrow agent;

NOW, THEREFORE, the parties agree as follows:

1. The Bank is hereby appointed as the escrow agent for the Commission and is designated the depository for the monies delivered by the Commission pursuant to the aforementioned Local Cooperation Agreement. The Bank shall establish "Little Calumet River Project Construction Fund" (hereinafter referred to as the "Escrow Account") into which shall be deposited the funds delivered by the Commission.

2. In accordance with the method of payment provisions of the Local Cooperation Agreement, the Commission shall absolutely and irrevocably deliver to the Bank the funds required to be provided to the Government during the construction period.

3. The funds held in the Escrow Account shall earn interest at a rate as the Bank and the Commission may mutually agree. To the extent the Commission authorizes the Bank to invest the funds in any instrument other than an interest-bearing account, savings certificate, or certificate of deposit of the Bank itself, such investment shall be only in direct obligations of the Government of the United States of America or in

obligations of agencies or insurers that are guaranteed by the Government of the United States of America. Any instrument must be subject to redemption on or prior to the dates the funds will be needed by the Government. Interest on the funds deposited shall accrue and belong to the Commission, and shall be payable to the Commission as the Bank and the Commission may agree.

4. The Government, acting pursuant to the terms of the Local Cooperation Agreement, shall have the sole and unrestricted right to draw upon all or any part of the funds deposited in the Escrow Account. A written demand for withdrawal shall be made to the Bank by the District Engineer, USAED, Chicago, or his designee, with a copy of said demand provided to the Commission. Within (10) days of receipt of the demand, the Bank shall pay to the Government the amount requested to the extent such amount does not exceed the balance available in the Escrow Account. All payments shall be in the form of bank drafts payable to the "FAO, USAED, North Central", and shall be mailed or otherwise delivered to the Government as specified below in Article 9.

5. Upon receipt of signed certification by the Government that no further demand for payment of money will be made, the Bank shall complete a final accounting of other obligations required under this Agreement, and pay over any remaining balance to the Commission.

6. The fee to be paid to the Bank for the services provided hereunder shall be as the Bank and the Commission may mutually agree. Any fee paid to the bank shall be the sole responsibility of the Commission. The Bank shall have no right to deduct monies from the principal escrow sum to pay for its services. In the event the Commission fails to make payment to the Bank for its services, all claims for such payment shall be made directly against the Commission. The Government shall not be responsible for any costs attributable to the establishment, maintenance, administration, or any other aspect of the Escrow Account.

7. Account statements shall be rendered by the Bank to the Commission and the Government once monthly, and shall show deposits, disbursements, and balances, and the dates thereof. Upon receipt by the Bank of the certification specified in paragraph 5 above, the Bank shall prepare a final accounting showing all transactions relating to the Escrow Account and provide said accounting to the Commission and the Government at the addresses shown in paragraph 9.

8. It is understood and agreed that the Bank shall not be liable or responsible to ascertain the terms or conditions of any provision of the aforementioned Local Cooperation Agreement between the Commission and the Government. It is further understood and agreed that if any controversy arises between the Government and the Commission, or with any other party with respect to the subject matter of this Agreement, the Bank is

authorized, unless precluded by order of a court of competent jurisdiction, to disburse monies to the Government in accordance with the terms of this Agreement.

9. All notices, requests, demands, and other communications required or permitted to be given under this Agreement shall be deemed to have been duly given if in writing and delivered personally, given by prepaid telegram, or mailed by first-class (postage prepaid), registered, or certified mail, as follows:

If to the Commission:

Executive Director  
Little Calumet River Basin Development Commission  
8149 Kennedy Avenue  
Highland, Indiana 46322

If to the Government:

District Engineer  
U.S. Army Corps of Engineers, Chicago District  
111 North Canal Street  
Chicago, Illinois 60606-7206

If to the Bank:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
[full address]

10. Nothing in this Agreement shall be considered as vesting title in the Bank to the amount deposited, except as Trustee for the Commission and the Government for the purposes set forth herein. Title to said funds shall not vest in the Government until payment to the Government is made as provided herein.

11. This Agreement shall take effect upon the initial deposit of funds into the Escrow Account by the Commission and shall continue in full force until the certification specified in paragraph 5 hereof is received by the Bank and the balance remaining is returned to the Commission, unless earlier terminated by the written mutual agreement of the Commission and the Government.

12. This Agreement may not be amended, except by written modification signed by the parties hereto.



IN WITNESS WHEREOF, the Commission, the Government, and the Bank have executed this Agreement on the date first above written.

The Commission

ATTEST: \_\_\_\_\_ BY: \_\_\_\_\_

The Department of the Army

ATTEST: \_\_\_\_\_ BY: \_\_\_\_\_  
District Engineer

The Bank

ATTEST: \_\_\_\_\_ BY: \_\_\_\_\_

AUG 03 '90 09:53

LOWELL NATL BANK P02

INB National Bank, n.w.  
851 East Commercial Avenue  
Post Office Box 8  
Lowell, Indiana 46356



**INB**

August 2, 1990

TO: Cecilia Wallace  
Little Calumet River Basin Development Commission

INB National Bank n.w. will open a money market transaction checking account for the escrow funds for the "Little Calumet River Project Construction Fund". The account bears interest currently at 6.75% with a yield of 6.963%, the interest rate is set by the bank and generally is one half per cent under the 91 day Treasury Bill discount. There will be no monthly fee on the account. We will charge \$50.00 to set up the account.

If you need any additional information, please call me.

Jim Luken

696-8981  
696-0302 FAX

# Mercantile National Bank of Indiana

5241 HOHMAN AVENUE • HAMMOND, INDIANA 46320

GARY M. WILBERT  
ASSISTANT VICE PRESIDENT  
CORPORATE TRUST

HAMMOND (219) 933-3810  
CHICAGO (312) 731-8440

July 30, 1990

Dan Gardner, Executive Director  
LITTLE CALUMET RIVER BASIN  
DEVELOPMENT COMMISSION  
8149 Kennedy Avenue  
Highland, IN 46322

RE: ESCROW AGREEMENT

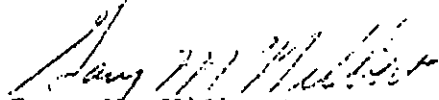
Dear Mr. Gardner:

I have reviewed the proposed Escrow Agreement pertaining to the Little Calumet River, Indiana Local Flood Protection and Recreation Project. We at Mercantile would welcome the opportunity to serve as Escrow Agent and our annual fee for our services would be \$350.00.

We would administer the account as set forth in the Escrow Agreement and all funds would earn interest in accordance with paragraph 3 of the Agreement. We could also make automatic transfers of interest income from the account to the Commission's checking account as the interest income is received.

If you need further information or have additional questions, please feel free to call me at 933-3810.

Very truly yours,



Gary M. Wilbert  
Assistant Vice President  
Corporate Trust

GMW:gm

**GAINER BANK**

July 31, 1990

Ms. Cecilia Wallace  
Little Calumet River Basin Development Commission  
8149 Kennedy Avenue  
Highland, IN 46322

Dear Cecilia:

Re: Escrow Agreement

I have reviewed the Escrow Agreement between The Little Calumet River Basin Development Commission and the Department of the Army. Our annual fee for serving as Escrow Agent would be \$750. This fee includes a monthly statement to be sent to the Commission, collection of monies from the Commission, investment of the available funds and payment to the Army of requests for distribution.

If you have any questions, please call me at 738-4110.

Sincerely,

*Trish M. Sarkisian*

Trish M. Sarkisian  
Asst. Vice President  
and Trust Officer

We the residents of the 7200 block of Gary, also the southeast corner of Cline avenue & the Tri-state expressway petition the Little Calumet River Basin and the Army Corp of Engineers to give us 1st priority and consideration in the coming floodproofing project. The flooding we have endured is a result of poorly planned, or unsupervised, or unrestricted floodproofing west of Cline along the Little Calumet watershed. Affected are 16 families and 3 or more businesses. There is no good reason to push this area back or hold it back any longer.

Deborah Schubert	7250 W 29 Gary
Betty A. Waters	7237 Black Oak Rd Gary
Ph. Waters	7237 Black Oak Rd Gary
Jack Sue	2732 Cline ave Gary
Merrick Skand	2735 Cline Ave Gary
Earl & Fash	7212 W 29 ave Gary
Bill Harkins	7222 W 29 St Gary Ind
"	7220 W 29 St Gary Ind
James D. Hickey	7210 W. 29th Gary, Ind 46406
Frank D. Hickey	7208 W 29th St Gary Ind
Paul A. Hickey	7250 W 29th Ave Gary Ind
Andrew J. Stash	7216 W. 29th Ave Gary Ind
Ernest Stash	7216 W 29th Ave Gary Ind
Paul Chapurady	3901 West 29th St Gary Ind

cc Pete Visclosky  
Gov. Bayh  
Mayor Barnes  
Gary city engineer