

# Little Calumet River Basin Development Commission

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

Sandy

✓ **ARLENE COLVIN, Chairperson**

Mayor of Gary's  
Appointment

✓ **GEORGE CARLSON, Vice-Chairman**

Mayor of Hammond's  
Appointment

✓ **CLYDE BAUGHARD, Treasurer**

Governor's Appointment

✓ **WILLIAM CRITSER, Secretary**

Governor's Appointment

✓ **CHARLES AGNEW**

Governor'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

**VACANCY**

Governor's Appointment

**DAN GARDNER**

Executive Director

## MEETING NOTICE

THERE WILL BE A MEETING OF THE  
LITTLE CALUMET RIVER BASIN DEVELOPMENT  
COMMISSION

AT 6:30 P.M. THURSDAY, APRIL 4, 1991  
AT THE OFFICE OF THE  
REGIONAL PLANNING COMMISSION  
8149 KENNEDY AVENUE  
HIGHLAND, INDIANA

### A G E N D A

1. Call to Order by Chairperson Arlene Colvin
2. Recognition of Visitors, Guests
3. Approval of minutes of March 7th meeting 1-4
4. Communications
- Supplement #1 to Local Cooperation Agreement 5-8
5. Reports of Standing Committees
  - A. Finance/Policy Committee - Clyde Baughard, Treasurer
    - Financial status report 9
    - Approval of claims for March, 1991
    - Transfer of Basin funds of \$211,786.43
      - 30 day CD at Calumet National
    - Other issues
  - B. Legislative Committee - George Carlson, Chairman
    - Federal Budget Status 10-11
      - Congressional testimony
    - State Budget Status 12-14
      - Senate project support
    - Other issues

Send packet  
with brochure  
bel/red/jwb  
plaid blocks.

Eric  
Conrad

Interim  
M. Brown

*Interim*  
C. Flood Relief Projects Report - Clyde Baughard, Chairman

- Emergency Levee Construction - complete 15-17
- Erie Bridge Project
- Conrail R.R. culverts Project - Notice to Bidders 18-20
- Communities Levee Inspection
  - Letter from DNR to Highland 21-22

*Constructive*  
D. Land Acquisition/Management Committee -  
Charles Agnew, Chairman


- Committee meeting at 5:30 p.m.
- Appraisals, offers, acquisitions, recommended actions 23
- Lake County Commissioners' lots transfer
  - Commissioner Ernie Niemeyer
- Project Construction Sequence - sponsor requirements
  - Meeting at Corps office March 20th 24-27
- Other issues

E. Breakwaters/Marina Committee - Bill Tanke,  
Chairman

- 6:00 Marina Committee meeting/status report
- Corps dredging of the waterway/harbor status 28-29
- Public marina development status report
  - March 12th meeting with Mayor of Portage
  - March 15th meeting with Congressman Visclosky at Corps office
  - April 2nd meeting in Portage
- Other issues

6. Statements to Board from the floor

7. Set date for next meeting, adjournment



MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION  
HELD AT 6:30 P.M. THURSDAY, MARCH 7, 1991  
AT THE COMMISSION OFFICES  
8149 KENNEDY AVENUE, HIGHLAND, INDIANA

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

Development Commissioners:

William Tanke  
Clyde Baughard  
Dave Springman  
Nathaniel Leonard  
William Critser  
George Carlson  
Steve Davis  
John DeMeo

Staff:

Dan Gardner  
Lou Casale, Attorney  
Bruce Stouffer  
Sandy Mordus

Visitors:

Keith Nielson - WJOB  
Pete & M.J. Zak-S. Shore Marina  
George Bunce - Griffith Izaak  
Walton League  
Fredrick Szarka - Nat'l Park  
Service - IDNR  
Ed Wisinski-Izaak Walton  
Richard Bundy - Salmon Unltd  
Bob Huffman - Munster  
Herb Read - Porter Cty. IWLA  
Dick Wawrzyniak - DNR  
Bill Leets - Hobart  
Thomas Pappas - Portage Storm  
Water Board  
Ola Kennedy - L.C. Park Board  
Adam Adams - Cong. Visclosky's  
Office  
Andrew Beckman - L. C. Parks

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

Finance/Policy Committee - Treasurer Clyde Baughard presented the financial status report for February 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 - Committee Chairman George Carlson referred to the sample letter contained in packet that was sent to all the northwest IN delegation strongly urging their support of the Commission's \$3 million biennium request from the State. Although there is concern that the Development Commission was not in the state budget, Mr. Gardner indicated he felt the state would come through with funding for the Commission. He felt confident the legislators and Budget Committee all knew the importance of the project and what it will mean to northwest Indiana.

Copies of a draft letter going to the Senate Finance Committee were distributed to Commissioners. The letter also stressed the importance of continuity in funding and the critical need to stay on target with the construction schedule.

Attorney Casale referred to the addendum supplement to the Local Cooperation Agreement addressing levee protection for Burr Street. The decision to provide a more complete means of flood protection by constructing levees along Burr St. instead of flood proofing structures will cost the Commission about \$2 million of unmatched funds. Attorney Casale approved the addendum. Bill Tanke made a motion to approve the LCA addendum; Clyde Baughard seconded the motion; motion passed unanimously.

Interim Flood Control Committee - Attorney Casale reported that the contract for emergency levee at Tri State has been signed and has been mailed back to DNR in Indianapolis. Staff will meet with DNR and contractor on the site tomorrow at 10 a.m. Construction equipment is being moved in on site now. Expected to start this week.

Mr. Casale reported that a bidding package is being put together for Conrail culvert replacement/enlargement. The Commission had received the plans and specs from Tenney Pavoni at last months meeting. Permits are in place. Attorney Casale is assembling the front end documents to accompany the package and will forward them to Mike Kerr of TPA. Clyde Baughard made a motion to proceed with the bidding procedure; motion seconded by John DeMeo; motion passed unanimously.

Land Acquisition/Management Committee - In Committee Chairman Chuck Agnew's absence, Mr. Gardner gave committee report. Clyde Baughard made a motion to authorize attorney to pay \$17,750 on a court order to clear up DC353; motion seconded by Nathaniel Leonard; motion passed unanimously.

Mr. Gardner reported he and Arlene Colvin attended a meeting with the Lake County Park staff and selected Park Board members at the newly completed maintenance building at Lake Etta. They discussed the future plans for Lake Etta. There may be a request forthcoming for the Commission to pay for flooring for the building (concrete floor at present). The Park Dept. is planning to add a water slide to the Lake Etta park development. They are also pursuing having appraisals performed on properties on 29th St. If monies are in place for the Park Dept. to purchase those properties, they can expand the park to the north. they cannot expand to the east yet where the Development Commission now owns because there is still a private inholding there. Mr. Gardner stated that a canoe launch for the park site is included in the

Corps recreation plan. Lake County Board member Ola Kennedy stated she was very pleased with the successful development of Lake Etta and thanked the Board for the good working relationship the Park Board/staff and Development Comm/staff has always shared.

Marina/Breakwaters Committee - Committee Chairman Bill Tanke gave the marina report. Discussion took place on the dredging situation on Burns Waterway. The Corps of Engineers will not dredge this year because the Commission has not met the obligation of building a public marina. Concern has been expressed by many that there may not be a boating season if dredging doesn't occur this year. Pete Zak of South Shore Marina stated that he took soundings of the water depth for the city and although there is a sand shoal at the mouth of the waterway entrance, there is still about 3-1/2' clearance and he does not think it is as critical a situation as the media suggests. He is monitoring it.

Mr. Gardner stated that even if the dredging situation is not critical, it still is important for the Corps to dredge and for the Commission to pursue public funds for building the marina, as the best option. He has met with the mayor of Portage and future meetings are planned.

Mr. Tanke made a motion for staff to advertise for bids for the sand to determine if a market exists at present for the sand; motion seconded by John DeMeo; motion passed unanimously. There are several road projects now going on that the sand may be needed. The only way the Commission will know if there is a market is by putting out bids. Before any sandmining would be done, permits would have to be secured.

Mr. Gardner added that the Commission is still committed to finding sand for beach mitigation. There is still an effort being pursued in trying to secure federal dollars through the IN Port Commission for mitigation.

Mr. Tanke made a motion authorizing attorney to pursue vacating Crisman Road from north of NIPSCO right-of-way to the intersection of U.S. 12; motion seconded by Clyde Baughard; motion passed unanimously.

Mr. Tanke asked a question relative to the status of the regulated drain authority along the river in Lake County. He stated that one meeting was held with Bill Henderson of the Lake County Surveyor's Office to discuss which powers and authorities were transferred once the State DNR approved the project. He felt the meeting left many questions unanswered. Mr. Gardner

responded that DNR's interpretation is that the only authority that remained of the Drainage Board authority is the 75' easement for access, construction and maintenance of drainage/flood control improvements. No permitting or regulatory authority was transferred but lapsed with the extinguishing of the County Drainage Board's powers. Attorney Casale was directed to investigate and report at the next meeting.

Executive Director's Report - Mr. Gardner introduced Tom Pappas from the Portage Storm Water Management Board. Mr. Pappas wanted to meet the Commission members and extend to them his assistance and cooperation if needed at any time in the future.

Mr. Gardner referred to the letter in the packet that he wrote to DNR opposing the proposed rule for a higher permit fee schedule for floodway construction activities.

Statements from the floor - Richard Bundy, Salmon Unlimited, suggested the possibility of a fish hatchery being placed on the property and lake near Lake Etta. That fishing lake was previously being leased as Bob's Fish-A-While Lake (old Ensweiler lake).

Herb Read, IWLA, encouraged the Commission to use every means possible to them to get the marina site sand on the beach. He stated he felt the quality of the sand would be fine for beach mitigation. He supports any testing of the sand that can be done to determine quality.

George Bunce calculated there were at least 11 government agencies that have some kind of authority to deal with various aspects of a flood control project. He felt that if each agency did just a little, we would not have the buck passing and futile effort in getting anything done. He felt disappointed that no one stops the ongoing development in flood plain areas where construction takes place at the same elevation of the river.

Ola Kennedy, Lake County Park Board, was informed that a request from the Lake County Park Dept. for flooring would have to come before the Committee and then the Commission Board for approval.

There being no further business, the meeting was adjourned at 7:55 p.m. The next meeting was scheduled for April 4, 1991.

/sjm

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Real Estate Division


19 March 1990

Dan,

Here is a revised draft of the Supplement No. 1 to the LCA dated 16 August 1990. The revisions were made at the suggestion of North Central Division, Office of Counsel.

I have advised Lou of the changes and told him a copy would be provided to him. The format has changed, however it is substantially the same agreement approved by the Little Calumet Board of Commissioners.

The revised Supplement No.1 to the LCA and the Memorandum of Agreement along with the rest of the LCA package will be forwarded to Washington for review and approval by North Central Division, before the end of March.



Paul H. Benkowski  
Chief, Real Estate Division



19 March 1991

SUPPLEMENT NO. 1 TO THE  
LOCAL COOPERATION AGREEMENT  
BETWEEN

THE DEPARTMENT OF THE ARMY  
AND

THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION  
FOR CONSTRUCTION OF THE  
LITTLE CALUMET RIVER, INDIANA LOCAL FLOOD PROTECTION  
AND RECREATION PROJECT

THIS SUPPLEMENT NO. 1 to the 16 August 1990 Local  
Cooperation Agreement, entered into this \_\_\_\_\_ day of  
\_\_\_\_\_, 1991, by and between the DEPARTMENT OF THE ARMY  
(hereinafter referred to as the "Government"), acting by and  
through the Assistant Secretary of the Army (Civil Works), and  
the Little Calumet River Basin Development Commission  
(hereinafter referred to as the "Commission"), acting by and  
through its Chairperson,

WITNESSTH, THAT:

WHEREAS, the parties hereto have mutually agreed to modify  
the 16 August 1990 Local Cooperation Agreement by adding ARTICLE  
XXI, CONSTRUCTION ON BEHALF OF NON-FEDERAL INTERESTS;

NOW, THEREFORE, it is agreed between the parties hereto  
that the 16 August 1990 Local Cooperation Agreement should be and  
is hereby modified by adding ARTICLE XXI to the Local Cooperation  
Agreement which provides as follows:

ARTICLE XXI - CONSTRUCTION ON BEHALF OF NON-FEDERAL  
INTERESTS

The Commission may ask the Government to pursue certain  
construction, engineering and design on its behalf as the  
Government accomplishes construction of the Project. Such work  
is a betterment to the Project, as generally described in the  
Little Calumet Phase II, General Design Memorandum dated  
September 1986, and approved June 1990, and will be pursued under  
the terms of a separate Memorandum of Agreement entered into  
under authority of 33 U.S.C. 701(h). Any work accomplished on  
behalf of the Commission will be accomplished under Government  
contract with sufficient funds advanced by the Commission to  
cover all contractual and in-house fiscal obligations as they are  
incurred by the Government. The Commission shall be responsible  
for all operation and maintenance associated with such work to  
insure proper functioning of the Project and shall hold and save  
the Government free from all damages arising from the  
construction, operation, maintenance, replacement and  
rehabilitation of the non-Federal work, except for damages due to  
the fault or negligence of the Government or its contractors.



All other terms and provisions of the 16 August 1990 Local Cooperation Agreement shall remain in full force and effect except as herein modified.

IN WITNESS WHEREOF, the parties hereto have executed this Supplement No. 1, which shall become effective upon the date and year first above written.

THE DEPARTMENT OF THE ARMY

THE LITTLE CALUMET RIVER BASIN  
DEVELOPMENT COMMISSION

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

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

ARLENE COLVIN  
Chairperson of the Board,  
The Little Calumet River  
Basin Development Commissions

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

## CERTIFICATE OF AUTHORITY

I LOUIS M. CASALE, do hereby certify that I am the chief legal officer for the Little Calumet River Basin Development Commission, State of Indiana, that the Little Calumet River Basin Development Commission is a legally constituted public body with full authority and legal capability to perform the terms of Supplement No. 1 to the agreement between the Department of the Army and the Little Calumet River Basin Development Commission in connection with the Little Calumet River, Indiana Local Flood Protection and Recreation Project, and to pay damages, if necessary, in the event of its failure to perform, in accordance with Section 221 of Public Law 91-611, as amended, and that the persons who have executed this agreement on behalf of the Little Calumet River Basin Development Commission have acted within their statutory authority.

IN WITNESS WHEREOF, I have made and executed this  
Certification this \_\_\_\_\_ day of \_\_\_\_\_, 1991.

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LOUIS M. CASALE  
Attorney for The Little Calumet River  
Basin Development Commission, Indiana

**LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION**

**MERCANTILE NATIONAL BANK**

**JANUARY 1, 1991 - FEBRUARY 28, 1991**

**CASH POSITION - JANUARY 1, 1991**

CHECKING ACCOUNT	
LAND ACQUISITION	\$ 190,340.89
GENERAL FUND	117,719.92
TAX FUND	1,792.04
INVESTMENTS	<u>916,500.00</u>
	\$1,226,352.85

**RECEIPTS - JANUARY 1, 1991 - FEBRUARY 28, 1991**

LEASE RENTS	\$ 7,625.00
INTEREST	5,566.87
LAND ACQUISITION	162,059.73
TAX FUND	<u>718.88</u>
	\$ 175,970.48

**DISBURSEMENTS - JANUARY 1, 1991 - FEBRUARY 28, 1991**

1990 EXPENSES PAID IN 1991	\$ 14,037.34
ADMINISTRATIVE SERVICES	
LEGAL SERVICES	343.33
NIRPC	4,697.09
TRAVEL & MILEAGE	44.16
PRINTING & ADVERTISING	29.81
BONDS & INSURANCE	12.50
MEETING EXPENSE	529.80
L/A PROFESSIONAL SERVICES	
LEGAL SERVICES	1,896.00
APPRAISAL SERVICES	1,700.00
LAND MANAGEMENT SERVICES	2,896.39
OPERATIONAL SERVICES	50.00
LAND PURCHASE CONTRACTUAL SERVICES	2,157.11
L/A PROPERTY/STRUCTURES	
PROPERTY & STRUCTURES ACQUISITIONS	38,384.48
TAXES	202.73
MISCELLANEOUS EXPENSES	<u>527.43</u>
TOTAL DISBURSEMENTS:	\$ 67,508.17

**CASH POSITION - FEBRUARY 28, 1991**

CHECKING ACCOUNT	
LAND ACQUISITION	\$ 299,861.15
GENERAL FUND	16,735.36
TAX FUND	2,218.65
INVESTMENTS	<u>1,016,000.00</u>
	\$1,334,815.16

## Visclosky pitches for water projects

Times Staff Report

WASHINGTON — Rep. Peter Visclosky has asked a federal subcommittee to pump \$8.7 million into Northwest Indiana for water projects, including the massive Little Calumet Flood Control Project.

Visclosky, D-Ind., made the pitch Thursday to the Appropriations Subcommittee on Energy and Water Development. He endorsed a \$6.5 million Army Corps of Engineers' request to continue construction on the \$92.3 million Little Calumet Flood Control Project.

Ultimately, that task would see construction of a 22-mile-long system of levees and flood walls along the river from the Illinois-Indiana line to Gary. The Little Calumet project, begun in 1990, is to eliminate some \$11.8 million in damage done annually by the river when it overruns its banks.

Visclosky also asked for \$370,000 so the Corps could continue design work on the Cady Marsh Ditch Project to relieve flooding in Griffith and Highland.

Hobart's ongoing Lake George cleanup project could receive a \$330,000 boost if the subcommittee grants Visclosky's re-

See PITCHES, Page B-2

## Pitches

Continued from Page B-1

quest for that Corps chore.

The money would allow the Corps to complete the engineering report that outlines how to remove the sediment choking Lake George.

Visclosky also endorsed the following Corps' 1992 budget requests:

■ \$701,300 for the Burns Waterway Harbor to replace damaged stone on the north breakwater.

■ \$535,400 for the Indiana Harbor confined disposal facility to continue efforts to design a disposal site for planned harbor dredgings.

■ \$138,100 for Michigan City

Harbor to perform condition surveys of breakwater structures and sedimentation surveys.

■ \$122,800 for the Burns Waterway Small Boat Harbor to monitor beach nourishment and conduct surveys of breakwater conditions.

■ \$22,000 for Beverly Shores for revetment monitoring.

# Visclosky pushes for water projects funds

An \$8.7 million appropriation for Northwest Indiana water projects would "make a positive difference," U.S. Rep. Peter J. Visclosky, D-Merrillville, told Congress this week.

Visclosky spoke to the appropriations subcommittee on energy and water development.

The \$8.7 million requested by the Army Corps of Engineers includes \$6.5 million to continue construction of the Little Calumet River flood control project, which was au-

thorized in 1986.

The project, which eventually would cost an estimated \$92 million, would protect areas along the Little Calumet from the Illinois state line to Gary. Construction is scheduled to begin this year. Last November, flooding along the Little Calumet damaged homes in Highland and Gary.

"I stressed that every possible effort must be made to complete this project in an accelerated time frame

in order to avoid further loss of life, \$11.8 million in annual average flood damage and further disruption of people's lives," Visclosky said.

Other projects in the \$8.7 million appropriation include:

- \$701,000, to replace damaged stone on the north breakwater at the Port of Indiana/Burns International Harbor.

- \$535,400, to continue designing the Indiana Harbor Confined Disposal Facility.

- \$370,000, to continue designing a flood control project along the Cady Marsh Ditch in Griffith.

- \$330,000, to complete an engineering report on removing sediment in Hobart's Lake George.

- \$138,100, to check the condition of the breakwater and sediment at the Michigan City harbor.

- \$122,800, to monitor beach build-up and breakwater conditions at the Portage-Burns Waterway small-boat harbor.

Pos. Tribune, Fri, March 22, '91



Reprinted  
March 6, 1991

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## SENATE BILL No. 503

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** None (noncode).

**Synopsis:** Build Indiana fund appropriations. Provides that the budget agency may not refuse a request for an allotment from the build Indiana fund unless the state board of finance finds that the money is not available for the allotment. Appropriates money from the state and local capital projects account, from the job creation and economic development account, and from the highway construction account.

**Effective:** July 1, 1991.

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**Borst, Paul, O'Day**

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January 16, 1991, read first time and referred to Committee on Finance.  
February 28, 1991, amended, reported favorably - Do Pass.  
March 5, 1991, read second time, amended, ordered engrossed.

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Reprinted  
March 6, 1991

First Regular Session 107th General Assembly (1991)

**PRINTING CODE.** Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in this style type, and deletions will appear in this style type.

**Additions:** Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in this style type. Also, the word **NEW** will appear in that style type in the introductory clause of each **SECTION** that adds a new provision to the Indiana Code or the Indiana Constitution.

## SENATE BILL No. 503

A BILL FOR AN ACT concerning the build Indiana fund and to make an appropriation.

*Be it enacted by the General Assembly of the State of Indiana:*

1        **SECTION 1.** The following definitions apply  
2 throughout this act:

3        (1) "Year 1991-92" means the fiscal year beginning  
4        July 1, 1991, and ending June 30, 1992.

5        (2) "Year 1992-93" means the fiscal year beginning  
6        July 1, 1992, and ending June 30, 1993.

7        **SECTION 2.** If an appropriation is made by this act for  
8 the same purpose as an appropriation made from the  
9 build Indiana fund by P.L.357-1989(ss) or P.L.185-1990, the  
10 appropriation made by this act is in lieu of the  
11 appropriation made from the build Indiana fund by  
12 P.L.357-1989(ss) or P.L.185-1990.

13        **SECTION 3.** (a) The following appropriations are made  
14 from the state and local capital projects account of the  
15 build Indiana fund for the periods of time designated:

PROJECT	Year	Year
	1991-92	1992-93

1	<sup>6</sup> New State Museum A/E	2,000,000
2	Little Calumet River Basin	
3	Commission	2,000,000
4	Dunn Community Mental Health	
5	Center 1,104,464	
6	Marion Water Front Project	1,100,000
7	Indiana Natural Heritage	
8	Protection Campaign	200,000
9	Lake Shafer Enhancement	100,000
10	Northern Indiana Commuter	
11	Transportation District	800,000
12	Tri-County Community Mental	
13	Health Center	6,174,750
14	Mounds State Park	
15	Land Acquisition	500,000
16	Lake Enhancement	
17	Shipshewana Lake	2,400,000
18	Sylvan Lake	100,000
19	Little Turtle Waterway Project	500,000
20	Indiana Department of Transportation	
21	Bypass Study-Noblesville	300,000
22	Headwaters Commission Flood Control	
23	Project-Fort Wayne	400,000
24	Department of Natural Resources	
25	Bass Lake Project	65,000
26	If the budget agency has allotted funds appropriated	
27	from the build Indiana fund by P.L.357-1989(ss) or	
28	P.L.185-1990 for any of the purposes listed above, the above	
29	appropriation for that purpose is reduced by the amount of	
30	the allotment.	
31	Lake Michigan Marina	
32	Development Commission	10,000,000
33	Public Television	
34	Lake County	
35	WYIN-TV	400,000
36	St. Joseph County	
37	WNIT-TV	250,000
38	LaPorte County	
39	Juvenile Detention Center	500,000
40	Northern Indiana Commuter	
41	Transportation District	3,200,000
42	Michigan City	
43	Trail Creek Improvement Plan	260,000
44	Michigan City	
45	Wastewater Treatment Facility	51,000

The Times,  
Wed. March 13, '91

# Work begins for dike on Tri State land

By RADA INDJICH  
Times Staff Writer

HIGHLAND — Construction of a dike on Tri State Coach Lines property that borders the Little Calumet River is expected to begin today.

"Construction should take 10 days tops, assuming it's fit to work weatherwise," said Harold Maupin, an estimator for Dyer Construction of Dyer, which was awarded

the contract for the work from the Indiana Department of Natural Resources.

Jim Hebenstreit, assistant director for the Division of Water with the IDNR, estimated construction could take two to three weeks. He estimated the cost at slightly more than \$30,000.

The dike, which will be composed of steel sheet piling, is needed to replace an embankment built by emergency crews during the Nov. 28 flood that devastated

272 homes in the Wicker Park Manor subdivision, which is immediately east of the Tri State property, 8144 Indianapolis Blvd.

When it built a parking lot in 1987, Tri State lowered a railroad embankment on the river that had served as a dike, according to an investigation ordered by Gov. Evan Bayh after the November flood.

The embankment and a spoil bank made from river dredgings had provided some flood protection to the residential

area in the past. The investigation blamed Tri State for the subdivision's flooding.

The dike will be about 700 feet long and will be located solely on Tri State's property.

It will be 3 feet above the flood elevations experienced in November, Hebenstreit said.

The Little Calumet River Basin Development Commission will be responsible for maintaining the dike once it is built.

## Highland told dike won't stop all flooding

By RADA INDJICH  
Times Staff Writer

HIGHLAND — Once construction of a 700-foot dike on Tri State Coach Lines property is completed, the Wicker Park Manor subdivision still won't be fully protected if it floods again, according to an official of the Indiana Department of Natural Resources.

Jim Hebenstreit, assistant director of the Division of Water with the IDNR, said Tuesday, "I've already told Highland (town council), once the sheet piling (dike) is up; if there is a flood, they'll still have to sandbag behind the pump house and on Indianapolis Boulevard. It's just a warning to them that it needs to be done (under those circumstances)."

In a letter dated Feb. 21 to Councilman Dominic Noce, D-2nd, Hebenstreit said, "It should be noted that while this project (Tri State dike) will prevent floodwaters from entering the subdivision across the Tri State Coach Lines property, there are other locations where a flood of similar magnitude to that which occurred in November of 1990 will still enter the Wicker Park area."

The letter states the IDNR has identified two locations that will need to be sandbagged by the town in the event of flooding: Indianapolis Boulevard over the Little Calumet River and "a low spot in the spoil bank near the pumping station on the north side of the subdivision and immediately south of the river."

Noce was unavailable for comment Tuesday; he will be out of town until Friday.

Town Council President Dennis Tobin, D-3rd, said, "We've always known Indianapolis Boulevard is low. We know that anytime there's rain, we have to sandbag that. On Nov. 28 that's what we sandbagged."

Regarding the low area behind the pump station, Tobin said, "That's a small, low spot and not much of a

## Highland

Continued from Page B-1

threat. It's being handled."

Tobin said if flooding threatened, the town would build an emergency embankment at the pumping station, but, he added, "It's not nearly as threatening as the street (Indianapolis Boulevard) itself."

Hebenstreit also cautioned in his letter, "It is possible there are other low spots, culverts, drains, etc. along railroad embankments on the east and west sides of the subdivision, but our staff has not conducted a comprehensive investigation to identify such problems."

Hebenstreit's letter also states

that the IDNR is "concerned" because the banks apparently are owned privately.

"Other landowners may alter these existing embankments and create additional opportunities for floodwaters to enter the subdivision," the letter states. "The town of Highland should immediately initiate steps to ensure that a mechanism is established to prevent work on these embankments from occurring without the knowledge, review and approval of the town board."

Tobin said, "We've discussed that (preventing those areas from being altered) with our attorney. I don't know that we have a solution yet, but it's being addressed."

See HIGHLAND, Page B-2



## Little Calumet dike finished in Highland

By RADA INDJICH  
Times Staff Writer

HIGHLAND — Construction of a dike on Tri State Coach Lines property that borders the Little Calumet River is complete except for a survey of its elevation, said an Indiana Department of Natural Resources official.

Jim Hebenstreit, assistant director of the Division of Water with the IDNR, said Dyer Construction of Dyer began work March 15.

"It's up and it's done," he said. "The contractor went like gangbusters to finish the job, and I don't think they worked over the weekend."

The IDNR originally had predicted construction would take two to three weeks. Harold Maupin, an estimator for Dyer Construction, had figured the job would take a maximum of 10 days.

The total cost for the dike was \$32,000, Hebenstreit said.

See LITTLE, Page A-4

## Little

Continued from Page A-1

The dike, which is composed of steel sheet piling, replaces an embankment built by emergency crews during the Nov. 28 flood that devastated 263 homes in the Wicker Park Manor subdivision, immediately east of the Tri State property, 8144 Indianapolis Blvd.

During construction of a parking lot in 1987, Tri State lowered a railroad embankment on the river that had served as a dike, according to an investigation ordered by Gov. Evan Bayh after the flood.

The embankment and a spoil bank made from river dredgings had provided some protection to the residential area from flooding in the past. The investigation blamed Tri State for flooding the subdivision.

The dike is about 700 feet long and is located solely on Tri State's property. It is 3 feet above the flood elevations experienced in November, said Hebenstreit.

Hebenstreit said he expects surveyors at the site as early as next week. "We want to make sure we don't have a glitch in our elevations."

The Little Calumet River Basin Development Commission will be responsible for maintaining the dike.

## NOTICE TO BIDDERS

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION will receive sealed bids for the construction and installation of two(2) 72-inch reinforced concrete drain pipes through the lands and under and across the roadway and tracks of the Fort Wayne Line of RAILROAD (Line Code 3202), at Valuation Station 23224+80+/-, located 613 feet west of Mile Post 439 (M.P. 439.12) in the City of Lake Station, (formerly known as East Gary), Lake County, Indiana.

Bids shall be mailed, or delivered in person, to the Office of the LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION, located at 8149 Kennedy Avenue, Highland, Indiana, until 2 o'clock P.m. (local prevailing time) on the 29th day of April, 1991, at which time, date, and place, all bids will be opened and read aloud. Bids not received at the designated location at or prior to the time and date for receipt shall be considered invalid and will be returned unopened.

All bids shall be in accord with the Instructions and Supplementary Instructions to Bidders contained within the construction plans and specifications which are on file for public inspection as set out herein.

A bid security in the form of a certified check/cashier's check or a Bid Bond from an acceptable surety made payable to the LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION shall accompany each bid. The bid security shall be in the penal amount of Five(5%) Percent of the total bid. Bid security shall be forfeited if bid is withdrawn after closing time on date for receiving bids.

Bidders shall enclose with each bid, Indiana General Form No. 96 (Revised), including a Non-Collusion Bid Affidavit and an Indiana

General Form No. 96-A (Revised) Standard Questionnaire and Financial Statement for Bidders.

Successful bidder shall conform with the "Schedule of Prevailing Wages" included in the Supplementary Conditions.

The successful bidder will be required to furnish a satisfactory Performance and Labor and Material Payment Bond from an acceptable surety in an amount equal to One Hundred (100%) Percent of the full contract sum.

The construction Plans and Specifications and Contract Documents, including drawings are on file for public inspection at the following locations.

LITTLE CALUMET RIVER BASIN  
DEVELOPMENT COMMISSION (owner)  
8149 Kennedy Avenue  
Highland, IN 46322

DODGE REPORTS  
900 Ridge Road  
Munster, IN 46321

TENNEY PAVONI  
ASSOCIATES, INC.(engineer)  
5217 Hohman Avenue  
Hammond, IN 46320

MIDWEST PROJECTS UNLTD.  
5655 Broadway  
Merrillville, IN 46410

Bidders may obtain copies of the documents from the Owner or Engineer for a fee of \$ 50.00 for the first set of documents which shall be refundable if said documents are returned in good condition within ten (10) days after date for receiving bids. Additional sets of documents may be obtained for a non-refundable fee of \$ 25.00. No partial sets will issued. Fees are to be payable to the LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION and shall be sent or delivered to:

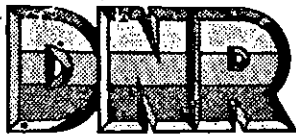
LITTLE CALUMET RIVER BASIN  
DEVELOPMENT COMMISSION  
8149 Kennedy Avenue  
Highland, IN 46322

A pre-bid meeting will be at 10:00 a.m. on the 22nd day of April, 1991 at the offices of the Little Calumet River Basin Development Commission. All bidders are encouraged to attend.

This notice and request for bids is dated the 11th day of April, 1991.

LITTLE CALUMET RIVER BASIN  
DEVELOPMENT COMMISSION

Dan Gardner, Executive Director



INDIANA DEPARTMENT OF NATURAL RESOURCES

PATRICK R. RALSTON, DIRECTOR

Division of Water  
2475 Directors Row  
Indianapolis, Indiana 46241  
317-232-4160  
FAX: 317-241-8771

February 21, 1991

Dominic Noce  
Town of Highland  
Highland Municipal Building  
3333 Ridge Road  
Highland, IN 46322

Dear Mr. Noce:

Reference is made to our recent telephone conversation concerning your interest in having the Department assist the Town of Highland in developing an inspection program for the earth embankments which presently provide some protection to the Wicker Park Manor Subdivision during flooding events.

As I mentioned to you, since these embankments are not designed levees or flood control projects, they are not presently inspected by field personnel of the Division's Dam and Levee Section. Unfortunately, Division personnel are presently required to inspect over 1400 dams and levees annually and therefore it is doubtful that we would be able to perform an annual inspection of these structures for the Town of Highland. However, we would be willing to meet with representatives of the Town to discuss the types of inspections which could be performed and with what frequency. In addition we can provide you with the survey data which we have already obtained on these structures and we would be willing to inspect portions of the existing structures with representatives of the Town of Highland. I would suggest that this meeting could be conducted during the time period when Department personnel are in Highland to supervise the construction of the temporary levee on the property of Tri-State Coach Lines. It is anticipated that this project will be underway in the next several weeks.

In regards to the Tri-State Coach Line property, the Department has surveyed this property and designed a project which will involve the placement of a steel sheet piling wall along that portion of the Old C & O Railroad fill which was degraded below elevation 600 feet, sea level data. That project will extend along approximately 700 feet of the railroad fill and as noted above it is hoped that construction on the project will begin in the next several weeks. It should be noted that while this project will prevent flood waters from entering the Subdivision across the Tri-State Coach Lines property there are other locations where a flood of similar magnitude to that which occurred in November of 1990 will still enter the Wicker Park area. Our survey data has identified at least two locations which will need to be

"EQUAL OPPORTUNITY EMPLOYER"



PRINTED ON RECYCLED PAPER

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Letter to Dominic Noce  
Page Two  
February 21, 1991

sandbagged by the Town of Highland. The first is, as you know, at the Highway 41 bridge over the Little Calumet River and the second is a low spot in the spoil bank near the pumping station on the north side of the Subdivision and immediately south of the river. It is possible that there are other low spots, culverts, drains, etc. along the railroad embankments or the east and west sides of the subdivision but our staff has not conducted a comprehensive investigation to identify such problems. This Department is also concerned that since the railroad embankments and spoil banks are apparently held in private ownership, other landowners may alter these existing embankments and create additional opportunities for flood waters to enter the Subdivision. The Town of Highland should immediately initiate steps to insure that a mechanism is established to prevent work on these embankments from occurring without the knowledge, review and approval of the Town Board.

I hope this information is of assistance to the Town and when the date of construction for the temporary levee has been finalized, I will contact you to arrange a meeting with Town officials to discuss the implementation of an inspection program for the embankments which are presently protecting the Subdivision. If you have any questions in the meantime, please contact me at (317) 232-4163.

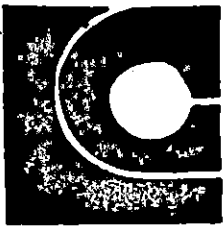
Very truly yours,



James J. Hebenstreit, P.E.  
Assistant Director  
Division of Water

JJH/mlm

pc: Dan Gardner



# Little Calumet River Basin Development Commission

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

March 18, 1991

**ARLENE COLVIN, Chairperson**  
Mayor of Gary's  
Appointment

**GEORGE CARLSON, Vice-Chairman**  
Mayor of Hammond's  
Appointment

**CLYDE BAUGHARD, Treasurer**  
Governor's Appointment

**WILLIAM CRITSER, Secretary**  
Governor's Appointment

**CHARLES AGNEW**  
Governor's Appointment

**NATHANIEL LEONARD**  
Lake County Commissioners'  
Appointment

**STEVE DAVIS**  
Dept. of Natural Resources'  
Appointment

**JOHN DEMBO**  
Governor's Appointment

**DAVID SPRINGMAN**  
Governor's Appointment

**WILLIAM TANKE**  
Porter County Commissioners'  
Appointment

**VACANCY**  
Governor's Appointment

**DAN GARDNER**  
Executive Director

Lake County Board of Commissioners  
2293 North Main Street  
Crown Point, IN 46307  
Attn. John Dull

Re: Transfer of property held by Lake County Board of Commissioners to the Little Calumet River Basin Development Commission to be used in the Little Calumet River Flood Control Project.

Dear Mr. Dull:

The long awaited Federal flood control project on the Little Calumet River in Lake County is due to begin construction in the summer (June) of 1991. In six-seven construction phases, over \$70 million of Federal construction contracts will be let.

For this construction to proceed, necessary project lands must be in the ownership of the Little Calumet River Basin Development Commission. We find that a number of lots in the first phase construction area are listed as owned by Lake County. Previously, the Board of Commissioners has transferred properties from the Commissioners tax sale to the Development Commission for the project. We are again requesting transfer of the below listed lots to the Development Commission to enable the Federal construction dollars to be expended.

Key #46-213-19 Block 56 Lot 19 - 2nd Oak Park Addition  
#46-213-33 Block 56 Lot 33 - 2nd Oak Park Addition  
#46-227-12 Block 72 Lot 12 - 2nd Oak Park Addition  
#45-404-31 N1/2 Lot 31 Harrison St. Plat

As we finalize levee locations, etc. in this flood control project, we know there will be additional county lots needed.

We thank you for your cooperation in this project and know that all Lake County citizens affected will gain by the completion of this project.

Sincerely,

Bruce Stouffer, Agent  
Land Acquisition/Management

CENCC-PP-PM

25 Mar 91

## MEMORANDUM FOR RECORD

SUBJECT: Little Calumet River Flood Protection and Recreation Project, Construction Schedule for East Reach Levee Construction.

1. Reference memorandum, CENCC-ED-P, dtd. 18 Mar 91, SAB.
2. The meeting discussed in the referenced memorandum was held as scheduled on 20 Mar 91 in the CENCC-ED conference room with Tom Fogarty, CENCC-ED-H, and the persons listed on the enclosed list in attendance (Encl. 1).
3. Following are the major points of discussion and decisions which occurred at the meeting:
  - a. There are two show stoppers to an early start of construction on the north levees between Broadway and Martin Luther King Drive (MLK). Firstly, INDOT does not have the necessary culvert replacements at Georgia Street and Interstate I-80/94 scheduled. A possible work-a-round is to construct the levees and leave a "gap" where the channel/river crosses the line of protection. The downsides of that approach is that the levees would not be considered beneficial construction and could induce an additional burden of flooding on some areas. Secondly, the local sponsor does not have the necessary interest in approximately 60 required tracts. It could take approximately 1-1/2 years to effect this acquisition.
  - b. Tom Fogarty, CENCC-ED-H, stated that the south levees between Grant Street and MLK could be done before the levees discussed above but the preference is not to do this if at all possible.
  - c. Dan Gardner, LCRBDC (local sponsor), stated he will discuss the culverts in question with INDOT on a priority basis.
  - d. Bruno Bertucci, CENCC-ED-DC, stated that there has been some difficulty in obtaining reference points on the ground to place on the final right-of-way drawings. He will coordinate with Indiana Northwest University since they have performed recent construction in the area.
  - e. CENCC-ED will provide right-of-way drawings to CENCC-RE as they are completed with or without the reference points for hand-off to the local sponsor.
  - f. There are two show stoppers to an early construction start on the 400 foot levee segment west of Burr Street and north of the

river. Firstly, the agreement to tie-in to the Norfolk and Western Railroad embankment has not yet been obtained from the railroad. Secondly, the City of Gary must install an interceptor sewer for interior drainage. The local sponsor will arrange coordination meetings with the N & W RR and the City of Gary.

g. Tom Fogarty stated that the Grant Street to Harrison Street north levee could be extended to Chase Street but that ideally the project should follow a linear east-west pattern to minimize inducing damages to unprotected areas.

h. The east reach construction stage redefinition as a result of the meeting is shown on the enclosed sheet which was sent via FAX to the local sponsor on 21 Mar 91 (Encl. 2). Enclosure 2 was reviewed and approved by Tom Fogarty, CENCC-ED-H, and Sandra Henry, CENCC-ED-P prior to transmittal to the local sponsor.

2 Encls.

*Beldon McPheron*  
Beldon McPheron  
Project Manager

**EAST REACH CONSTRUCTION STAGES****20 Mar 91****Stage II: Grant Street to Martin Luther King Drive****Phase 1 - Harrison Street to Broadway (North)****Phase 2 - Grant Street to Harrison Street (North)****Phase 3 - Grant Street to Martin Luther King Drive (South)  
including seal embankment on Martin Luther King Drive****Phase 4 - Broadway to Martin Luther King Drive North)****Stage III: Chase Street to Grant Street (North and South)****Stage IV: Cline Avenue to Chase Street****NOTE: Stage I is the non-structural work described in FDM 1.**



20 March 91

## List of Attendees East Reach Construction Schedule Meeting

Sandra Henry	ED-P
David Hunter	ED-A
Thomas A. Deja	CO-S
Bruno Bertucci	ED-DC
Melissa Kennedy	ED-DC
John Fornek	ED-G
Bruce Stouffer	LC, R. B.D.C
Carolyn Dip	RE-E
Paul Benkowski	RE
Beldon R. McPherson	PP-PM
Dan Gardner	Little Calumet River Basin Dev. Comm
Bruce Stouffer	Little Cal. Dev. Comm



**DEPARTMENT OF THE ARMY**  
**CHICAGO DISTRICT, CORPS OF ENGINEERS**  
**111 NORTH CANAL STREET**  
**CHICAGO, ILLINOIS 60606-7206**

REPLY TO  
ATTENTION OF

**28 FEB 1991**

Operations Branch

Mr. John T. Hannon, P.E.  
City Engineer  
City of Portage  
6070 Central Avenue  
Portage, Indiana 46368

Dear Mr. Hannon:

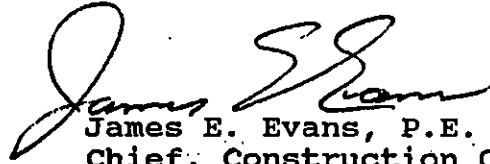
We are unable to comply with your January 23, 1991 request for the Corps to proceed with the dredging of the Federal portion of Burns Waterway Small Boat Harbor. Due to the level of funding allocated to the Chicago District's fiscal 1991 Operations and Maintenance Program budget and the urgent need for emergency repair work on the District's other navigation projects, the funds which were designated to accomplish the dredging of the waterway were reallocated to higher priority items.

The future expenditure of federal funds to maintain the waterway depends greatly upon the Little Calumet River Basin Development Commission's ability to fulfill its commitment to develop a public marina. Under the terms of the 1984 Local Cooperation Agreement between the United States Government and the Little Calumet River Basin Development Commission, the Commission agreed to develop and construct a public marina in exchange for the design, construction and subsequent maintenance, by the Government, of a small boat harbor and navigation channel. During the seven years which have elapsed since the agreement was entered into by the Commission, the development of the public marina has failed to materialize. Until a firm commitment is made toward the development of this marina, the expenditure of additional Federal funds to maintain the project cannot be prudently justified.

The Corps will continue its program to monitor the condition of the waterway. Presently, the collection of sediment samples and a project condition survey of the waterway are scheduled to be taken in the spring of this year. Copies of this information will be provided to you upon your request.

Should you require any additional information or assistance, please contact Mr. Gregory Vejvoda of the Operations Branch, at (312) 353-6441.

Sincerely,

A handwritten signature in cursive script, appearing to read "James E. Evans".

James E. Evans, P.E.  
Chief, Construction Operations  
Division

A-JUDSON S-92-2

# ATTENDANCE ROSTER

Name of meeting: LCRBDC

Date: 4-4-91

	NAME (please print)	Organization and/or Address	
1	Geordie Van Dijk	Portage Journal	1
2	George Bunce	739 N. Indiana, Griffith <sup>Griffith</sup> <del>Walter</del> <sup>League</sup>	2
3	Phil Wieland	Times	3
4	Pete Zak	South Shore Marina Inc	4
5	Mary Jane Zak	" " " "	5
6	Joseph F. Conn	Post Tribune	6
7	Wick Wawzynek	OKR- Air Water	7
8	W. Vander Heyden	Paper Conet Co	8
9	Bob Hustman	Munster	9
10	Ernie Kemmerer	County Commission	10
11	Herk Reed		11
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Chairman: Arlene Colvin

Location: