



# Little Calumet River Basin Development Commission

6100 Southport Road

Portage, Indiana 46368

(219)763-0696

Fax (219)762-1653

GEORGE CARLSON, Chairman  
Mayor of Hammond's  
Appointment

CHARLES AGNEW, Vice-Chairman  
Governor's Appointment

JOHN DEMEO, Treasurer  
Governor's Appointment

NATHANIEL LEONARD, Secretary  
Lake County Commissioners'  
Appointment

ARLENE COLVIN  
Mayor of Gary's  
Appointment

WILLIAM CRITSER  
Governor's Appointment

STEVE DAVIS  
Dept. of Natural Resources'  
Appointment

EMERSON DELANEY  
Governor's Appointment

ROBERT HUFFMAN  
Governor's Appointment

WILLIAM TANKE  
Porter County Commissioners'  
Appointment

ROBERT TRELO  
Governor's Appointment

DAN GARDNER  
Executive Director

LOUIS CASALE  
Attorney

## MEETING NOTICE

**THERE WILL BE A MEETING OF THE  
LITTLE CALUMET RIVER BASIN DEVELOPMENT  
COMMISSION  
AT 6:30 P.M. WEDNESDAY, DECEMBER 7, 1994  
AT THE COMMISSION OFFICES  
6100 SOUTHPORT ROAD  
PORTAGE, IN**

## A G E N D A

1. Call to Order by Chairperson George Carlson
2. Recognition of Visitors, Guests
3. Approval of minutes of November 9, 1994
4. Chairman's Report
5. ☒ Announcement of Commission Reappointment -  
Lake County Commissioners
5. Executive Director's Report
6. ☒ Status report on Gary, Park Board/LCRBDC agreement  
- Board vote affirming agreement provisions
7. ☒ Discussion of Project Legislative/funding effort
8. ☒ Corps of Engineers - Project Cost Revision  
- Commission comments requested by 12/10

Jandy

178.8  
12.5  
7.5  
35.8

Carroll minutes

1-4

5

6-8

7  
L  
J  
MMMM

DEC. 25

Ken McIntyre  
leaving?

\$69

Love  
those  
boots  
Dave has on!

6. Reports of Standing Committees

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

- Appraisals, offers, acquisitions, recommended actions
- Corps Real Estate meeting held 11/15/94 - major issues
- Other issues

B. Project Engineering/Construction Committee - Robert Huffman, Chairman

- Wicker Park Manor construction progress report
- Stage II Phase 3A field inspection held on 12/2/94
- Other issues

C. Marina Development Committee - Bill Tanke, Chairman

- Marina Construction Groundbreaking - November 18, 1994
  - Ceremony/Reception
- Sheetpiling work begun December 1, 1994
- Corps of Engineers permit
  - Signatures by Commission/City of Portage required
  - Boat Traffic Monitoring study submitted
- Other issues

9-13

14-16

D. Finance/Policy Committee - John DeMeo, Treasurer

- Financial status report
- Approval of claims for October, 1994
- 1995 Budget work session
- Other issues

17  
18-19

7. Other Business

8. Statements to the Board from the floor

9. Set date for next meeting; adjournment

MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION  
HELD AT 6:30 P.M. THURSDAY, NOVEMBER 9, 1994  
AT THE COMMISSION OFFICES  
6100 SOUTHPORT ROAD  
PORTAGE, INDIANA

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Chairman George Carlson called the meeting to order at 6:35 p.m. Nine (9) Commissioners were present. Quorum was declared and guests were recognized.

Development Commissioners:

George Carlson  
Charles Agnew  
Steve Davis  
Robert Huffman  
Robert Trelo  
Arlene Colvin  
John DeMeo  
Nathaniel Leonard

+ *Emerson Delaney*

Visitors:

Herb Read - Izaak Walton  
Bill Petrites - Highland  
Ruth Mores - Hammond  
Jim Flora - R.W. Armstrong  
Joyce Russell - Post Tribune  
Dave Taborski - Black Oak  
Donald Shapiro - Highland  
Cecilia Wallace - NIRPC  
Pete Zak - South Shore Marina  
Ken Smith - Div. of Water, IDNR

Staff:

Jim Pokrajac  
Dan Gardner  
Lou Casale  
Sandy Mordus

The minutes of the October 6, 1994 meeting were approved by a motion from Chuck Agnew; motion seconded by Arlene Colvin; motion passed unanimously.

Chairman's Report - A motion was made by Robert Trelo authorizing the Chairman to appoint a 1995 Nominating Committee; motion seconded by John DeMeo; motion passed unanimously. Chairman Mr. Carlson appointed Arlene Colvin, William Tanke and Robert Trelo to the committee with Arlene Colvin serving as Chairman of the Nominating Committee.

Executive Director's Report - Mr. Gardner gave a summary of the testimony presented to the State Budget hearing committee members on October 19th. He said the presentation went very well with key supporters speaking in behalf of the project. Attending were Col. Slockbower and Dave Hunter from the Corps; Lane Ralph, Asst. State Director with Senator Lugar's Office; Scott Golde, District Director of the Congressman's Office. Mayor Dedelow from Hammond and Deputy Mayor Comer from Gary stayed on to also give support to



the project. They were in attendance for the Lake Michigan Marina Development Commission's hearing scheduled one half hour prior. Thank you letters have been mailed already. Questions from the budget hearing committee focused on scheduling and what the local communities are contributing. Dan will further address local community commitments in correspondence to the committee members. One issue Mr. Gardner focused on was the lack of ability to draw on the \$4 million of Build Indiana funds previously committed. The Commission still needs to set up a session with the legislators to update them and give them a clear understanding of the project's progress.

Mr. Gardner informed the Commission that much progress has been made with Gary Park & Rec since our last meeting. Attorney Greg Reising has been named the new contact person for the Gary Park Board and he has been actively working toward establishing an agreement between the Park Board and the Commission. We will be meeting again with him to further discussion of the issues.

Land Acquisition Committee - Land Acquisition Chairman Chuck Agnew made a motion to authorize a settlement price of \$7,700 on DC319 to avoid further condemnation costs (this was a property that had gone to court for condemnation); motion seconded by Arlene Colvin; motion passed unanimously.

He announced staff is working on lease preparation for the 1995 year.

Project Engineering Committee - Mr. Huffman reported that the construction at Stage II Phase 3A is about overall 95% complete. Staff and the Corps have had a walk-thru on completed Stages II-1, II-2 and III and a punch list of items have been documented and will be addressed. The completed areas will not be turned over to the Commission until an Operations/Maintenance manual has been given to us by the Corps.

Mr. Huffman spoke on the ongoing levee construction project at Wicker Park Manor. About 95% of the clay has been hauled and the overall completion is at about 67% complete. Staff will check with IDNR to get an update on what is happening with FEMA in regard to removing the area from the floodplain. A third status update has been mailed to the residents on River Drive. A landscaping contract will be needed as the next step. It has been discovered that there are some catch basin areas that may be used for interior drainage along River Drive thus eliminating water in the yards.

Mr. Huffman also stated that the meeting was held with Black Oak residents near Burr Street on October 18th. The meeting went well and updated information was given out to the residents.

The Corps has not yet responded to the Commission's request to include a levee revision at Highland/Griffith as part of the overall Federal project.

Marina/Breakwater Committee - In Committee Chairman Bill Tanke's absence, Mr. Gardner gave the marina report. He informed the Board that he has been contacted by a private citizen from Ogden Dunes, Bill Suarez, who has requested some sand for the shoreline. He is in danger of losing his house and some shoring up with sand needs to happen. After some discussion, Bob Trelo made a motion to make available up to 10,000 yards of sand to Mr. Suarez under the following conditions: He would be responsible for making all arrangements with the site contractor; he would be responsible for obtaining any required permits or city approval; use the sand for shoreline mitigation; hold the Commission harmless; motion was seconded by John DeMeo; motion passed unanimously. Mr. Gardner stated that the town of Ogden Dunes has not come to the Commission to request any sand.

Chuck Agnew made a motion to approve authorization for Abonmarche to proceed with Authorization 7-I of the contract for November and December at a total cost not to exceed \$13,400 but with only 1/2 cost (\$6,700) being billed to this Commission; motion was seconded by Arlene Colvin; motion passed unanimously.

Mr. Gardner stated that the city has awarded the sheetpiling contract at its October 24th Public Works meeting. This will be the first actual construction at the marina site. Mr. Gardner announced there would be a groundbreaking ceremony scheduled November 18th at 1:00 at the site with a reception back at the NIRPC office.

Mr. Gardner also announced that the final Corps permit is in hand. John DeMeo made a motion for the Chairman to sign the final Corps permit; motion seconded by Bob Huffman; motion passed unanimously.

Mr. Gardner informed the Board that he had contacted the Chicago Corps office for their assistance to see if the Detroit Corps dredging permit that NIPSCO applied for could be modified to say the dredged sand would be placed as close as possible to the shore and as far west to the breakwater as possible. Commissioner Steve Davis said that the permit is in the appeal process. NIPSCO does not object and details are being worked out.

LCRBDC Minutes  
November 9, 1994  
Page 4

Finance/Policy Committee - Treasurer John DeMeo presented the financial status report for September as well as the claims amounting to \$614,969.03 plus an additional claim for \$1,700; motion seconded by Bob Trelo; motion passed unanimously.

Other Business - There was none.

Statements from the floor - There was none.

There being no further business, the next Commission meeting was scheduled for Wednesday, December 7, 1994.

/sjm



THE BOARD OF COMMISSIONERS  
OF THE COUNTY OF LAKE

2293 NORTH MAIN STREET  
CROWN POINT, INDIANA 46307

PHONE: (219) 755-3200  
FAX: (219) 755-3064



RUDOLPH CLAY, First District  
ERNEST NIEMEYER, Second District  
PETER KATIC, Third District

November 17, 1994

Little Calumet River Basin  
Development Commission  
6100 S. Port Road  
Portage, Indiana 46368


Executive Director: Dan Gardner

Dear Mr. Gardner:

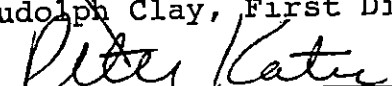
We the members of the Lake County Board of Commissioners would like to have Mr. Nathaniel Leonard to continue to serve as our representative on the Board.

Sincerely,

LAKE COUNTY BOARD OF COMMISSIONERS  
OF THE COUNTY OF LAKE

  
Ernest Niemeyer, President

  
Rudolph Clay, First District

  
Peter Katic, Third District



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

REPLY TO  
ATTENTION OF

Project Management Branch

1 6 NOV 1994

Mr. Dan Gardner  
Executive Director  
Little Calumet River Basin  
Development Commission  
6100 Southport Road  
Portage, Indiana 46368

Dear Mr. Gardner:

I am sending you a copy of the project and cost change request (SACCR) and supporting documents for the Little Calumet River, Indiana Project, which I sent to the North Central Division on November 15, 1994. Section IV of the SACCR is to present the position of the Local Sponsor. Please review these documents and submit your comments by December 10, 1994 for presentation at our December Project Review Board meeting.

The SACCR supports a fully funded total project cost increase of \$35.0 million from \$110.0 million to a revised total cost of \$145.0 million. The revised cost estimate is based upon the M-CACES estimates presented in FDM Nos. 1, 2, and 4 and the recently approved FDM No. 5. The revised Section 902 Maximum Project Cost Estimate is \$136.0 million. The forecast estimate exceeds the Maximum Project Cost by \$9.0 million. The \$35.0 million cost increase includes \$23.2 million for construction, \$3.6 million for lands and damages, \$5.1 million for E&D, \$1.0 million for construction management and a net increase of \$2.1 million in contingencies. The primary construction cost increases are related to additional pump station improvements (\$10.1 million), the provision of interim flood protection during construction of the new levees in the West Reach (\$5.9 million), and additional utility relocations and road raisings (\$4.2 million).

The additional \$10.1 million for pump station improvements provides for the replacement of the pumps at 15 stations as approved in FDM No. 5 and additional renovations of the existing discharge lines to provide added protection of the levee system. The authorized project provided only for the upgrading of the electrical systems at the pump stations. FDM No. 5



also included revised design of the West Reach levee system to provide interim flood protection during the period that the existing spoil bank levees are removed and new levees or I-walls are constructed. The authorized project relied on flood warning and response actions as the interim protection. The new design provides a continuous levee of protection during construction. More than 80 additional utility relocations have been identified in FDM No. 5. The cost for these improvements have been included in the Current Project Cost Estimate.

The District will prepare and submit a Section 902 Post Authorization Change Report in the fourth quarter Fiscal Year 1995 to permit project reauthorization in the 1996 Water Resources Development Act. By that time, the remaining construction contracts of the East Reach flood control facilities will be awarded and 40 percent of the total project construction will be underway. This will provide a good indication of potential construction costs. In the interim period, the District will be investigating ways to reduce construction costs in an effort to keep the project cost within the existing Section 902 limit.

The SACCR also provides for milestone changes including extending the project completion date 40 months from July 1997 to December 2000. The proposed milestone changes reflect: (1) the additional construction and relocation requirements and the sequencing of construction activities identified in FDM No. 5 for the West Reach, (2) adjustments to accommodate the minority contracting plan approved in April 1994, and (3) the schedule of anticipated appropriations by the Indiana General Assembly for the Little Calumet River Basin Development Commission of \$8.0 million for Fiscal Years 1996 and 1997 to obtain the necessary lands, easements, and relocations to support the previous construction schedule in the West Reach.

The detailed funding schedule is still under preparation which will display the non-Federal funding requirements. This information should be available by December 1, 1994. We will also provide you with a detailed operation and maintenance cost estimate for the project.

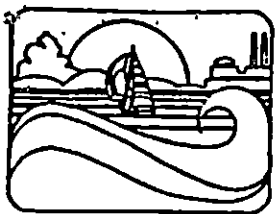
Mr. David Hunter, Project Manager, is available to explain the cost and schedule changes to the Commission, if desired. Please contact him directly at (312) 353-8809.

Sincerely,



Robert E. Slockbower, P.E.  
Lieutenant Colonel, U.S. Army  
District Engineer

Enclosure



# PORTAGE PUBLIC MARINA

**1200 Marina Way  
Portage, IN 46368**

**City of Portage/Little Calumet River  
Basin Development Commission**



*The Portage Public Marina is a joint venture public project between the City of Portage and the Little Calumet River Basin Development Commission, a State development commission. This project is the fulfillment of a public obligation to the Federal government (U.S. Army Corps of Engineers) for the 50% Federal cost participation and construction of the twin rubble-mound breakwaters at the mouth of the Portage-Burns Waterway in 1984. The request for a Federal breakwaters project was initiated in 1981 by the Development Commission and the late Congressman Adam Benjamin. The Indiana General Assembly provided funding in the amount of \$1,768,800 to the Development Commission in the 1983-85 State biennial budget for the non-Federal project cost share.*

*Through the leadership of Mayor Sammie Maletta, the City of Portage has joined with the Little Calumet River Basin Development Commission to design, construct, and operate the public marina project on land owned principally by the Development Commission.*

*The project will be built in two phases on the 20 acre site. When complete, it will include: 250 boat slips, 3 public boat launch lanes, a harbor master's office/ships' store, fish cleaning station, boat fuel facility, sanitary pump outs, and handicapped accessible boardwalk with fishing platforms. Today's groundbreaking begins the construction of the harbor basin, yielding over 100 boat slips, the public launch lanes and public access walkways in Phase I. Parking for the project is provided on Development Commission property and on property owned by the Northern Indiana Public Service Company and cooperatively leased to allow road access and additional parking.*

*Phase I of the project is expected to cost \$2,500,000. Presently, a total of \$2,000,000 has been secured, including a \$250,000 Indiana Waters Grant for public access from the Indiana Department of Natural Resources. Funding for sheetpiling construction for the harbor basin walls was provided by Indiana General Assembly appropriations through the Lake Michigan Marina Development Commission. The sheetpiling construction contract was awarded to Hardman Construction of Ludington, Michigan by the city of Portage Board of Public Works on October 24, 1994. Phase I of the marina is planned to be open for the 1996 boating season. Funding to achieve completion of Phase I and to initiate Phase II is being requested from the State General Assembly through the Lake Michigan Marina Development Commission.*

*Project engineering for the marina is being performed by The Abonmarche Group of Benton Harbor, Michigan. Sand excavation for the project is currently being performed by Superior/ Dyer Construction joint venture.*

## Marina construction to begin

By Jim Masters

It's finally time to build the Portage public marina.

After more than a year of delays due to U.S. Army Corps of Engineers permit stipulations, the Portage Board of Works on Monday (Oct. 24) authorized Hardeman Construction Co. to begin installing the steel sheet pilings which comprise the marina basin's walls.

First, though, city engineer John Hannon requested a change of work order, as the type of steel materials originally sought is not available. Hannon said there's almost no difference between the walls being able to withstand 38,500 pounds per square inch and the 36,000-pound-per-square-inch walls the board settled on. The cost will remain the same.

Hardeman will have 120 days to install the sheet pilings. Meanwhile, excavation will continue into next summer, said Hannon.

Once the basin walls are in and the excavation complete, a new construction package will be put out for bid. That work includes infrastructure improvements, road work, landscaping and the construction of boat docks.

The marina will eventually contain 250 slips, with 150 slips likely to be installed during the first phase of the project.

# Porter County

**B**  
SATURDAY  
NOVEMBER 19, 1994  
**POST-TRIBUNE**

## Ground broken for marina

By Joyce Russell  
Correspondent

### ► PORTAGE

PORTAGE — The large backhoes and dump trucks stopped work just long enough Friday afternoon for a group of government officials to scoop out a few shovels full of dirt.

It was what local, state and federal officials had waited on for more than 10 years: The official ground-breaking of the Portage Public Marina.

"A lot of people have been involved in making this thing happen," said Mayor Sammie Maletta. "We've spent years waiting to turn this first shovel of dirt." The marina is a joint project of the city and the Little Calumet River Basin Commission.

Dan Gardner, commission director, said the idea for the marina dates back to 1980 when two boating accidents killed five people at the Burns Waterway. In a deal with the federal government to construct breakwalls at the mouth of the waterway, officials agreed to build a small boat harbor.

It was only a few years ago that the city and commission combined to begin the project, which is funded by

state money.

"A lot of things had to be worked out," said Maletta, pointing to discussions with special-interest groups and obtaining funding before the project could begin.

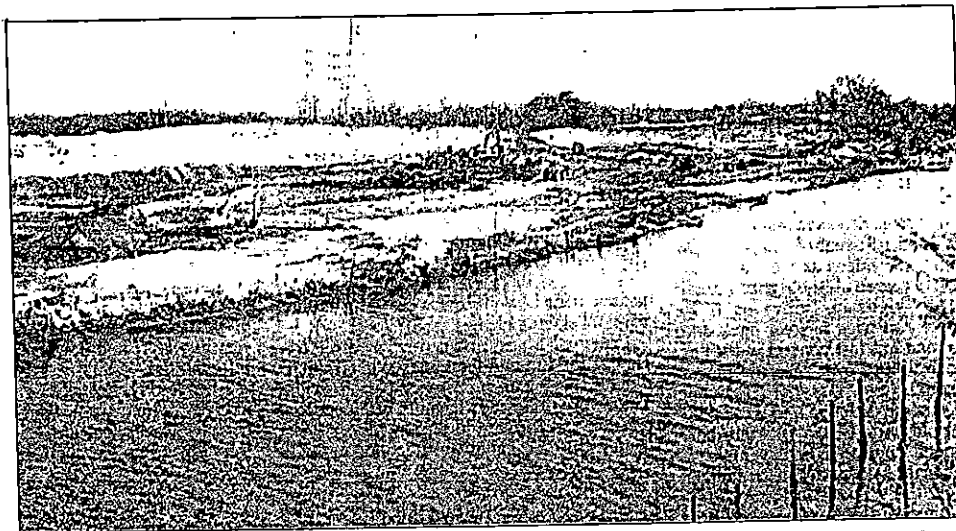
Maletta lauded federal and state officials and the private sector for making the marina, which will include 100 boat slips in its first phase, a reality.

Gary Neale, chief executive officer of Northern Indiana Public Service Co., called the public marina the "anchor pin" for economic development and quality of life.

NIPSCO was one of the private industries that worked with the commission and city to make the marina a possibility, said Maletta.

Cost for the first phase of the marina is \$2.5 million. The money comes from grants from the Lake Michigan Marina Development Commission and Indiana Department of Natural Resources.

The second phase, which will add 50 boat slips, will not start until after the marina opens in 1996. The marina will be operated by the city.



DON BLUME/Post-Tribune

This is the excavation site for the new public marina at U.S. 12 and Burns Waterway.

# Marina gets official 'digs'

by John Reed  
The Vidette-Messenger

## Groundbreaking conducted in Portage

PORTAGE — After 13 years of planning and seeking permits, the symbolic first shovels of dirt were flipped Friday to begin construction of a public marina.

By order of Portage Mayor Sammie Maletta, the section of Crisman Road forming the access legally became "Marina Drive" Friday morning.

More than 50 federal, state and local officials gathered after the ceremony at Northwest Indiana Forum offices, praising each other's part in the project.

"Marinas are not something you rush to build," said Dan Gardner, executive director of the Little Calumet River Basin Commission, partner with the

city in the project.

The marina is being built in two phases on a 20-acre site. When complete, it will have 250 slips and three public ramps. The first phase will have up to 150 slips, launch lanes and public access walkways.

It is expected to open in 1996, but may not be ready until 1997.

Cost of the first phase is \$2.5 million, of which \$2 million has been secured, including a \$250,000 Indiana Waters Grant.

Funding for the sheet piling construction of the marina walls came from the General Assembly through the Lake Michigan Marina Development Commission. Funding to complete phas-

es I and II is being requested from the legislature.

Although the city wanted an entrance from U.S. 12, the state refused to grant a permit. Access will be from state Route 249, city engineer John Hannon said.

"There were lots of hassles, lots of concerns, but lots of people banded together and we're finally under way," Maletta said.

The project will create jobs, boost tourism, and increase the local economy, he said.

The marina will also have a harbor master's office, ship's store, fish cleaning station, boat fuel facility, pump-outs, and handicapped-accessible boardwalk with fishing platforms.



# City officially breaks ground on public marina

By Jim Masters

With a symbolic scoop of sand, a dream 13 years in the making was realized last Friday (Nov. 18).

The east bank of the Portage-Burns Waterway just south of Route 12 was the site of a groundbreaking ceremony, marking the official start of the Portage public marina project. Once completed, the joint venture with the Little Calumet River Basin Development Commission will feature 250 boats slips, three public launch lanes, a harbor master's office, ships' store, fish cleaning station, boat fuel facility and handicapped accessible boardwalk with fishing platforms.

The 20-acre development will be built in two phases, the first (about 150 slips) to be complete by the start of the 1996 boating season. Phase I carries a \$2.5 million price tag, \$2 million of which is funded by Indiana General Assembly appropriations via the Lake Michigan Marina Development Commission. The city has also secured a \$250,000 Indiana Waters Grant to provide public access.

After the groundbreaking, a bevy of dignitaries from both the public and private sectors, many of whom have a hand in the development, adjourned to the Northwestern Indiana Regional Planning Commission/NWI Forum office in Portage to offer their remarks and congratulations.

"There are a variety of agencies represented here, and it has virtually taken all of them to get to this point," said Dan Gardner, the Little Calumet commission's executive director.

Gardner explained how the marina project was borne out of two tragic boating accidents back in 1980. Five people lost their lives in accidents occurring in the rough waters off the mouth of the Portage-Burns Waterway. With assistance from late Congressman Adam Benjamin, a safe boat harbor (twin rubble-mound breakwaters) was constructed. The U.S. Army Corps of Engineers handling 50 percent of the cost.

In exchange, the corps requested the state provide public access to the federally-administrated waterway (controlled up to Route 12) in the form of a marina. Thus, the Little Calumet Commission was born with the sole purpose of creating a marina. With the advent of the marina commission, the city and the Little Calumet commission decided to become partners, and the project was born—at least on paper.

State funding remained a sticking point for several years, but with continued lobbying efforts, enough money to get the project off the ground was eventually secured.

The corps of engineers would not dredge the waterway until the state's debt was repaid. However, the corps' Detroit, Mich. office held up the marina permit more than a year over environmental concerns. Only last month was the permit delivered.

While a large majority of Portage residents won't be renting slips at the marina, Maletta believes it's a benefit to all.

"First of all, it didn't cost them anything," said Maletta. "But it's there for their enjoyment. There are boat ramps there and public access (for fishing). It just improves the overall quality of life here."

Maletta pointed to the jobs the marina will create and the inevitable economic



Photo by Jim Masters

Ceremoniously breaking ground on the Portage public marina project last Friday (Nov. 18); pictured left to right, are First District Congressman Pete Visclosky (D-Merrillville), NIPSCO CEO Gary Neale, Mayor Sammie L. Maletta, executive assistant to Gov. Bayh Ron Gyure, and Little Calumet River Basin Development Commission executive director Dan Gardner.

spin-off. The marina will probably be run by a private firm, said Maletta, and he expects it to turn a profit for the city.

City engineer John Hannon has been with the project every step of the way, serving as the project manager and design consultant.

"It's probably the biggest public project I've ever worked on," said Hannon, adding that anyone wanting a slip can get their name on a list at his office by calling 763-1815.

Also offering remarks were Jim Ranfranz, NIPSCO's executive director; Tom McDermott, NWI Forum president; and NIPSCO CEO Gary Neale.

Ranfranz said the marina proves "this is the greatest part of the state."

McDermott praised the teamwork of a variety of interests coming together for a common cause.

With NIPSCO leasing out a right-of-way running through the middle of the development, Neale said he was happy to have his company part of the project.

"Northwest Indiana," Neale said, "is discovering its most natural phenomenon—Lake Michigan. We've done a lot to protect it, and public access is most important for the future."

First District Pete Visclosky (D-Merrillville), instrumental in securing state funding, was also on-hand to offer his support.

Currently, the marina is being excavated below grade and the sheet piling comprising the basin walls will soon be in place.



# THE ABONMARCHE GROUP

95 West Main Street, P.O. Box 1088, Benton Harbor, MI 49023 616.927.2295 FAX 616.927.4639

Affiliated Offices: Mishawaka, Indiana and Michigan City, Indiana

November 7, 1994

Mr. Dave Gesl  
Regulatory Functions Branch  
Construction-Operations Division  
U.S. Army Corps of Engineers  
P.O. Box 1027  
Detroit, MI 48231-1027

Re: Portage Municipal Marina  
Permit No. 92-075-009-1D

Dear Mr. Gesl:

Enclosed please find the following regarding the Portage Municipal Marina project:

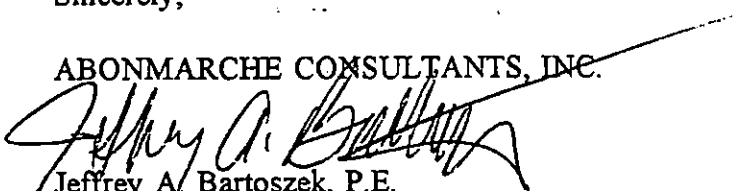
- Two (2) signed copies of the USCOE permit.
- One (1) copy of the recorded Deed Restriction

Please note that the boat traffic study (as required by the permit) will be forwarded to your office within approximately 14 days. Also please note that we have added the City of Portage as a joint permittee, as the original permit application included both the Little Calumet River Basin Development Commission and the City of Portage as applicants. The addition is also due to satisfy legal requirements between the two agencies for the development.

Should you have any questions regarding this submittal, please do not hesitate to contact our office.

Sincerely,

ABONMARCHE CONSULTANTS, INC.

  
Jeffrey A. Bartoszek, P.E.  
Director of Engineering

JAB/jeg

cc: Daniel Gardner, LCRBDO  
John Hannon, P.E., City of Portage

Attachments

14



DEPARTMENT OF THE ARMY  
DETROIT DISTRICT, CORPS OF ENGINEERS  
BOX 1027  
DETROIT, MICHIGAN 48231-1027

IN REPLY REFER TO

November 10, 1994

Construction-Operations Division  
Regulatory Functions Branch 92-075-009-1D

Ron Schults  
Abonmarche Consultants, Inc.  
Agent for the Little Calumet Basin Development Commission  
P.O. Box 1088  
Benton Harbor, Michigan 49023

Dear Mr. Schults:

We are in receipt of the draft permits which have been signed by you. The signatures of authorized representatives of the City of Portage and the Little Calumet River Basin Development Commission are required. Your signature, as the agent during the permit process, is not acceptable.

We are enclosing two (2) copies of the draft Department of the Army permit for signature. The attention of the applicant's is invited to the Special Conditions. PLEASE INSURE THE APPLICANT IS FULLY AWARE OF THESE AND ALL OTHER PERMIT CONDITIONS BEFORE SIGNING. Note that condition 8. has been revised and 9. has been added. Signature constitutes specific agreement to all terms and conditions of the permit.

Additionally, the City of Portage has been added as a joint permittee on the permit.

Please submit both copies of the signed draft permit to our office for final approval. Upon receipt, the District Engineer or his designee is authorized to issue the permit on behalf of the Secretary of the Army by countersigning the draft permit. If issued, we will return one of the countersigned copies to you.

Should you have any questions, please contact David Gesl, Project Manager at (313) 226-5384.

Sincerely,

Gary R. Mannesto  
Chief, Regulatory Functions Branch  
Construction-Operations Division

Enclosures



# THE ABONMARCHE GROUP

.95 West Main Street, P.O. Box 1088, Benton Harbor, MI 49023 616.927.2295 FAX 616.927.4639

Affiliated Offices: Mishawaka, Indiana and Michigan City, Indiana

## \* \* \* M E M O R A N D U M \* \* \*

FROM: Tim Zebell  
TO: Dyer Construction  
RE: Portage Marina Excavation

1. On October 31, 1994, I noted the over excavation of an area alongside Burns Ditch by Dyer Construction. I directed the crew to cease excavation in that location and instructed Bob Vanderheden to backfill the area as soon as possible.
  2. To date, the over excavated area has not been backfilled even though I have documented no less than four visits with Mr. Vanderheden to remind him of the requirement.
  3. Dyer Construction is directed to immediately backfill the area along Burns Ditch and erect silt fence to prevent soil erosion and sedimentation in Burns Ditch.
  4. Should you require any clarification to this directive, I can be contacted at our Benton Harbor office.
- CC: John Hannon, P.E., City of Portage Engineer  
Dan Gardner, Executive Director LCRBDC  
Jeff Bartoszek, P.E., ACI  
Mark McClellan, ACI

**LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION**  
**FINANCIAL STATEMENT**  
**JANUARY 1, 1994 - OCTOBER 31, 1994**

**CASH POSITION - JANUARY 1, 1994**

<b>CHECKING ACCOUNT</b>		
LAND ACQUISITION	76,807.73	
GENERAL FUND	163,792.37	
TAX FUND	1,493.97	
<b>INVESTMENTS</b>	1,016,000.00	
<b>ESCROW ACCOUNT INTEREST</b>	32,799.47	
		<hr/>
		1,290,893.54

**RECEIPTS - JANUARY 1, 1994 - OCTOBER 31, 1994**

LEASE RENTS	29,285.45	
INTEREST INCOME	12,146.95	
LAND ACQUISITION	522,596.24	
MISCELLANEOUS INCOME	48,828.88	
ESCROW ACCOUNT INTEREST	23,728.62	
KRBC REIMBURSEMENT RE: TELEPHONE CHARGE	1,598.20	
REAL ESTATE TAXES	594.86	
<b>TOTAL RECEIPTS</b>		<hr/>
		638,779.20

**DISBURSEMENTS - JANUARY 1, 1994 - OCTOBER 31, 1994**

1993 EXPENSES PAID IN 1994	52,004.57	
PER DIEM EXPENSES	2,655.00	
LEGAL SERVICES	2,549.97	
NIRPC SERVICES	63,023.05	
TELEPHONE EXPENSES	4,541.39	
TRAVEL & MILEAGE	5,005.50	
PRINTING & ADVERTISING	723.15	
BONDS & INSURANCE	5,739.63	
MEETING EXPENSES	1,943.46	
<b>LAND ACQUISITION</b>		
LEGAL SERVICES	40,406.94	
APPRAISAL SERVICES	14,950.00	
ENGINEERING SERVICES	33,580.78	
LAND PURCHASE CONTRACTUAL	79,410.73	
LAND MANAGEMENT SERVICES	55,291.00	
PROPERTY & STRUCTURE	76,790.77	
MOVING & RELOCATION	6,950.00	
REAL ESTATE TAXES	1,251.20	
PROPERTY & STRUCTURE INSURANCE	19,450.00	
UTILITY RELOCATION COSTS	149,627.18	
LAND CAPITAL IMPROVEMENT	44,686.92	
<b>TOTAL DISBURSEMENTS :</b>		<hr/>
		660,581.24

**CASH POSITION - OCTOBER 31, 1994**

<b>CHECKING ACCOUNT</b>		
LAND ACQUISITION	116,734.90	
GENERAL FUND	78,010.82	
TAX FUND	1,817.69	
<b>INVESTMENTS</b>	1,016,000.00	
<b>ESCROW ACCOUNT INTEREST</b>	56,528.09	
		<hr/>
		1,269,091.50

# LITTLE CALUMET RIVER, INDIANA

## (CG)

## ISSUES

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- Maximum Project Cost     \$134.0 million
- Estimated Project Cost     \$145.0 million
- Cost Increase
  - Construction     \$21.5 million
  - Lands and Damages     \$ 3.4 million
  - Eng & Design     \$ 2.9 million
  - Const Management     \$ 0.8 million
  - Contingencies     \$ 2.4 million
- Construction Cost Increase
  - Pump station improvements     \$ 9.4 million
  - Interim protection during construction     \$ 5.9 million
  - Additional relocations     \$ 3.8 million



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LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION

BUDGET AMENDMENT --- DECEMBER 7, 1994

BUDGET CODE	DESCRIPTION	11/30/94 PROJECTED BALANCE	PROPOSED AMENDMENT	12/7/94 PROJECTED BALANCE	REASON FOR ADJUSTMENT
5821	TRAVEL & MILEAGE EXPENSE	(4,226.54)	5,000.00	773.46	TO COVER EXPENSES THROUGH 12/31/94
5884	STRUCTURES CAPITAL IMPROVEMENT	32,000.00	(5,000.00)	27,000.00	BUDGET ADMENDMENT
			0.00		

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LOUIS M. CASALE  
ARLINGTON J. FOLEY

**Casale & Foley**  
ATTORNEYS AT LAW  
8300 MISSISSIPPI STREET, SUITE E  
MERRILLVILLE, INDIANA 46410

*P. 6*  
*Amu*

December 7, 1994

Gregory S. Reising  
Attorney at Law  
807 South Lake Street  
Suite A  
Gary, Indiana 46403

RE: Draft No. 3 to Agreement between the Gary Park Department and  
the Little Calumet River Basin Development Commission.

Dear Greg:

I am forwarding the above described revised Agreement to you for your review. Please note that I have, for purposes of this draft, caused additions to be underlined and deletions marked out from the prior draft. Kindly review this redraft, and if it meets with your approval, contact me so that I might prepare a final draft which will serve as a basis of an agreement for final presentation to both Boards for their consideration at public meetings. In like manner, kindly contact me if you have any questions or comments pertaining to said redraft.

It is my hope that we will be in a position to submit a final draft, including all exhibits, at both of our respective January Board meetings. In addition thereto, kindly contact me regarding any information you might receive from potential architects and/or engineers so that the interview and contract development process can move forward.

I await hearing from you in the near future regarding this matter.

Sincerely,

  
Louis M. Casale

LMC/amu

Enclosure

cc: Dan Gardner

## PRELIMINARY DRAFT NO. 3 FOR DISCUSSION PURPOSES:

AGREEMENT

THIS AGREEMENT ENTERED INTO by the Gary Park Department, an agency of the CITY OF GARY, created under State Law and operated by the GARY BOARD OF PARK COMMTSSIONERS, hereinafter referred to as "GARY PARK DEPARTMENT" and the LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMTSSION, an agency created by the State of Indiana, hereinafter referred to as "DEVELOPMENT COMMISSION".

## WITNESSETH:

WHEREAS, the Development Commission is among other things charged with developing a plan for flood control along the Little Calumet River, and the improvement of recreational uses along said river; and, the creation, development, maintenance, administration and operation of park, recreation, marina, flood control and other public works projects along the Little Calumet River as well as entering into and fulfilling the requirements of a nonfederal interest as defined by P.L.91-611 of the United States Congress; and,

WHEREAS, the Gary Park Department is the owner of \_\_\_\_\_ acres of land along said river corridor; and,

WHEREAS, the Development Commission will need the acreage described in Appendix A of this Agreement which is attached hereto and made a part hereof for reference, in order to fulfill their charge and duties; and,

WHEREAS, the Parties agree that it is in the best interests of the citizens of Northwest Indiana that they work together to enhance

the goals of the Development Commission and the goals of the Gary Park Department.

IT IS THEREFORE AGREED by and between the Parties that the Gary Park Department will grant the Development Commission, by such form of conveyance as required by ~~it~~ the Development Commission, the necessary lands for the completion of the Little Calumet River Basin Project as described in ~~Appendix~~ Exhibit A, and the Development Commission will in turn provide certain facilities, to be described below, for the Gary Park Department. All of which is subject to the following terms and conditions:

TERMS AND CONDITIONS:

1. APPRAISAL: The Development Commission will have the property described in Appendix A hereto appraised by an independent appraiser and will keep the Gary Park Board, through a liaison to be appointed by such Board, informed of appraisal activities at all times. A time line will be developed between the parties for completion of the appraisal and all appraisal information will be shared between the Parties.

2. GARY PROJECTS: The Development Commission hereby commits to the following two (2) projects to be planned, developed and built by the Development Commission and turned over, upon completion, to the Gary Park Department, which shall constitute full and final consideration for the conveyance of the property described in Exhibit A. During the process of planning and building these projects, the

Gary Park Department shall have full input and the right of final approval of all plans and specifications. The projects are:

(A) The building of a new green house complex to replace the present green house complex operated by the Gary Park Department on land that will be, under the terms of this Agreement, either deeded or granted easement rights to the Little Calumet River Basin Development Commission. The new green house will be on a site selected and approved by the Gary Park Department and shall be of a size similar to the present installation and as generally described in Exhibit B.

(B) A golf driving range will be developed on Gary Park Board Property in the vicinity of the South Gleason Golf Course and will be of the general size and type as Described in Exhibit C.

3. LIMITS ON PROJECT: The Development Commission is committed to the aforementioned projects to a maximum cost, to the Development Commission of 100% of the appraised value of the interest acquired in the land described in Exhibit A, which shall be considered fair market value. However, In the event that Seventy-Five Percent (75%) of the appraised value of the interest acquired in the land as noted above is a sum equal to a greater amount than the development, planning and building of the two (2) aforementioned projects, the Development Commission is committed to spending up to the said Seventy-Five Percent (75%) of the appraised value either by expanding the two (2) projects noted above or working in conjunction with Gary

Park Board to develop other projects in the immediate neighborhood of the lands described in Appendix A. In the event that the cost of the development, planning and building of the aforementioned two (2) projects is more than seventy Five (75%) percent and less than One Hundred (100%) percent of the appraised value of the interest acquired in the land described in Exhibit "A", the Development Commission shall be liable only up to the total cost of the project to a maximum of 100% of the said appraised value. In the event that the appraised value of the land described in Exhibit "A" is less than the estimated Project cost, the Gary Park Board may, at its discretion, reduce the scope of either or both Projects to equal the said appraised land value or, in lieu of the said Projects, receive the appraised land value in cash, less Development Commission expenditures for design and planning.

4. REMEDIES: Upon the signing of this Agreement by all Parties the Gary Park Department waives any right it may have to exercise control over the lands in Appendix A and require the Development Commission to file a condemnation action against same. This waiver is contingent upon the ~~Little Calumet River Basin Projects~~ Development Commission complying with the terms and conditions of this Agreement, and the attached Memorandum.

In the event that the Gary Park Department has signed away its rights to all lands in the attached Appendix A, but the Little Calumet River Basin Development Commission has not kept the promises set forth in this Agreement, the Gary Park Department, may, at its



DEC 7 24 WED 14:24 CASALE & TOLLY  
option, institute litigation for the specific performance of the duties outlined in this Agreement.

5. ARCHITECT AND PLANNING: The Parties agree that the Gary Park Department, in conjunction with the Little Calumet River Basin Development Commission, Project, shall choose an architect to initiate the necessary planning process to complete the projects noted above and that architect and planning will be contracted and paid by the Little Calumet River Basin Development Commission, and that said payment will be counted toward its compensation for said property. It is the goal of the Parties that said architect will be in place no later than January 31, 1995. ~~December 31, 1994,~~

6. AUTHORITY: Attached hereto and marked Exhibit "~~C~~" and "D" and "E" are resolutions of both the Development Commission and the Park Board duly adopted granting authority for said Development Commission and Board to enter into this Agreement and be bound by same.

7. OTHER ITEMS:

(a) Upon execution of this Agreement, the Gary Park Board will execute such deeds, easements or other forms of conveyance as requested by the Development Commission of the land required by Development Commission for the Project as described in Exhibit "A".

(b) The Gary Park Board, by execution of this Agreement and conveyance of the properties described in Exhibit "A" acknowledges that it has been fully apprised of its Right to Just Compensation

under the laws and regulations of the United States of America and the State of Indiana, and waives Just Compensation to the extent that the consideration herein does not constitute same.

(c) The Gary Park Board hereby agrees to release, hold harmless and indemnify the Development Commission from any and all damage, claim, action or liability that may arise as the result of the maintenance and operation of the facilities that will be constructed by the Development Commission for it.

(d) The Gary Park Board acknowledges receipt of \$26,700.00 toward the land cost by reason of a sum previously paid by the Development Commission pursuant to an Agreement of the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ entered into between the Gary Park Board and Development Commission whereby the Development Commission agreed to hire and pay for a site plan, and that said \$26,700 shall be and hereby is credited toward the purchase price of the land described in Exhibit "A".

*Check this amount*

(e) The parties understand that minor modifications of the boundaries of the properties and estates described in Exhibit "A" may have to be made after the execution of this agreement; however, in the event of significant modifications thereof, the Gary Park Board reserves the right to object thereto and furthermore preserves its legal remedies regarding compensation thereto.

ALL OF WHICH IS AGREED TO by and between the Parties this \_\_\_\_\_ day of \_\_\_\_\_, 1995.

LITTLE CALUMET RIVER  
BASIN DEVELOPMENT COMMISSION:

GARY PARK DEPARTMENT:

BY: GEORGE CARLSON, its Chairman .

BY: ALMA WHITE, President

ATTEST:

ATTEST:

NATHANIEL LEONARD, Secretary

KATHERINE B. LORDEN, Secretary

PLEASE SIGN

# ATTENDANCE ROSTER

Name of meeting: **LCRBDC**

Date: **12-7-94**

	NAME (please print)	Organization and/or Address	
1	DAVE TABORSKI	BLACK OAK	1
2	Don Shapiro	Highland Ave	2
3	Pete ZAK	SOL. SHORE MARINA	3
4	Bill Petrites	Highland, Indiana	4
5	Rick Markley	THE TIMES	5
6	Nena J. Bukra	Munster, Ind.	6
7	Dave Hunter	U.S. COE.	7
8			8
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30			30
31			31

Chairman: **George CARLSON**

Location: **PORTAGE**



**NORTHWESTERN INDIANA  
REGIONAL PLANNING COMMISSION**

6100 Southport Road  
Portage, Indiana 46368

Phone: 219/763-6060  
Fax: 219/762-1653

To: LITTLE CALUMET RIVER BASIN  
DEVELOPMENT COMMISSION

For: FOR SERVICES PERFORMED DURING

Date: DECEMBER 1, 1994

Contract Code: PARTP 214

Internal Code: 214

Invoice No: 10/11

**INVOICE**

SALARIES AND FRINGE BENEFITS: DAN GARDNER & SANDY MORDUS	\$ 5,775.00
ROOM RENTAL FOR ADDITIONAL LCRBDC STAFF	500.00
ACCOUNTING SERVICES	425.00
FACSIMILE MACHINE @ \$5.00/MO PLUS ATTACHMENTS	20.29
POSTAGE: NOVEMBER, 1994	110.11
COPYING CHARGES @ \$5.00/MO PLUS \$.06/COPY 1,785	112.10
GRAPHICS/PRINTING TIME @ \$20/HR (ATTACHMENTS) 3 HOURS	60.00
STAFF MILEAGE/EXPENSES:	0.00
OTHER CHARGES (ATTACHMENTS) (LONG DISTANCE) \$7.38	87.17
PETTY CASH \$79.79	

TOTAL: NOVEMBER, 1994

7,089.67

OUTSTANDING PAYMENT DUE:

-0-

**TOTAL DUE: \$ 7,089.67**

# LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION

## MONTHLY BUDGET REPORT

### NOVEMBER 30, 1994

ACCOUNT DESCRIPTION	BUDGET AMOUNT	AMOUNT PAID PREVIOUSLY	UNPAID BALANCE	AMOUNT READY FOR PAYMENT	PROJECTED BALANCE
5801 PER DIEM EXPENSES	\$16,000.00	4,700.00	11,300.00	621.80	\$10,678.20
5811 LEGAL EXPENSES	7,500.00	2,833.30	4,666.70	283.33	4,383.37
5812 NIRPC SERVICES	94,000.00	77,093.62	16,906.38	7,089.67	9,816.71
5821 TRAVEL & MILEAGE	7,500.00	5,497.57	2,002.43	6,228.97	(4,226.54)
5822 PRINTING & ADVERTISING	2,000.00	1,305.06	694.94	0.00	694.94
5823 BONDS & INSURANCE	7,500.00	5,732.63	1,767.37	0.00	1,767.37
5824 TELEPHONE COSTS	6,000.00	3,394.34	2,605.66	465.79	2,139.87
5825 MEETING EXPENSES	7,500.00	6,193.46	1,306.54	67.43	1,239.11
5838 LEGAL SERVICES	50,000.00	43,706.10	6,293.90	4,654.29	1,639.61
5840 PROFESSIONAL SERVICES	250,000.00	183,210.06	66,789.94	9,807.46	56,982.48
5860 PROJECT LAND PURCHASE COSTS	2,052,517.00	82,710.93	1,969,806.07	325.00	1,969,481.07
5881 PROPERTY/STRUCTURES INSURANCE	25,000.00	19,450.00	5,550.00	0.00	5,550.00
5882 UTILITY RELOCATION COSTS	250,000.00	149,627.18	100,372.82	2,060.00	98,312.82
5883 PROJECT LAND CAPITAL IMPROVEMENTS	150,000.00	67,186.92	82,813.08	970.00	81,843.08
5884 STRUCTURES CAPITAL IMPROVEMENT	32,000.00	0.00	32,000.00	0.00	32,000.00
5891 DNR/SHORELINE SAND FUND	28,124.24	27,071.24	1,053.00	0.00	1,053.00
5892 ESCROW ACCOUNT	1,500,000.00	0.00	1,500,000.00	0.00	1,500,000.00
TOTAL:	\$4,485,641.24	\$679,712.41	\$3,805,928.83	\$32,573.74	\$3,773,355.09

### CLAIMS READY FOR PAYMENT

ACCOUNT	VENDOR NAME	AMOUNT	EXPLANATION OF CLAIM
5801	GEORGE CARLSON	102.00	REIMBURSEABLE MEAL EXPENSES RE: NAFSMA
5801	NATHANIEL LEONARD	90.00	REIMBURSEABLE MEAL EXPENSES RE: NAFSMA
5801	WILLIAM TANKE	90.00	REIMBURSEABLE MEAL EXPENSES RE: NAFSMA
5801	JOHN DEMEO	90.00	REIMBURSEABLE MEAL EXPENSES RE: NAFSMA
5801	ARLENE COLVIN	91.80	REIMBURSEABLE MEAL EXPENSES RE: NAFSMA
5801	CHARLES AGNEW	78.00	REIMBURSEABLE MEAL EXPENSES RE: NAFSMA
5801	ROBERT TRELO	80.00	REIMBURSEABLE MEAL EXPENSES RE: NAFSMA
5811	LOUIS M. CASALE	283.33	ATTORNEY RETAINER FEE FOR NOVEMBER 1994
5821	WESTIN HOTEL	5,894.87	HOTEL EXPENSES INCURRED RE: NAFSMA CONFERENCE
5821	AMERICAN LIMOUSINE	334.10	AIRPORT TRAVEL EXPENSES RE: NAFSMA 1994
5821	SANDY MORDUS	22.48	EXPENSES INCURRED RE: GROUND BREAKING CEREMONY
5824	MCI	198.67	TELEPHONE CHARGES FOR OCTOBER, 1994 (KRBC TO PAY A PORTION)
5824	GTE	267.12	TELEPHONE CHARGES FOR OCTOBER, 1994 (KRBC TO PAY A PORTION)
5838	LOUIS M. CASALE	3,830.29	LAND ACQUISITION LEGAL SERVICES FOR NOVEMBER 1994
5812	NIRPC	7,089.67	FOR SERVICES PERFORMED IN NOVEMBER 1994
5825	HIGHLAND BAKERY	44.95	EXPENSES INCURRED RE: GROUND BREAKING CEREMONY
5838	LUCAS HOLCOLMB & MEDREA	824.00	LAND ACQUISITION LEGAL SERVICES RE: CONDEMNATION FILINGS
5841	MILO VALE	1,400.00	APPRAISAL SERVICES RENDERED ON DC 448
5841	MILO VALE	1,600.00	APPRAISAL SERVICES RENDERED ON DC 457 & 458
5842	ABONMARCHE	2,287.94	FOR SERVICES RENDERED RE: PORTAGE MARINA
5843	NIPSCO	91.92	UTILITY BILL RE: PUMPING EXPENSES
5843	R.W. ARMSTRONG	1,817.10	FOR SERVICES RENDERED THROUGH 11/18/94
5843	MELISSA STEFANOVICH	195.50	LAND ACQUISITION SERVICES RENDERED 11/1-15/94
5844	JAMES E. POKRAJAC	2,415.00	LAND ACQUISITION/MANAGEMENT SERVICES RENDERED 11/1-15/94
5862	FRELON C. HILL SR.	325.00	MOVING EXPENSES INCURRED ON DC 258
5882	R. W. ARMSTRONG	2,060.00	UTILITY RELOCATION SERVICES RENDERED THROUGH 11/18/94
5883	SOUTH SHORE MARINA	970.00	COST INCURRED RE: REMOVAL & STORAGE OF HANDRAILS
		32,573.74	