MEETING NOTICE

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

AGENDA

1. Call to Order by Chairperson George Carlson

2. Recognition of Visitors, Guests

3. Approval of minutes of June 2, 1994

4. Executive Director's Report
   - Minority Contracting Commitments
   - Report on press conference held June 6
   - DNR permit issues for remainder of east reach construction
     - Results of meeting held June 7 with DNR officials
   - Commission letter to Corps regarding Hammond Oxbow park development participation
   - Eric R.R. bridge removal project
     - DNR permit received
     - Notification to city of Hammond and town of Highland to request funding participation
     - Authorization for project bidding
5. Reports of Standing Committees

A. Legislative Committee - George Carlson, Chairman
   - Federal appropriations status
     - Fiscal year 95 funding - $3.3 million
     - Corps beginning fiscal year 96 capability analysis
   - Report on State Budget Committee meeting held on 6/22/94
     - Allocation release of $2 million from '93 General Fund
   - 95/97 State Biennial Budget request forms due 8/19/94

B. Land Acquisition/Management Committee - Charles Agnew, Chairman
   - Appraisals, offers, acquisitions, recommended actions
   - Corps Real Estate meeting held 6/30/94
   - Fee title for recreation features credit
   - Corps letter regarding Project priorities
   - Other issues

C. Project Engineering/Construction Committee - Robert Huffman, Chairman
   - Wicker Park Manor construction progress report
     - FEMA letter to town of Highland
   - Federal project construction status report
   - Corps letter transmitting a Value Engineering proposal to raise Harrison St. vs. closure structure
   - Other issues

D. Marina Development Committee - Bill Tanke, Chairman
   - Board consideration of written waiver for Dyer sand removal project
   - Board consideration of request by Portage Township Trustee's Office for 15 truckloads of sand
   - Corps of Engineers marina permit report - Natural area revision
   - INDOT permit extension request
   - NIPSCO ground lease - status report
   - Marina sheet pile bids - Portage Board of Public Works
   - Other issues
E. Finance/Policy Committee - John DeMeo, Treasurer

- Financial status report
- Approval of claims for May, 1994
- Receipt of Audit Report for years 1992-93
- Other issues

6. Other Business

7. Statements to the Board from the floor

8. Set date for next meeting; adjournment
MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
HELD AT 6:30 P.M. THURSDAY, JUNE 2, 1994
AT THE COMMISSION OFFICES
6100 SOUTHPORT ROAD
PORTAGE, INDIANA

Chairman George Carlson called the meeting to order at 6:40 p.m.
Eight (8) Commissioners were present. Quorum was declared and
guests were recognized.

Development Commissioners:
George Carlson
Charles Agnew
Steve Davis
Robert Huffman
Robert Trelo
William Tanke
Nathaniel Leonard
Arlene Colvin

Visitors:
Melanie Ellison - IDNR
Bill Petrites - Highland
Ruth Mores - Hammond Resident
Emerson Delaney - Hammond
Jim Flora - R.W. Armstrong
Mike Vander Heyden - Dyer
Construction
Ray Young - Contract & Community
Services
Pete Zak - South Shore Marina

The minutes of the May 11, 1994 meeting were approved by a motion
from Bob Huffman after a correction to the last paragraph on page
2 (the word 'Erie' was inserted before the word 'bridge'); motion
was seconded by Bob Trelo; motion passed unanimously.

Executive Director's Report - Mr. Gardner referred to the agenda
packet containing the letter that was sent to the State Budget
Committee requesting to be on their next agenda to seek access to
the next $2 million for availability for drawdown. We do not know
yet whether we are on the agenda. Mr. Gardner will be calling Dave
Patterson, Deputy Budget Director, to confirm.

Mr. Gardner announced that on June 6 a press conference will be
held at the Congressman's Office (not Gary City Hall, as originally
planned). They will discuss and announce the minority commitment
policy that the Corps of Engineers will adopt.

Mr. Gardner referred to a letter that Mayor Barnes from Gary has
written to the Secretary of the Army commending Lt. Col. David Reed
on his outstanding effort to ensure minority participation. The
Commission has also received a letter from the Congressman thanking
Mr. Gardner for his efforts in the same regard.
Mr. Gardner announced an upcoming date of June 7 in which he, along with the Corps technical staff, will meet with the Dept. of Natural Resources to give an update and presentation of the current status of the project relative to submitting a permit application for the remaining east reach. Mr. Gardner will bring along the conceptual plan for project lands and development. The original plan was actually developed by DNR in 1975.

Mr. Gardner announced that Lt. Col. David Reed will be leaving the Chicago District command in early July. There will be a Change of Command Ceremony in which the new colonel will be installed. Mr. Gardner read a letter he has drafted to be sent to the District commending Col. Reed. Mr. Tanke made a motion to send the letter of commendation; Bob Huffman seconded the motion; motion passed unanimously.

Land Acquisition Committee - Land Acquisition Chairman Chuck Agnew reported that the Georgia Street road raising permit has been approved by the city of Gary at their Public Works meeting.

Staff will also be sending a letter to Lake Ridge School informing them of the 4" force main on Colfax which must be relocated and that the Commission will bear the cost.

Project Engineering Committee - Mr. Huffman reported that the Wicker Park Manor construction progress is at about 12% complete. The retention pond on the west side of Indianapolis Blvd. is about 50% complete. Some wood pilings were found in the retention area and had to be removed.

Mr. Huffman also reported that seeding and fencing on Stage III are now completed. A walk-through inspection is tentatively scheduled for June 29th.

He also reported that a utility meeting is scheduled for June 3rd with NIPSCO, Wolverine, Gary Sanitary and Ameritech at the Commission office. Mr. Flora is coordinating and presiding over the meeting.

Marina/Breakwater Committee - Committee Chairman Bill Tanke gave the marina report. He referred back to the last Commission meeting in which approval was given to sign the NIPSCO lease only if there were minor changes to it as approved by staff and attorney. Since then, several changes were made, one being an indemnification clause removal. Because of that change, the acceptance of the NIPSCO lease requires further approval. With that, Mr. Tanke made
a motion that the proposed lease agreement between the Little Calumet River Basin Development Commission, the City of Portage and NIPSCO be approved in its present form and entered into, and that the Chairman of the Commission be authorized and directed to execute the lease agreement on the Commission's behalf; motion seconded by Robert Trelo; motion passed unanimously.

Mr. Tanke announced that the sheet piling bidding documents are on the street. Bids will be received up to 3 p.m. June 27th at the Portage City Hall with award being the responsibility of the Portage Board of Works.

Abonmarche has sent a letter to the contractor informing him of blowing sand conditions at the marina site.

Mr. Tanke also announced that Mayor Maletta has requested the marina monies due Portage through the Lake Michigan Marina Development Commission to be released so that once bids are received and a contractor is selected, we can proceed.

There was a discussion on the Natural Area deed restriction agreement. This agreement is requested by the Detroit Corps as one of the stipulation of the marina permit. Mr. Tanke made a motion to approve and authorize the Chairman to sign the agreement; motion seconded by Bob Huffman; motion passed unanimously.

Finance/Policy Committee - In Treasurer John DeMeo's absence, Mr. Gardner presented the financial status report for April as well as the claim amount of $27,959.63 for approval. Mr. Agnew made a motion to approve paying the pending claims; motion seconded by Arlene Colvin; motion passed unanimously.

Other Business - There was none.

Statements from the floor - Ray Young commended the Board and particularly Dan Gardner for their continuing support and expended efforts in ensuring a greater level of minority participation in the construction project. It is as a result of everyone's effort, that the press conference at the Congressman's office came to fruition. Mr. Gardner responded by saying just as much credit is due Mr. Young himself.

Mike Vander Heyden, contractor from Dyer Construction doing the levee construction at Wicker Park Manor in Highland, questioned the possibility of dredging the river for clay use. Mr. Gardner stated that it is a viable alternative and would be next to impossible to obtain permits anyway.
Ruth Mores from Southmoor Street in Hammond inquired about the levee system along this stretch of the river. She expressed concern about the trees and what would become of them. Mr. Gardner informed her that the foremost concern is flood protection itself. They would be gaining a 200-year level of flood protection, which is greater than they now have. With the new levee system, whether it is earth levees or floodwalls, any existing trees in the levee line will be removed. After the levee construction, there will be a landscaping plan in place and new plantings will go in. The Corps is very specific about what type of plants/bushes/shrubs will be allowed.

Emerson Delaney who also lives on Southmoor in Hammond reiterated her concern. He indicated that the map seems to portray a wide area and was concerned that all the trees may have to be removed. He felt the residents are concerned because some of those trees are hardwoods and over 100 years old. Mr. Gardner stated only trees in levee line would be removed; everyone will want to keep as many trees as possible. They discussed setting up a meeting to discuss this issue with the Corps.

Mr. Gardner thanked Mr. Delaney for his interest in the project and for attending the meetings. Mr. Delaney has expressed his interest and willingness to serve on the Board. There is a Governor's appointment currently vacant and Mr. Delaney is pursuing it through the Mayor of Hammond.

Mr. Gardner informed the Commission that the Indiana State Legislators were invited to northwest Indiana for a 2-day visit. He will be touring on one of the buses with them and one item of interest to them will be the levee system already in place along I-80/94. Mr. Gardner has also prepared a status report for them.

There was no other business. The next Commission meeting was scheduled for Thursday, July 7, 1994.
Major Little Cal contract opens door for minorities

BY ANNE O'REILLY
Times Staff Writer

GARY — A Hammond firm is one of the first to benefit from an effort to bring more minority-owned firms into the flood-control work being done on the Little Calumet River.

Ramirez & Marsch Inc. has signed a $2.27 million contract to build levees along the river, Rep. Pete Visclosky, D-Ind., announced Monday during a news conference at Indiana University Northwest. The contract signing is a big step forward for minority contracts, said Ray Young, president of Contracting Community Service Institute. "We'd found that $8 million had been awarded in contracts — and only $12,500 went to minorities," he said.

The signing is part of an effort to increase participation by minority construction companies on the Little Calumet River project.

The federal plan — the Small Contract

Continued from Page A-1

Business Administration Contracting and Business Development Program — is intended to raise the minority participation goal from 20.9 percent to 40 percent on the river project.

Companies like Ramirez & Marsch Inc. got this opportunity through the program, which provides small, economically and socially disadvantaged businesses with training needed to win federal contracts.

Mayor Thomas Barnes said the contract signing symbolizes more than another construction project in Gary.

"This is the most significant project in a long time," he said. "This would be an important development if it only meant improving the quality of life for our residents. It would be a significant development if it only enhanced a significant part of our environment. But it has the opportunity to enhance also disadvantaged members of our community."

The project, extending from Martin Luther King Drive in Gary west to the Illinois state line, is designed to improve flood control and recreation along the river.

The project includes building about 22 miles of levees and flood-proofing structures, protecting about 800 acres of wetlands and creating about 17 miles of hiking trails. It is scheduled for completion in 1998.

The project's estimated cost is $63 million, with about $7.7 million set aside for minority contracts.

Betty McDonald, assistant district director of Minority Small Business Capital Ownership Development, said the task has not been an easy one.

"It has taken a long time to get to this day," she said. "Now we can forge forward at a much faster pace." And forging forward could mean possibilities on the flood control project for other small businesses. Other local companies have parts of the project earmarked for them, according to information supplied by Visclosky's office.

JOHN J. WATKINS / THE TIMES

Rep. Pete Visclosky, D-Ind., left, chats with Betty McDonald of the Small Business Administration and Ray Young of the Contract and Community Service Institute after Monday's news conference.
June 8, 1994

LTC David M. Reed
Department of the Army
Chicago District, Corps of Engineers
1100 North Canal Street
Chicago, IL 60606-7206

Dear Colonel Reed:

On behalf of the East Chicago Branch NAACP, I write to acknowledge our appreciation for your efforts toward including minority contractors, and minority labor force on the Little Calumet River Flood Control Project.

Your efforts are indeed commendable and this organization just want to say "Thank You" for a job well done. May we also congratulate you on your new assignment to Washington, D.C. perhaps, the entire Nation may benefit from this assignment.

Again, we thank you and we wish you God Speed.

Sincerely,

[Signature]

Rev. O.C. Comer,
President

cc: Thomas Barnes, Mayor of Gary
    Peter Visclosky, Congressman
    Togo West, Secretary of the Army
    David M. Reed, Dept. of Army
    Dan Gardner, Executive Director of LCRBDC
June 2, 1994

LTC David M. Reed
U.S. Army Corps of Engineers
111 N. Canal Street
Chicago, Illinois 60606-7206

Dear Col. Reed:

The Little Calumet River Basin Development Commission wishes to write you to express our deep appreciation for your service and commitment to the citizens of northwest Indiana through your active leadership as Chicago District Engineer directing the Federal construction of the Little Calumet River Flood Control and Recreation project.

Your commitment to the continued importance of this project to the Chicago District; to being open and accepting to positions important to the Development Commission in its role as non-federal project sponsor; and to your steadfast support for a mechanism to allow a major role for local minority participation in the project construction is truly notable and, we believe, exemplifies the true "spirit" and not just the letter of a successful Federal/local partnership.

Your time of service was all too brief in our eyes, but in that time, you have made a "significant" and lasting contribution to northwest Indiana through a project that is just beginning to impact the Little Calumet River corridor.

We wish you well in your new assignment and again express our gratitude for all your efforts.

Sincerely,

[Signatures]

George Carlson
Chairman

Dan Gardner
Executive Director
Division of Water
402 West Washington Street
Room W264
Indianapolis IN 46204

Date: June 21, 1994
Application #: FW-16,167
Stream/Lake: Little Calumet River

Applicant:
Little Calumet River Basin
Development Commission
Dan Gardner
6100 Southport Road
Portage IN 46368

Agent:

The Division received your permit application on 6/02/94. Based upon staff's preliminary review, it has been determined that your application is complete and ready for processing. If you have any questions regarding its status contact Amy James at (317) 233-4585 or by FAX at (317) 233-4579. Please refer to your application number when contacting the Division.

Description: Levees will be constructed along the north and south banks of the Little Calumet River from Cline Avenue on the west to Martin Luther King Drive on the east. Details of the project are shown on plans received at the Division of Water on June 2, 1994.

Location: Extending along the Little Calumet River between Cline Avenue and Martin Luther King Drive, at/near Gary, Calumet Township, Lake County, Section, T., R., Highland/Gary Quadrangle

In addition to a State permit you may also require a permit from and/or wish to coordinate with the following agencies. Contact with these agencies is your responsibility.

U.S. Army Corps of Engineers, Detroit District
Little Calumet River Basin Development Commission
Lake County Drainage Board
Local city or county planning and zoning commission
June 21, 1994

Mr. Dave Hunter
Plan Formulation Branch
U.S. Army Corps of Engineers
111 N. Canal Street
Chicago, Illinois 60606-7206

Dear Dave:

I am writing you as discussed at the June 10th meeting at Hammond City Hall regarding the Hammond OxBow Park development and the Corps of Engineers funding participation. As was discussed at the meeting, I am formally requesting that the U.S. Army Corps of Engineers pursue accelerating the Corps eligible participation in that recreation area identified as the Hammond Oxbo Park. The reason I am requesting this acceleration is due in part to the desire of the city of Hammond and the Hammond Park Department to pursue phased recreational improvements on that site even prior to the Federal flood control construction for that segment. The Development Commission has supported the city of Hammond desire to improve the recreational facilities at that site compatible with the environmental conditions on the site. This facility is an integral part of the recreation system to be developed along the river in the western portion of the project. We also believe this interest on the city of Hammond’s part can bring additional grant-making potential to the table and further the support of the city for the overall project development.

Thank you for your consideration of this request and please advise if any additional information is required to expedite the Corps’ participation.

Sincerely,

Dan Gardner
Executive Director

/sjm

cc: Mayor Duane W. Dedelow, city of Hammond
    George Carlson, Chairman, LCRBDC
    Charles Blaine, Hammond Park Superintendent
    Curtis Vosti, Grants Coordinator, Hammond
APPLICATION: FW-15,822

STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES
CERTIFICATE OF APPROVAL OF CONSTRUCTION IN A FLOODWAY

APPLICANT:
Little Calumet River Basin
Development Commission
Dan Gardner
8149 Kennedy Avenue
Highland IN 46322

STREAM:
Little Calumet River

AUTHORITY:
IC 13-2-22, 310 IAC 6-1
IC 13-2-4-9, 310 IAC 21-4

PROJECT DESCRIPTION:
The existing abandoned Erie Railroad bridge will be demolished and removed. In addition to the bridge deck, 6 of the 8 piers (includes eighteen 14" x 14" steel abutment columns) will be removed. The vertical steel sheeting abutments and one pier will remain along each bank. Riprap will be placed along the banks as needed for stabilization purposes. Details of the project are shown on plans dated September 29, 1993, on file at the Division of Water.

PROJECT LOCATION:
At the abandoned Erie Railroad bridge, approximately 300 feet downstream (west) of the Indianapolis Boulevard bridge at/near Highland, North Township, Lake County
SWA, SEK, SEK, Section 17, T. 36N, R. 5W, Highland Quadrangle
UWM Coordinates: Downstream = 4601725 North, 460350 East

AUTHORIZATION AND APPEAL NOTICE:
This signed document constitutes the issuance of a permit by the Natural Resources Commission, or its designee, subject to the conditions as stated on the pages entitled "General Conditions" and "Specific Conditions". This permit or any of the conditions which it contains may be appealed by applying for administrative review. Such review is governed by the Administrative Orders and Procedures Act, IC 4-21.5, and by the Department's rules relating to adjudicative proceedings, 310 IAC 0.6. In order to obtain an appeal, a written petition must be filed within 10 days of the mailing of this notice. It should be addressed to:

Mr. Stephen L. Lucas, Director
Division of Hearings
Room 4272
402 West Washington Street
Indianapolis, Indiana 46204

The petition should contain specific reasons for the appeal and indicate the portion(s) of the permit to which the appeal pertains. If an appeal is filed, the Natural Resources Commission will make the final agency determination following a legal proceeding conducted before an Administrative Law Judge.

June 14, 1994
Date

John N. Simpson, PE
Director
Division of Water

Documents prepared by: Steve Bradley
FOR IMMEDIATE RELEASE
CONTACT ROB SCHWABERDNER

COATS SAYS LITTLE CALUMET FLOOD CONTROL RECEIVES SENATE FUNDING
Senator Also Notes Other Significant Funding for Regional Plans

WASHINGTON -- The Senate Appropriations Committee has designated $3.3 million for construction of the Little Calumet River flood control plan, U.S. Sen. Dan Coats said today.

Coats said the release of the money is contingent on the State of Indiana providing funding for the non-federal funding match required for the program.

"This money is an important step forward to protect Hoosiers in Northwest Indiana from the ongoing threat of flooding," Coats said. "It is my hope that the Governor will work actively to ensure that the State's portion of the needed money is forthcoming."

The money will be used to build levees at Highland's Wicker Park Manor subdivision and in Gary from Ring Drive to Georgia Street.

In addition to the construction funds, the following appropriations were included for studies of the Little Calumet River Basin:

** $212,000 to study increased flooding along Dyer's Hart Ditch and Dyer Ditch.

** $150,000 to study flood control along the Cady Marsh Ditch in Calumet Township.

** an additional $150,000 to widen and deepen a 1,250 foot stretch of the Cady Marsh Ditch.

-30-
AGENDA
STATE BUDGET COMMITTEE MEETING
June 22, 1994

DATE: Wednesday, June 22, 1994
TIME: 9:00 A.M.
PLACE: Indiana State University
        Student Computing Center
        Conference Room
        Terre Haute

A recommendation of approval is requested for the following:

1. Dept. of Natural Resources - State Parks (300)
   General Rehab
   Project E3-300 for general rehab as listed:
   Boundary Fence & Sign 10,000  Park Furnishings 15,000
   Phone Systems 60,000  Asbestos Removal 40,000
   Playground Equipment 20,000  Silt Removal 110,000
   Harmonie Gate House 15,000  Lincoln Swim Area 30,000
   Potato Creek Restrooms 20,000  Dunes Showers 18,000
   Potato Crk Beach House 10,000  Dunes Wall Repair 25,000
   Pokagon Bridge 36,000  Ouabache Electric 60,000
   Pokagon Pole Barn 30,000  Shades Access Road 23,000
   Whitewater Dredging 12,000  Shades Inmate Bldg. 12,000
   (1993 General Fund)
   Available Balance $2,335,500

2. Dept. of Natural Resources - Soil & Conservation Division (300)
   Lake Shafer
   New Project for enhancements to Lake Shafer.
   (1993 General Fund)
   Available Balance $100,000

3. Little Calumet River Basin Commission (885)
   Development
   Funds requested to allow continued Federal Corps of Engineers
   flood control levee construction for two segments and the bidding
   of three additional levee segments this upcoming fall. The
   federal funds for these construction contracts are available from
   the $16,000,000 appropriated by the U.S. Congress in the 1994
   Federal Fiscal budget.
   (1993 General Fund)
   Available Balance $2,000,000
STATE BUDGET COMMITTEE APPROVES FUNDING FOR NORTHWEST INDIANA

(STATEHOUSE) June 24, 1994 -- The State Budget Committee approved $2 million for construction purposes for the Little Calumet River Basin Development Commission on Wednesday.

State Rep. Ralph Ayres, R-Chesterton, said that the funds will be used for flood control of the Little Calumet River.

"These funds will allow flood control levee construction by the U.S. Army Corps of Engineers," Ayres said. "The development of this river basin will help the local community."

The Little Calumet River Project is a flood control and recreation project along 10 miles of the Little Calumet River. The project is forecasted to bring more than $50 million in federal construction and improvement contracts to Northwest Indiana.

"I am pleased to see that the Budget Committee approved these funds for the development of Northwest Indiana," Ayres said.

The State Budget Committee serves as a liaison between the legislative and executive branches in managing Indiana's fiscal affairs and preparing the budget.
Real Estate Division

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

Dear Mr. Gardner:

I am responding to your letter of April 28, 1994 in which you expressed your concerns on obtaining Gary Park District lands in fee title for the recreation features to be developed for the Little Calumet River Local Flood Protection and Recreation Project.

It has been a long standing U.S. Army Corps of Engineers' policy that lands for the recreation feature of a Federally funded flood control project are to be acquired in fee title, which is the minimum interest required. This interest is necessary to allow for the effective use and development of recreation facilities.

Generally the minimum real estate interest for non-lake flood control projects for flowage areas, levees and floodwalls are permanent easements and are not sufficient to allow for Federal participation in recreational development. However, Corps' policy allows for passive recreation development on permanent easement lands that are acquired for the basic project. No credit for recreation cost sharing is granted for any costs of lands within the project boundary acquired for the basic project, since the policy does not allow for recreational land credits for project sharing when the lands are not acquired in fee title. However, we can allow recreation land credits for the incremental cost differences in excess of the real estate interest approved for the basic project, for example, from permanent flowage easement to fee title. Additional lands outside the basic project boundary which may be required for access, parking, potable water, sanitation and related developments for health, safety and public access must be on lands acquired in fee title by the sponsor and are eligible for recreation credits.
Passive recreation is defined as non-structured, resource-oriented recreation, such as hiking, fishing, boating, picnicking, and observation of natural water resources. Recreational structures which could be substantially damaged by inundation are generally prohibited at or below the permanent flowage easement line. This also applies to structures which would interfere with the operation of the project. The Chief of Engineers has reserved the authority to make exceptions to this policy.

The recreation features proposed for the Gary Parks Department lands designated to be acquired for a flowage easement that adheres to the above development criteria are hiking trails, display boards, picnic tables/shelters, grills, observation decks, fishing piers and canoe launches. Parking lots also fall in this category if we receive a commitment that you understand the flood risk associated with use of the parking facility and restrictions on the type of vehicles and hours of parking are implemented.

It has been determined that approximately 17.5 acres of Gary Park Department lands were proposed for recreational features. Our land valuation indicated that the difference between fee and flowage easement would be $4,600 and is the estimated amount which would not be allocated to the recreational cost sharing.

If you have any questions, please contact Mr. Paul Benkowski at (312) 353-4719.

Sincerely,

David M. Reed, P.E.
Lieutenant Colonel, U.S. Army
District Engineer
Programs/Project Management Division

SUBJECT: Little Calumet River Flood Protection Project Priorities

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

Dear Mr. Gardner:

The Chicago District sincerely appreciates the efforts that the Commission have exerted to bring the Little Calumet project to its present status with the limited resources that are available. We recognize the determination and work that has been required to complete the land acquisitions and relocations to date and the work that will be required in the future.

We are also faced with limited resources which must be efficiently distributed in order to accomplish your project as well as many others. To achieve the needed level of efficiency for both our organization and your own, we must jointly focus and coordinate our efforts.

This project has always been given a high level of priority by the Corps of Engineers at the District, the Division and Washington headquarters levels. The progress from our joint efforts in this project is now being even more closely scrutinized by our Washington Headquarters. Due to its size, the Little Calumet Project is one of forty projects nationwide that will be the subject of special reporting on a monthly basis. Special emphasis will be placed on scheduled versus actual expenditures during each fiscal year.

As you know, our construction schedules have slipped during this year for a variety of reasons, resulting in lost public benefits due to deferred benefits stream, inflated construction costs, contract claims, and inefficiencies. We are concerned that our efforts focus on the same priorities that you have established for the Commission. To address this concern, we provided you with a schedule last February indicating our thoughts regarding prioritizing District resources. We have not received a response. We are still acting based on those priorities and still consider a dialogue necessary to coordinate our efforts with yours. A better understanding of the relocation
and acquisition status for each project increment would be most helpful in that regard.

Other Civil Works projects within our jurisdiction also require the District's immediate attention. We cannot spread resources over all activities relating to the Little Calumet project. If the required real estate requirements and utility relocations for a Stage or Phase of the project cannot be met as currently scheduled, we must temporarily re-direct our personnel to other projects.

We suggest that a coordination meeting may be in our mutual interest. If you agree, please contact Mr. Hunter to determine an acceptable date. The District and the Commission should rightfully take pride in the accomplishments that have been made to date but should also continue to evaluate means of making the project even better.

Sincerely,

Richard E. Carlsson

RICHARD E. CARLSON
Deputy District Engineer (PM)

Copies Furnished:
Paul Benkowski
Joseph Jacobazzi
David Hunter
LTC David Reed
June 17, 1994

Mr. Kenneth Mika
Building Commissioner
Town of Highland
3333 Ridge Road
Highland, IN 46322

Dear Mr. Mika:

Your letter of April 19, 1994 requests comment regarding criteria used by the Town of Highland, Indiana in permitting development in the those areas of the 100-year floodplain that have already received some degree of protection from the Little Calumet River Flood Control Project. Of special concern are the anticipated building permit applications for reconstruction of homes in the Wicker Park Manor Subdivision.

Full compliance to the Town's flood damage prevention ordinance is requested until a request for revision to the Flood Insurance Study (FIS) documents has been received and resolved by this Agency. It is incorrect to assume project funding and completion status can be used in permitting decisions. The Brooks Amendment, which cites the 100% funding and 50% completion threshold, is intended for our use in review of FIS map revision requests presented in connection with federally-funded flood control projects.

Based on recent phone conversations between my staff and the U.S. Army Corps of Engineers (COE), it is understood that the COE and the Little Calumet River Basin Development Commission (LCRBDC) are currently discussing funding and time tables for preparation of documents supporting an FIS revision request. It is further understood that some of these discussions hinge on the tentative nature of criteria used by the COE to prove sufficiency of levee freeboard.

To our knowledge, the COE and the LCRBDC are not currently proposing to prepare map revision documents for Wicker Park Manor ahead of their basin-wide presentation. We applaud the resolve of the COE, LCRBDC, the Indiana Department of Natural Resources and the Town of Highland in implementing ahead of schedule the improvements to the levee segment between Indianapolis Boulevard and the Conrail Railroad. We also applaud the Indiana Department of Transportation for assuring completion of the Indianapolis Boulevard bridge replacement. However, this Agency has no means to review the improvements until documents are prepared that show conformance to Subpart 65.10 of Title 44 of the Code of Federal Regulations.

We continue to encourage preparation of design documents under our so-called "Conditional" map revision procedures so as to provide us the opportunity to detail perceived design or document deficiencies prior to project completion. A Conditional map revision statement by the Federal Emergency Management Agency effectively reduces the final map revision process to a review of as-built plans and a publication, public notification, and adoption process.
Mr. Kenneth Mika
Building Commissioner, Town of Highland
June 17, 1994, page 2 of 2

If you require additional clarification, please feel free to contact Ms. Anna Pudio at 312-408-5320, or Mr. Kenneth Hinterlong, at 408-5529.

Sincerely,

Janet M. Odeshoo
Director, Mitigation Division

cc: The Honorable Dominic Noce, Highland Town Council
Mr. Daniel Gardner, Executive Director, LCRBDC
Mr. John Simpson, Director, Division of Waters, IDNR
Lt. Colonel David M. Reed, District Engineer, COE, Chicago District
Mr. Phil Myers, Project Engineer, Mitigation Directorate, FEMA (MT-HT-ID)
DEPARTMENT OF THE ARMY
CHICAGO DISTRICT, CORPS OF ENGINEERS
111 NORTH CANAL STREET
CHICAGO, ILLINOIS 60606-7206

Reply to
Attention of

Programs and Project
Management Division
Project Management Branch

Mr. James J. Flora, Jr., P.E.
Vice President
8300 Broadway Avenue
Merrillville, Indiana 46410

Dear Mr. Flora,

With this letter we are submitting to you a Value Engineering (VE) Proposal to raise Harrison Street instead of providing a panel closure structure. Please review this proposal and provide any comments back to us. Note that this change may impact the NIPSCO power line relocations.

In the proposal, Harrison Street is to be raised to the 200-year design level of protection and a sand closure placed in the freeboard area. To minimize the height of the raised embankment at Harrison Street, the levee had to be realigned to cross Harrison at higher ground. Enclosure 1, first sheet, shows the plan view of the original levee alignment, as was shown on the 50 percent BCO plans for Stage II Phases 3B & 3C, with a panel closure structure. Also displayed is the VE proposed relocated levee. The second sheet shows the cross sections of the raised embankment of Harrison Street and the proposed typical sections of new pavement.

As with the Georgia Street road raise, the cost sharing percentages of the Federal Government responsibility versus the Local Sponsor responsibility change with a road raise versus a closure structure. The Local Sponsor’s cost for this road raise is approximately $40,000 while the Local Sponsor’s cost for the original design with the closure structure is estimated to be approximately $43,000. However, we estimate a total project cost savings of approximately $111,000 due to this VE proposal and recommend proceeding with the VE design.
Please contact Captain Tom Chapman at (312) 353-8574 if you have any questions.

Sincerely,

[Signature]
Richard E. Carlson
Deputy District Engineer
for Project Management

Enclosures

Ms. Jean M. Phelps, NIPSCO

Mr. Dan Gardner, Little Calumet
River Basin Development Commission
June 14, 1994

Little Calumet River Basin
Development Commission

c/o Attorney Louis Casale
8300 Mississippi, Suite E
Merrillville, Indiana 46410

REFERENCE: SUPERIOR - DYER JOINT VENTURE SAND REMOVAL AGREEMENT

Dear Mr. Casale:

Please be advised that Dyer Construction has a contract with the Port of Illinois to provide approximately 100,000 cubic yards of sand for a recreational use project located in the vicinity of 115th Street and Interstate 94 in the City of Chicago, Illinois. Dyer intends to obtain from the Superior - Dyer Joint Venture an amount of sand sufficient to cover the estimated quantity needed for this Port of Illinois project. Superior - Dyer will provide such sand from the Little Calumet River Basin Marina Development site, as it has a contract with the Little Calumet River Basin Development Commission for the purchase and removal of sand from said site.

You have attempted on behalf of the Little Calumet River Basin Development Commission to assert that the sand from the Marina Development site cannot be used for the Port of Illinois Project without the consent of the Commission. Please be advised that it is the position of Dyer Construction that such assertion is an unlawful attempt to restrict the sale of property, and otherwise interferes with interstate commerce. Thus, the Commission has no authority or right to restrict the disposition of the sand that the Superior - Dyer Joint Venture otherwise has an agreement to purchase and remove from the Marina Development Site.

Without waiving this position or otherwise admitting any authority or right of the Commission to prohibit the subsequent sale of this sand to third-parties, Dyer Construction hereby requests the Commission to issue its written consent to the removal of approximately 100,000 cubic yards of sand from the Marina Development site by the Superior - Dyer Joint Venture. Such quantity of sand to be removed will be paid for at the previously agreed upon rates of $0.31 per cubic yard of sand removed from above grade, and $0.01 per cubic yard of sand removed from below grade. Said sand will be removed and used for subsequent sale to Dyer Construction for sale and use at the Port of Illinois Project referred to above. Should the Commission refuse to provide such written consent, then demand is made upon the Commission to
June 14, 1994
Louis Casale, Esq.
Page Two

provide a written statement of its grounds for such refusal of consent, specifically identifying all factual and legal findings serving as the basis for such refusal.

In considering this request, the Commission should consider that the Superior - Dyer Joint Venture has been unable and in good faith to find a use for the sand within the State of Indiana. Furthermore, Dyer at the time of using the sand at the Port of Illinois project will be obtaining and removing from that project equivalent amounts of clay fill material for use at a landfill site in Gary, Indiana. This fill material may also possibly be used at the Little Calumet River Basin dike project. Thus, the sand for which there is no current use in Indiana, can provide a benefit to Indiana projects through this exchange of materials.

Frankly, we cannot see how in good faith the Commission can object to the use of the sand for the purposes expressed herein. Nevertheless, we would appreciate the Commission's response in these regards no later than 5:00 p.m. on June 16, 1994.

Very truly,

DYER CONSTRUCTION COMPANY, INC.

BY: [Signature]

23
June 29, 1994

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

Dear Mr. Gardner,

I would like to ask the Little Calumet River Basin Development Commission to authorize for 15 dump truck loads of sand released to the Portage Township Trustee at no cost. The sand will be used for the new park that is being developed in Portage Township. The park will be used by the citizens of Portage Township.

I would appreciate authorized approval at the earliest convenience to the Little Calumet River Basin Development Commission.

Thank you in advance for your consideration on the above request.

Sincerely,

Cortie L. Wilson, Sr.
Portage Township Trustee
June 27, 1994

Mr. Darryl Judkins  
Regulatory Supervisor  
Indiana Department of Transportation  
P. O. Box 429  
LaPorte, Indiana 46350

Dear Mr. Judkins:

I am contacting you to request a one year extension of the above permit. Construction of the Portage Municipal Marina has been delayed due to difficulties in acquiring a U.S. Army Corps of Engineer's permit. We anticipate this problem to be resolved in the near future. Once the Corps permit is obtained, we anticipate pursuing the work authorized by the INDOT permit. The requested extension relates to the permit described below.

Application Number: 45-92-024CR  
Road Number: U.S. 12  
Section: 64  
Expiration Date: 7/16/94  
Issue Date: 7/16/93  
Permit Number: 93LC00215

If you have any questions, please feel free to contact our office or Tim Zebell, Abonmarche Consultants, Inc. at 616/927-2295. Your assistance and timely response is greatly appreciated.

Sincerely,

Dan Gardner  
Executive Director

/sjm

cc: John Hannon, P.E., City of Portage Engineer  
Ronald Schults, P.E., President, Abonmarche Consultants  
Tim Zebell, Abonmarche Consultants
*** MEMORANDUM ***

DATE: June 20, 1994

TO: Mike Vanderheden, Dyer Construction

FROM: Tim Zebell, ACI

CC: John Hannon, P.E., City of Portage Engineer
    Dan Gardner, Executive Director, LGMCO
    Tom Lagura, Superior Construction
    Ron Schults, P.E., President, ACI

RE: STATUS OF NIPSCO EASEMENT EXCAVATION/AGREEMENT

1. The purpose of this memorandum is to confirm our telephone conversation today. To ensure clarification, the NIPSCO Easement area should not be excavated until you have received the "go ahead" from our office. While work has remained outside of this area, there appeared to be some confusion about this matter at the site today.

2. Should you have any questions, please do not hesitate to contact our office.

[Signature]

TEZ
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<tr>
<th>CONTRACTOR</th>
<th>Hardman Construction Ludington, MI</th>
<th>Superior Constr./Dyer Constr. Gary, IN</th>
<th>Luedtke Engineering Company Frankfort, MI</th>
<th>Thatcher Engineering Corporation Gary, IN</th>
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LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION  
FINANCIAL STATEMENT  
JANUARY 1, 1994 - MAY 31, 1994

CASH POSITION - JANUARY 1, 1994
CHECKING ACCOUNT
LAND ACQUISITION 76,807.73  
GENERAL FUND 163,792.37  
TAX FUND 1,493.97  
INVESTMENTS 1,016,000.00  
ESCROW ACCOUNT INTEREST 32,799.47  

RECEIPTS - MAY 1, 1994 - MAY 31, 1994
LEASE RENTS 11,045.00  
INTEREST NOW ACCOUNT 9,868.80  
LAND ACQUISITION 321,198.61  
MISCELLANEOUS INCOME 13,175.10  
ESCROW ACCOUNT INTEREST 13,085.84  
KRBC REIMBURSEMENT RE: TELEPHONE CHARGE 856.01  
REAL ESTATE TAXES 504.88  
TOTAL RECEIPTS 1,290,893.54

DISBURSEMENTS - MAY 1, 1994 - MAY 31, 1994
1993 EXPENSES PAID IN 1994 52,004.57  
LEGAL SERVICES 1,133.32  
NIRPC SERVICES 27,146.04  
TELEPHONE EXPENSES 2,193.02  
TRAVEL & MILEAGE 184.50  
PRINTING & ADVERTISING 253.24  
BONDS & INSURANCE 5,572.63  
MEETING EXPENSES 1,069.76  
LAND ACQUISITION
LEGAL SERVICES 13,726.18  
APPRaisal SERVICES 2,700.00  
ENGINEERING SERVICES 12,563.36  
LAND PURCHASE CONTRACTUAL 47,802.24  
LAND MANAGEMENT SERVICES 27,371.00  
PROPERTY & STRUCTURE 34,542.22  
MOVING & RELOCATION 2,300.00  
REAL ESTATE TAXES 1,144.04  
PROPERTY & STRUCTURE INSURANCE 17,567.00  
UTILITY RELOCATION COSTS 134,973.68  
LAND CAP IMPROVEMENT 39,965.00  
TOTAL DISBURSEMENTS : 424,211.80

CASH POSITION - MAY 31, 1994
CHECKING ACCOUNT
LAND ACQUISITION 82,433.96  
GENERAL FUND 90,369.00  
TAX FUND 1,727.71  
INVESTMENTS 1,016,000.00  
ESCROW ACCOUNT INTEREST 45,885.31  
TOTAL 1,236,415.98
**INVOICE**

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**TOTAL: May, 1994**

$7,178.28

**OUTSTANDING PAYMENT DUE:**

7,223.47

**TOTAL DUE:**

14,401.75
# LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
## MONTHLY BUDGET REPORT
### JUNE 30, 1994

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<td>5424</td>
<td>JAMES E. POKRAJAC</td>
<td>2,388.75</td>
<td>LAND ACQUISITION/MANAGEMENT SERVICES 6/1 - 15/94</td>
</tr>
<tr>
<td>5431</td>
<td>MACK W. HEMPHILL</td>
<td>4,100.00</td>
<td>PURCHASE PRICE OF PROPERTY DC 302</td>
</tr>
<tr>
<td>5431</td>
<td>CHICAGO TITLE INSURANCE</td>
<td>3,800.00</td>
<td>PURCHASE PRICE OF PROPERTY DC 257 (HALL)</td>
</tr>
<tr>
<td>5433</td>
<td>ROBERT J. DAWSON</td>
<td>107.18</td>
<td>REIMBURSEMENT OF REAL ESTATE TAXES FOR DC 182</td>
</tr>
</tbody>
</table>

**Total:** 27,659.99
<table>
<thead>
<tr>
<th>Name (please print)</th>
<th>Organization and/or Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ruth Mores</td>
<td>234 Southmore Hamilton</td>
</tr>
<tr>
<td>Pete Zal</td>
<td></td>
</tr>
<tr>
<td>AERB Read</td>
<td>IZAAR Walton League</td>
</tr>
<tr>
<td>Mike Doyne</td>
<td>Doyne's Marine Inc.</td>
</tr>
<tr>
<td>Dominic Vasile</td>
<td>2405 River Dr Highland</td>
</tr>
<tr>
<td>Bill Petrides</td>
<td>Highland, Indiana</td>
</tr>
<tr>
<td>D.R. Shapiro</td>
<td>Highland IN</td>
</tr>
<tr>
<td>M.V. Lesko</td>
<td></td>
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<tr>
<td>Eileen M. Wallace</td>
<td>Dyer Const Co</td>
</tr>
<tr>
<td>Herb Reed</td>
<td>NIPRC</td>
</tr>
<tr>
<td>Roy Young</td>
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<tr>
<td>Mary Jane York</td>
<td></td>
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<tr>
<td>Patrick Mysliwy</td>
<td></td>
</tr>
</tbody>
</table>

Chairman: George Carlson  
Location: