



Little Calumet River Basin Development Commission

6100 Southport Road

Portage, Indiana 46368

(219)763-0696
Fax (219)762-1653

✓
EMERSON DELANEY, Chairman
Governor's Appointment

✓
WILLIAM TANKE, Vice Chairman
Porter County Commissioners' Appointment

✓
ARLENE COLVIN, Treasurer
Mayor of Gary's Appointment

✓
JOHN DEMEO, Secretary
Governor's Appointment

✓
CHARLES AGNEW
Governor's Appointment

✓
GEORGE CARLSON
Mayor of Hammond's Appointment

✓
STEVE DAVIS
Dept. of Natural Resources' Appointment

✓
ROBERT HUFFMAN
Governor's Appointment

✓
ROBERT TRELO
Governor's Appointment

✓
MARION WILLIAMS
Lake County Commissioners' Appointment

VACANCY
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 6:00 P.M. THURSDAY, MAY 6, 1999
AT THE COMMISSION OFFICE
6100 SOUTHPORT ROAD
PORTAGE, IN**

WORK STUDY SESSION - 5:00 P.M.

A G E N D A

1. Call to Order by Chairman Emerson Delaney
2. Pledge of Allegiance
3. Recognition of Visitors and Guests
4. Approval of Minutes of April 7, 1999
5. Chairman's Report
 - Report on Public Meeting held May 5th for East Reach Remediation area
6. Executive Director's Report
 - Addendum to LCA – Approval to sign
 - Resolution for Commission land management/operation --Proposal by Lake Erie Land Company
 - Invitation to NISOURCE environmental award on May 6th
 - Presentation on April 15th to local city and town professional engineers

1-5

6-7

*Red jacket
w/ blue and
white knit top
by Mary blue plaid
yellow shirt*

*MW had to leave
at 6:15 - was here
for work study
session.*

7. Standing Committees

A. Land Acquisition/Management Committee – Chuck Agnew, Chairman

- Appraisals, offers, acquisitions, recommended actions
- COE Real Estate meeting held on 4/22/99
- Land Acquisition committee meeting held 4/12/99
- Public Information Meeting in ERR scheduled for 5/5
- Farm land advertised – Bid opening date 4/20
 - 2 proposals
 - Recommendation/Action
- Other issues

B. Project Engineering Committee – Bob Huffman, Chairman

- Recommended actions
- Current construction schedule
- Pre Bid construction meeting held April 29th
- Upcoming meeting with Gary Sanitary District May 19th
- Gleason Park contracts – J.F.New, Martin Design, Porter Lakes Eng.
 - Recommendation/action
- Other issues

8
9

C. Legislative Committee – Arlene Colvin, Chairperson

- Report re: Legislative session
- Support letter from Senators Lugar and Bayh for \$4 million State funding
- Other issues

10

D. Marina Development Committee – Bill Tanke, Chairman

- Status Report
- Other issues

E. Finance/Policy Committee – Arlene Colvin, Chairman

- Financial status report
- Approval of claims for April 1999
- Other issues

11-12
13

F. Recreational Development Committee – George Carlson, Chairman

- Carlson Oxbow Park development update
- Issues

G. Minority Contracting Committee – Marion Williams, Chairman

- Meeting with COE on April 19th
 - COE commitments
- Issues

8. Other Business

9. Statements to the Board from the Floor

10. Set date for next meeting; adjournment

**MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT
COMMISSION
HELD AT 6:00 P.M. WEDNESDAY, APRIL 7, 1999
AT THE COMMISSION OFFICE
6100 SOUTHPORT ROAD
PORTAGE, INDIANA**

Chairman Emerson Delaney called the meeting to order at 6:10 p.m. Seven (7) Commissioners were present. Pledge of Allegiance was recited. Quorum was declared and guests were recognized.

Development Commissioners:

Emerson Delaney
Charles Agnew
William Tanke
George Carlson
Robert Huffman
Marion Williams
Arlene Colvin

Visitors:

Jim Flora – R.W. Armstrong Co.
David Hendrix – The Times
Bob Frum – Lefty's Coho
Dan Grossman – Lake County
Surveyor's Office
David Nance – IDNR, Div. Water

Staff:

Dan Gardner
Lou Casale
Sandy Mordus
Jim Pokrajac
Judy Vamos

The minutes of the March 4th, 1999 meeting were approved by a motion from Chuck Agnew after a correction of changing the meeting place to Portage from Highland as incorrectly stated in minutes; motion was seconded by Bob Huffman; motion passed unanimously.

Chairman's Report – Chairman Emerson Delaney mentioned that the Commission may soon obtain a new member to replace the existing vacancy. The Governor's Office is considering an appointment of Curt Vosti, who is the Park Director for Hammond. Appointment seems to be in the works but we have not received anything final yet.

Executive Director's Report – Executive Director Dan Gardner referred to the letter he wrote to the Congressman requesting his assistance in setting up a policy review meeting with Assistant Secretary of the Army for Civil Works regarding the credit issue for flowage easements in the east reach remediation area. He stated that we have received a response to the letter. The Congressman has committed to seek the inclusion of report language in the Fiscal Year 2000 Energy & Water Appropriations bill directing the COE to credit the funds spent on easements toward the local match. Mr. Gardner feels this will resolve this issue.

Mr. Gardner stated he attended a kickoff reception for the empowerment zone. It appears that possibly some of the Commission's property touches the empowerment zone. There is \$16 million attributed for the Little Calumet River. The empowerment zone is a federal designation given to qualifying areas that has certain tax advantages for economic development opportunities. Over \$100 million will be given to 3 cities, Hammond, Gary and East Chicago over a 10-year period.

Mr. Gardner informed the Board members that he spoke on March 11th to a group of area surveyors and engineers. The monthly meeting was well attended and his discussion on the Little Calumet River Flood Control/Recreation project was indeed a real interest to all. Commissioner Bill Tanke was there and commented that Dan did a very good job in his presentation to the members.

Mr. Gardner also stated that staff had attended the retirement dinner of District Engineer Richard Carlson in Chicago. Commissioner Bill Tanke also attended. Dinner/reception was very nice and he will be missed by many. The Congressman attended and Mr. Gardner did get a chance to talk a little business with him.

Land Acquisition Committee – Committee Chairman Chuck Agnew stated that no motions are needed. Real Estate meeting was held March 26th. Mr. Agnew scheduled a committee meeting at 5:00 p.m. April 12th at the Commission office.

Mr. Agnew then referred to the letters in the agenda packet from Professor Cortwright at IUN relaying a brief description of what he intends to plant in the prairie site behind the campus. Mr. Huffman stated that he talked to Mr. Cortwright about the timetable for planting. Staff also met with him to show him the area of the ramping so he stays away from that area.

Mr. Agnew announced the date of May 5th as the Public Meeting to be held with the COE for the east reach remediation area. The meeting will be at the Bethune School. All are invited.

Mr. Agnew then referred to the letter from the town of Highland in which they propose a trade of 2.48 acres of Commission land for use by the town in replacing wetlands loss for property the Commission needs for the levee construction in Highland. Mr. Agnew also referred to the letter from Lake County Highway Dept. in which they are requesting about 1 acre of Commission property to compensate for wetlands loss due to the Colfax St. bridge replacement. Mr. Agnew made a motion directing the attorney to move forward with necessary resolution/ agreement needed to allow these requests to be met and then bring back to Commission for approval of agreement; motion seconded by Bob Huffman; motion passed unanimously.

Project Engineering Committee – Committee Chairman Bob Huffman referred to a letter we sent to the COE regarding pumps being turned over to us and how we are going to be able to operate them. The drainage between Chase & Grant north of 35th Avenue is still an issue. The COE has submitted a plan to us for drainage remediation and it is currently being reviewed. Mr. Huffman also stated that the east reach remediation area will be advertised for construction on April 8th and the bid opening date is scheduled for about mid-May. Construction cannot begin until the IDNR permit is in hand. Commissioner Marion Williams inquired whether a pre-bid construction meeting would be held. Although the COE does not require one, staff will look into it and see whether one could be scheduled.

Legislative Committee – Committee Chairperson Arlene Colvin stated that a committee meeting was held March 16th (agenda in packet). She urged all members to make contact with any area legislator they know to gain support for the Commission's \$6 million budget request. Mr. Gardner has been in contact with the Senators' office and he is hoping to receive a joint letter of support for at least \$4 million. Ms. Colvin referred to the letter in the packet sent to the Congressman's office. One thing that Mr. Gardner has stressed is that the Commission does not have a reserve of state monies, as in previous sessions.

Marina Committee – Committee Chairman Bill Tanke informed the Board that a committee meeting was held on April 5th in which John Hannon and Mike Doyne attended. One item discussed was the Commission receiving a better accounting of marina dollars. Mr. Tanke would like to meet again after the budget session is over and it is determined whether the LMMDC obtains any additional monies for Portage marina. Lake Michigan lake levels are down. Since the marina is not yet complete and recreation harbors have a low Federal priority, the COE has not dredged the waterway either.

Mr. Tanke made a motion to approve a claim of \$28,643.84 to be made to NBD for the April bond payment; motion seconded by George Carlson; motion passes unanimously.

Mr. Bob Frum from Lefty's Coho Landing in the audience questioned the Commission as to whose responsibility it was to clean out the waterway. If it is the Portage Port Authority, then as soon as the water level raises some, it needs cleaning very badly. Suggested that perhaps the Commission could push the Port Authority along a little. He also commented on the financial figures we receive from the city for the marina. He stated that one area of error could be that the marina does not always charge for launching fees. There are times when boaters launch when no one is manning the marina.

Finance Committee – Committee Chairman Arlene Colvin presented the financial status report and claims for approval and made a motion to accept the financial report and approve claims; motion seconded by Bill Tanke; motion passed unanimously.

Ms. Colvin also stated that the auditing of 1996 and 1997 claims has been completed and an exit interview was held March 24th. The audit results were clean (as expected); there were just a few minor comments/adjustments that Bookkeeping will need to correct. One item was that new forms (approved by the State Board of Accounts) need to be used. The other item is showing all marina dollars in regard to the bonding and sand money on the finance sheet. We had to show how the \$108,000 was being held in a NBD account as "backup" for the marina bonding; they could not account for the \$108,000 because it was not listed on the NIRPC bookkeeping journal so we will track those monies in a journal in the future.

Recreational Development Committee – Committee Chairman George Carlson made a motion to cost share some additional amenities to be put in at Carlson-Oxbow Park in Hammond. They would include the completion and enhancement of the trail, the construction of a utility building, and making a cut between the lake and the old river channel to allow boat traffic, and construct a foot bridge to allow passage over the water. Total cost quoted is \$38,000; the Commission would cost share up to \$19,000. The motion was seconded by Chuck Agnew; motion passed unanimously. Mr. Gardner added the proposal to do this work has not been specked out yet but the city will do that after we approve the cost share. Mr. Carlson added that the city intends to have the park manned starting this month.

Mr. Carlson also added that the trail would be redesigned at Grant and Broadway to show the crossing at the traffic light.

Mr. Huffman commented that he personally rode the bike trail and found it to be complete with the exception of 2 gaps - one at Grant Street and the other west of Chase Street. Discussion took place on the trail connection between Hammond and Highland. Where the bridge was originally taken out over the river connecting Hammond and Highland, we could put a new bridge back in prior to the levee construction in that area (west of Indianapolis) for trail connection. Staff will investigate.

Minority Contracting Committee – Committee Chairman Marion Williams stated that the committee needs to again meet with the COE to discuss such issues as why they do not have pre-bid meetings, need to look over how the specs are written in regard to minority participation, etc. Staff will follow up with scheduling a committee meeting with the COE.

Mr. Pokrajac added that he attended the Mayor's breakfast for contractors where the Colonel and Imad Samara attended. They did distribute some point of contact information to all contractors who attended. Minority participation was a main topic at that meeting.

Other Business –Mr. Gardner referred to a handout of the addendum to the LCA that includes the east reach remediation area. Although we originally approved an addendum with the Chicago COE district office, it was sent to Washington COE where changes were made. The Chicago COE is now asking for approval of the revisions made. Attorney Casale had some concerns and questions and has not talked to the COE regarding those questions. Since the COE needs a response from us quickly, Mr. Carlson made a motion authorizing approval of the Addendum subject to the Attorney's, the Chairman's and the Executive Director's approval that all their concerns are addressed satisfactorily; motion seconded by Bob Huffman; motion passed unanimously. All Commissioners who expressed concern would be consulted before any concurrence would be given.

Statements to the Board – There were none.

There being no further business, the next regular Commission meeting was scheduled for **6:00 p.m. Thursday, May 6, 1999.**

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

REC'D APR 28 1999

REPLY TO
ATTENTION OF:

April 20, 1999

Real Estate Division

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

SUBJECT: Amendment to Local Cooperation Agreement

Dear Mr. Gardner:

We understand the Commission's concern regarding the deletion of the reference to Executive Order 12898 from the draft Amendment to the Local Cooperation Agreement. At our meeting with you, your staff and Commission Board Member, Mr. Marion Williams, I indicated that the reference in the draft Amendment to the Local Cooperation Agreement to Executive Order 12898 was inserted by the Chicago District prior to coordination with our Headquarters. The Headquarters review comments included a concern that an Executive Order should not be cited as authority for the Corps of Engineers to undertake an action. The only authorities which are permitted to be cited in Corps of Engineers agreements are those which are federal laws enacted by Congress.

An Executive Order is a policy document issued by the President which is to be implemented by affected federal agencies. The Corps of Engineers is complying with this Order by making a policy determination that the facts of this post authorization change request meet the criteria necessary for social mitigation, or as identified in the Executive Order, environmental justice. The decision document is identified in the draft Amendment and is included by reference in the Amendment. The revision to the scope of the project falls within the discretionary authority of the Chief of Engineers pursuant to Section 216 of the Rivers and Harbors Act of 1970 (Public Law 91-611) which is the basis for approval of the report as well as the Local Cooperation Agreement Amendment. The deletion of the Executive Order reference in the Amendment in no way minimizes the impact on Corps policy. Enclosed are copies of Executive Order 12898 and portions of the Post Authorization Change Request relevant to implementation of the Executive Order.

If you or anyone at the Little Calumet River Basin Development Commission has further questions regarding this matter, please advise.

Sincerely,

A handwritten signature in black ink, appearing to read "William G. White". The signature is fluid and cursive, with the first name "William" and last name "White" being clearly legible.

William G. White
Chief, Real Estate Division

Enclosures

Current Construction Schedule

As of
May 1, 1999

	Advertise	Bid Openings (30 days)	Contract Award (60 days)	Construction Start (30 days)	Construction Complete
ERR	4/8/99	5/11/99	7/11/99	8/16/99	1 Year
IV-1 North	7/1/99	8/3/99	9/30/99	10/25/99	1 Year
IV-1 South	4/20/00	5/23/00	7/24/00	8/21/00	1 Year
Better- ment Levee (Phase 1)	6/7/99	7/7/99	9/8/99	10/4/99	1 Year
Better- ment Levee (Phase 2)	1/13/00	2/15/00	4/17/00	5/15/00	1 Year



PUBLIC NOTICE

**You are invited to attend a Pre-Bid Construction Meeting
for Contractors and Sub-Contractors
to be held at 10:00 a.m. Thursday April 29, 1999
to be held at**

**Ivy Tech
1440 East 35th Street
Gary, IN
(Multi-purpose room – Lower level)**

U.S. Army Corps of Engineers

Project Title/Location:

Local Flood Protection

Little Calumet River

East Reach Remediation Area

Gary, Lake County, Indiana

Solicitation No. DACW27-99-B-0008

Contract Award date: On or about August, 1999

Project consists of construction of 4,650 linear feet of compacted levee around three sides of the Marshalltown Subdivision in Gary, IN. This stage of the project is bounded on the west by Martin Luther King Drive, on the east by I-65 and bounded on the north by Central Avenue. Pertinent details available at the meeting.

Contact person: Imad Samara, U.S. Army Corps of Engineers (312/353-6400 Ext. 1809) or Jim Pokrajac, Little Calumet River Basin Development Commission (219/763-0696)

RICHARD G. LUGAR
INDIANA

306 HART SENATE OFFICE BUILDING
WASHINGTON, DC 20510
202-224-4014

COMMITTEES:
AGRICULTURE, NUTRITION, AND FORESTRY
CHAIRMAN
FOREIGN RELATIONS
SELECT COMMITTEE
ON INTELLIGENCE

United States Senate

WASHINGTON, DC 20510-1401

April 16, 1999

Honorable Patrick Bauer, Chairman
House Committee on Ways and Means
Indiana House of Representatives
200 W. Washington St.
Indianapolis, Indiana 46204

Dear Pat:

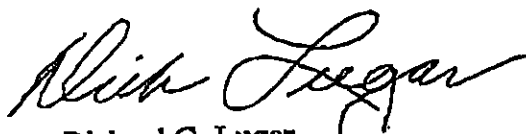
We write in support of the request of the Little Calumet River Basin Development Commission for \$ 4 million in capital funds in the State of Indiana's biennial budget.

For Fiscal Year 1999, Congress appropriated \$ 7.95 million for construction of the Little Calumet River project. For the upcoming Fiscal Year 2000, the Administration has requested \$ 9 million in construction funding. It is our understanding that \$ 4 million will be required in the state's biennial budget in order to release these federal funds and keep the project on schedule.

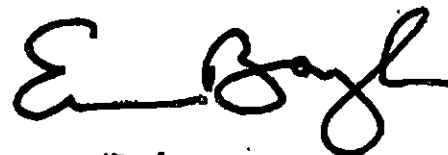
The Little Calumet project is very important for Northwest Indiana and is one of the most cost-effective flood control and recreation projects in the nation. It is an outstanding example of federal, state and local cooperation. We look forward to working with you to bring this project to completion in a timely manner.

Thank you for your previous support for this project. If you have any questions, please do not hesitate to contact us or ask your staffs to contact Jeff Burnam or Genevieve Cullen of our staffs.

Sincerely,



Richard G. Lugar
United States Senator



Evan Bayh
United States Senator

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION

FINANCIAL STATEMENT

JANUARY 1, 1999-MARCH 31, 1999

CASH POSITION - JANUARY 1, 1999

CHECKING ACCOUNT

LAND ACQUISITION	51,373.91	
GENERAL FUND	109,925.65	
TAX FUND	0.00	
INVESTMENTS	1,137,500.00	
ESCROW ACCOUNT INTEREST	4,245.98	
		1,303,045.54

RECEIPTS - JANUARY 1, 1999-MARCH 31, 1999

LEASE RENTS	19,808.52	
INTEREST INCOME	14,836.29	
LAND ACQUISITION	186,864.18	
ESCROW ACCOUNT INTEREST	1,909.40	
MISC INCOME	88.00	
KRBC REIMBURSEMENT RE: TELEPHONE CHARGE	322.38	
TOTAL RECEIPTS		223,828.77

DISBURSEMENTS - JANUARY 1, 1999-MARCH 31, 1999

ADMINISTRATIVE

1998 EXPENSES PAID IN 1999	59,886.95	
PER DIEM	4,050.00	
LEGAL SERVICES	1,696.99	
NIRPC	25,784.75	
TRAVEL & MILEAGE	695.89	
PRINTING & ADVERTISING	2,852.11	
BONDS & INSURANCE	276.00	
TELEPHONE EXPENSE	2,448.71	
MEETING EXPENSE	1,564.92	
LAND ACQUISITION		
LEGAL SERVICES	16,496.06	
APPRAISAL SERVICES	23,400.00	
ENGINEERING SERVICES	11,260.90	
LAND PURCHASE CONTRACTUAL	1,315.00	
FACILITIES/PROJECT MAINTENANCE SERVICES	19,200.00	
OPERATIONS SERVICES	0.00	
LAND MANAGEMENT SERVICES	37,534.02	
SURVEYING SERVICES	30,160.50	
ECONOMIC/MARKETING SOURCES	2,089.99	
PROPERTY & STRUCTURE COSTS	8,710.62	
MOVING ALLOCATION	0.00	
TAXES	2,268.84	
LAND PURCHASE CONTRACT	0.00	
PROPERTY & STRUCTURES INSURANCE	563.00	
UTILITY RELOCATION SERVICES	2,595.00	
LAND CAPITAL IMPROVEMENT	690.00	
STRUCTURAL CAPITAL IMPROVEMENTS	2,195.75	
ESCROW ACCOUNT NBD BANK	0.00	
TOTAL DISBURSEMENTS:		197,849.05

CASH POSITION - MARCH 31, 1999

CHECKING ACCOUNT

LAND ACQUISITION	79,974.91	
GENERAL FUND	105,390.55	
TAX FUND	0.00	
INVESTMENTS	1,137,500.00	
ESCROW ACCOUNT INTEREST	6,155.38	
		1,329,020.84

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
MONTHLY BUDGET REPORT, APRIL 1999

		1999						6 MONTH	UNALLOCATED	
		BUDGET	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	ALLOCATED	BUDGETED
									TOTAL	BALANCE
5801	PER DIEM EXPENSES	16,000.00	50.00	0.00	0.00	0.00	0.00	0.00	50.00	15,950.00
5811	LEGAL EXPENSES	8,500.00	647.33	395.33	283.33	500.33	0.00	0.00	1,828.32	6,673.68
5812	NIRPC SERVICES	125,000.00	18,196.34	0.00	9,976.77	9,251.37	0.00	0.00	37,424.48	87,575.52
5821	TRAVEL/MILEAGE	14,000.00	24.64	26.22	0.00	24.64	0.00	0.00	75.50	13,924.50
5822	PRINTING/ADVERTISING	5,000.00	0.00	319.00	149.22	185.98	0.00	0.00	654.20	4,345.80
5823	BONDS/INSURANCE	7,500.00	276.00	0.00	0.00	0.00	0.00	0.00	276.00	7,224.00
5824	TELEPHONE EXPENSES	7,000.00	519.16	192.98	651.82	540.17	0.00	0.00	1,904.13	5,095.87
5825	MEETING EXPENSES	8,000.00	0.00	0.00	378.09	108.79	0.00	0.00	486.88	7,513.12
5838	LEGAL SERVICES	125,000.00	4,540.71	7,126.58	7,589.02	5,864.39	0.00	0.00	25,120.70	99,879.30
5840	PROFESSIONAL SERVICES	500,000.00	31,930.55	46,077.30	33,336.46	41,709.50	0.00	0.00	153,053.81	346,946.19
5860	PROJECT LAND PURCHASE EXP.	1,307,081.00	33,700.00	19,297.84	2,019.50	124.00	0.00	0.00	55,141.34	1,251,939.66
5881	PROPERTY/STRUCTURE INS.	25,000.00	0.00	563.00	0.00	18,244.00	0.00	0.00	18,807.00	6,193.00
5882	UTILITY RELOCATION EXP.	200,000.00	105.00	0.00	3,464.89	157.50	0.00	0.00	3,727.39	196,272.61
5883	PROJECT LAND CAP. IMPROV.	250,000.00	60.00	0.00	0.00	0.00	0.00	0.00	60.00	249,940.00
5884	STRUCTURES CAP. IMPROV.	25,000.00	270.00	0.00	0.00	0.00	0.00	0.00	270.00	24,730.00
		2,623,081.00	90,319.73	73,998.25	57,849.10	76,710.67	0.00	0.00	\$298,877.75	\$2,324,203.25

		1999							12 MONTH	UNALLOCATED
		BUDGET	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	ALLOCATED	BUDGETED
									TOTAL	BALANCE
5801	PER DIEM EXPENSES	16,000.00	0.00	0.00	0.00	0.00	0.00	0.00	50.00	15,950.00
5811	LEGAL EXPENSES	8,500.00	0.00	0.00	0.00	0.00	0.00	0.00	1,826.32	6,673.68
5812	NIRPC SERVICES	125,000.00	0.00	0.00	0.00	0.00	0.00	0.00	37,424.48	87,575.52
5821	TRAVEL/MILEAGE	14,000.00	0.00	0.00	0.00	0.00	0.00	0.00	75.50	13,924.50
5822	PRINTING/ADVERTISING	5,000.00	0.00	0.00	0.00	0.00	0.00	0.00	654.20	4,345.80
5823	BONDS/INSURANCE	7,500.00	0.00	0.00	0.00	0.00	0.00	0.00	276.00	7,224.00
5824	TELEPHONE EXPENSES	7,000.00	0.00	0.00	0.00	0.00	0.00	0.00	1,904.13	5,095.87
5825	MEETING EXPENSES	8,000.00	0.00	0.00	0.00	0.00	0.00	0.00	486.88	7,513.12
5838	LEGAL SERVICES	125,000.00	0.00	0.00	0.00	0.00	0.00	0.00	25,120.70	99,879.30
5840	PROFESSIONAL SERVICES	500,000.00	0.00	0.00	0.00	0.00	0.00	0.00	153,053.81	346,946.19
5860	PROJECT LAND PURCHASE EXP.	1,307,081.00	0.00	0.00	0.00	0.00	0.00	0.00	55,141.34	1,251,939.66
5881	PROPERTY/STRUCTURE INS.	25,000.00	0.00	0.00	0.00	0.00	0.00	0.00	18,807.00	6,193.00
5882	UTILITY RELOCATION EXP.	200,000.00	0.00	0.00	0.00	0.00	0.00	0.00	3,727.39	196,272.61
5883	PROJECT LAND CAP. IMPROV.	250,000.00	0.00	0.00	0.00	0.00	0.00	0.00	60.00	249,940.00
5884	STRUCTURES CAP. IMPROV.	25,000.00	0.00	0.00	0.00	0.00	0.00	0.00	270.00	24,730.00
		2,623,081.00	0.00	0.00	0.00	0.00	0.00	0.00	\$298,877.75	\$2,324,203.25

CLAIMS PAYABLE FOR APRIL 1999

ACCT	VENDOR NAME	AMOUNT	EXPLANATION OF CLAIM
5811	LOUIS CASALE	283.33	RETAINER FEE BILLED THROUGH 4/21/99
5811	LOUIS CASALE	217.00	ADD'L LEGAL SERVICES FOR MARCH
5812	NIRPC	9,251.37	SERVICES PERFORMED MARCH 1999
5821	SANDY MORDUS	24.64	MILEAGE 3/23/99-4/21/99
5822	A. E. BOYCE CO. INC	104.93	BINDERS FOR LEDGER OF RECEIPTS
5822	THE TIMES	21.57	COST INCURRED IN FARMLAND BID PUBLICATION
5822	POST TRIBUNE	14.78	COST INCURRED IN FARMLAND BID PUBLICATION
5822	JUDITH VAMOS	44.70	REIMBURSEMENT OF PROJECT MAP
5824	GTE NORTH	70.46	MODEM TELEPHONE SERVICE 3/28/99-4/28/99
5824	GTE NORTH	191.29	BILLING PERIOD 4/16/99-5/16/99(TOTAL BILL 323.14,KRBC 131.85)
5824	MCI	278.42	BILLING PERIOD 3/15/99-4/14/99(KRBC 21.80,TOTAL BILL 300.22)
5825	SAND RIDGE BANK	29.70	MEETING W/WILL SMITH TO DISCUSS COMMISSION PROPERTY
5825	SPA RESTAURANT	79.09	ORIENTATION MEETING FOR CONTRACTOR TO DO PROJECT CREDITIN
5838	LOUIS CASALE	5,864.39	LAND ACQUISITION/LEGAL SERVICES THROUGH 4/21/99
5841	JANET O'TOOLE	500.00	ADD'L APPRAISAL SERVICES FOR DC-707
5841	JANET O'TOOLE	4,000.00	APPRAISALS FOR DC-810,811,& 812 INV#93.301
5842	STEPHAN TRUCHAN JR	1,500.00	ENGINEERING SERVICES RE: DRAINAGE SIII
5842	R. W. ARMSTRONG	4,376.40	ENGINEERING SERVICES FOR PERIOD ENDING 4/16/99
5843	LAKE COUNTY RECORDER	104.00	RE-RECORD DEEDS FOR DC-348&349,TEMP.EASEMENT DC-450
5843	CHICAGO TITLE INSURANCE COMPANY	54.00	GUARANTEED SEARCHES FOR DC-55
5843	LAWYERS TITLE INSURANCE COMPANY	65.00	COMMITMENT ENDORSEMENT FOR DC-707
5843	LAWYERS TITLE INSURANCE COMPANY	65.00	COMMITMENT ENDORSEMENT FOR DC-480 LOT 18 BLOCK 1
5843	LAWYERS TITLE INSURANCE COMPANY	65.00	COMMITMENT ENDORSEMENT FOR DC-480 LOT 19 BLOCK 1
5844	JUDITH VAMOS	2,254.00	LAND ACQUISITION/MGMT SERVICES 3/16/99-3/31/99
5844	JUDITH VAMOS	58.80	MARCH MILEAGE
5844	JUDITH VAMOS	1,935.50	LAND ACQUISITION/MGMT SERVICES 4/1/99-4/15/99
5844	JAMES POKRAJAC	154.00	MARCH MILEAGE
5844	JAMES POKRAJAC	3,648.00	LAND MANAGEMENT/ENG SERVICES 3/16/99-3/31/99
5844	JAMES POKRAJAC	3,192.00	LAND MANAGEMENT/ENG SERVICES 4/1/99-4/15/99
5847	COLE ASSOCIATES INC	9,000.50	SURVEY SERVICES IN STAGE IV-1 INV#055817
5847	COLE ASSOCIATES INC	2,610.00	SURVEY SERVICES IN STAGE IV-1 INV#055802
5847	COLE ASSOCIATES INC	1,720.00	SURVEY SERVICES IN STAGE IV-1 INV#055815
5847	COLE ASSOCIATES INC	69.30	SURVEY SERVICES IN ERR INV#055805
5847	GREAT LAKES ENGINEERING	4,929.00	ADD'L SURVEYING SERVICE FOR WIND TOWER
5847	GREAT LAKES ENGINEERING	1,409.00	ADD'L SURVEYING SERVICE FOR BETTERMENT LEVEE
5861	ELIZABETH PATTON PHILLIPS	60.00	EXTENSION OF TEMPORARY WORK AREA EASEMENT DC-444
5861	REMA VEZEY	64.00	EXTENSION OF TEMPORARY WORK AREA EASEMENT FOR DC-450
5881	VALPARAISO INSURANCE PROFESSIONALS	18,244.00	COMM. GEN. LIAB. RENEWAL POLICY
5882	R. W. ARMSTRONG	157.50	UTILITY RELOCATION SERVICES FOR PERIOD ENDING 4/16/99

TOTAL 76,710.67

RECREATION REPORT

Thursday, May 6, 1999

RECREATION - PHASE 1. (This contract includes recreational facilities for Lake Etta, Gleason Park, Stage III (trails), and the OxBow area in Hammond.)

A. OXBOW (Hammond)

1. October 28th, 1998 was the date that this facility was turned over to the City of Hammond.

B. GLEASON PARK (Gary Parks & Recreation)

1. October 28th, 1998 was the date this facility was turned over to the Gary Parks and Recreation Department.

C. LAKE ETTA (Lake County Parks)

1. October 27th, 1998 was the date that this facility was turned over to the Lake County Parks Department.

D. CHASE STREET TRAIL (City of Gary)

1. October 27th, 1998 was the date that this facility was turned over to the City of Gary.

RECREATION - GENERAL

- A. We have requested a recreation (project-type) map from the COE showing all recreation features, including trails, fishing piers, observation decks, and all out support facilities.(Ongoing)

1. We sent a letter to the COE on April 6 enclosing a marked-up set of east reach and west reach trail maps for modifications, additions, and corrections. (Ongoing)

B. Lake Station – Handicapped Accessible Park

1. It has been discussed with the Lake Erie Land Company the possibility of them developing this park in return for considerations of land use for wetland banking.
 - (East of Clay, North of Burns Waterway) we would use five (5) acres of the current 32 acres being farmed for this park.

- ① C. We received a letter from the COE on April 12 regarding recreational trail re-alignment from the existing levee north of IUN indicating that they will forward real estate information to us.

1. This trail re-alignment will allow trail users a crossing at 33rd Avenue and Broadway at the stoplight.



DEPARTMENT OF THE ARMY
CHICAGO DISTRICT, CORPS OF ENGINEERS
111 NORTH CANAL STREET
CHICAGO, ILLINOIS 60608-7206
April 12, 1999

REPLY TO
ATTENTION OF:

Program and Project
Management Branch

Mr. Jim Pokrajac
Little Calumet River Basin
Development Commission
6100 Southport Road
Portage, Indiana 46368

Subject: Little Calumet River, Stage II-3B Recreation Trail Realignment

Dear Mr. Pokrajac:

When I received a copy of the letter that you wrote to Mr. Richard W Hug, dated April 7, 1999, which included a copy of the alignment of the recreation trail at Broadway. I had my designers review the alignment. After the review they informed me that when this alignment was developed two items were not field verified. These two items are the parking lot is shown incorrectly on the sketch, and there are some existing trees in the way of the trail. Because of those two items the trail is being changed. As soon as I get a copy of the new alignment I will send it to you.

If you have any questions please contact me at 312-353-6400 ext. 1809.

Sincerely,

A handwritten signature in black ink, appearing to read "Imad N. Samara", is written over the typed name and title.

Imad N. Samara
Project Manager

CF: Richard W. Hug



2.

RESOLUTION 99-01

A RESOLUTION OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION, (hereinafter referred to as the LCRBDC), SUPPORTING DEVELOPMENT OF A PLAN FOR RESTORING COMMISSION OWNED LANDS ALONG THE LITTLE CALUMET RIVER CORRIDOR TO ENHANCE ENVIRONMENTAL CONDITION, INCREASE PUBLIC RECREATION SITES AND USE, AND CREATE SUSTAINABLE ECONOMIC DEVELOPMENT OPPORTUNITIES ON THE ADJACENT LANDS RECOVERED FROM THE FLOODPLAIN.

WHEREAS, a plan is being developed for restoring LCRBDC owned lands along the Little Calumet River corridor to enhance environmental condition, increase public recreation sites and use, and create sustainable economic development opportunities on the adjacent lands recovered from the floodplain, (hereinafter referred to as the PLAN); and,

WHEREAS, the LCRBDC may, in the future, enter into an agreement with some other entity to implement the PLAN,

NOW THEREFORE be it resolved as follows:

- A. The LCRBDC supports and endorses efforts to develop the PLAN provided that it adhere to the following enumerated project policy principles, to wit:
1. All enhanced lands and uses would be designed and managed to be in compliance with the requirements of the U.S. Army Corps of Engineers Flood Control/Recreation Project.
 2. The lands will remain in the ownership of the LCRBDC for the life of the project.
 3. The lands will be licensed/leased to a development/management entity, acceptable to the USEPA, IDEM and other appropriate regulating agencies dealing with programs within their jurisdiction.
 4. The LCRBDC will be compensated ^{compensation} on an annual basis for the license/lease project lands at a negotiated fair price per acre based on a two tiered classification of currently productive (farmed) and vacant lands.
 5. The development/management entity will be responsible for the design, construction and management/maintenance of the lands. The LCRBDC will review the plan for flood control project compliance. ^{+ approve}
 6. The development/management entity will commit to ^{develop} exploring with the LCRBDC and local affected communities additional recreation development along the corridors. Upon consensus of a development plan, the development/management entity will fund these additional improvements.

7. The development/management entity will commit to working with the LCRBDC on the management/maintenance plan for the LCRBDC properties and flood control improvements that are critical to sustaining of the environmentally enhanced lands. A plan will be developed to financially support this quality assured management/maintenance from the trust fund created for project maintenance.
8. The development/management entity will commit to develop with the LCRBDC and the City of Gary an "Economic Redevelopment Action Plan" for the vacant areas in Gary that will be removed from floodplain restrictions as the result of the Little Calumet River Project. An infrastructure component consisting of increased landside surface drainage pumping capacity will be included in the plan. Upon consensus of the three parties, the development/management entity will actively participate in a targeted marketing effort.

- B. The Agreement, if any, between the LCRBDC and other entity to implement the PLAN will be entered into only at a public meeting of the LCRBDC.

ACTION BY THE BOARD:

Motion: _____

Second: _____

Recorded Vote: _____

Adopted this _____ day of _____, 1999 in _____.

PROJECT ENGINEERING
MONTHLY STATUS REPORT
Thursday, May 6, 1999

STATUS (Stage II Phase 1) Harrison to Broadway – North Levee:

1. Project completed on July 10, 1992.
Dyer Construction – Contract price \$365,524

STATUS (Stage II Phase II) Grant to Harrison – South Levee:

1. Project completed on December 1, 1993.
Dyer/Ellas Construction – Contract price \$1,220,386

STATUS (Stage II Phase 3A) Georgia to Martin Luther King – South Levee:

1. Project completed on January 13, 1995.
Ramirez & Marsch Construction – Contract price \$2,275,023

Landscaping Contract (This contract includes all completed levee segments – installing, planting zones, seeding, and landscaping):

1. Contractor is Dyer Construction
2. Contract amount is \$1,092,050
3. Some plantings and seeding did not take as per COE plans and specifications
The Contractor (Dyer Construction) is making a field inspection of the entire project with the COE and will complete by next spring as the weather permits.
4. We received a letter from Spencer Cortwright (I.U. Northwest) on Feb. 3 requesting that we coordinate with the COE to modify the upcoming seeding contract in the II-3B segment west of Broadway
 - A. LCRBDC sent a letter to the COE on March 3rd, 1999, requesting review, approval, and coordination for the planting of a natural prairie on the levee segment North of Indiana University.
5. A letter was sent to the COE on April 5th, 1999, addressing concerns of existing, and future, specifications for plantings for all levee segments.

STATUS (Stage II Phase 3B) Harrison to Georgia – South Levee:

1. Rausch Construction started on 11/20/95. Set up field headquarters north of I.U., west of Broadway. (Construction is approx. 98% complete)
 - A. Projected segment completion is **for late May**– some fine grading and seeding.
2. Received cost estimate for Broadway pump station from NIPSCO (\$8,408)
 - A. All wiring is now completed, pumps are hooked up, and contractor needs water to do operational test – Scheduling for tests is ongoing.
 - B. Final testing and turnover to Gary Sanitary District is pending. Waiting on contractor response to complete testing. (Still waiting to schedule operational test)
3. LCRBDC to gather information to re-route recreation trail off of existing levee North of IUN to cross at 32nd Avenue.
 - A. **Survey work has been ordered to get legal description for property owned by Gary Parks and Recreation.**

STATUS (Stage II Phase 3C2) Grant to Harrison:

1. The overall project is 98% complete, and the final scheduled completion is for the end of January 1999.
2. The operational test for this pump station was held on November 19th, 1998, with LCRBDC, COE, GSD, and the City of Gary.
 - A. The tests were completed and the pump station was found to be satisfactory as per Army corps plans and specs with the exception of minor punch list items. (These are currently being completed.)
 - We are awaiting a letter from the COE indicating all punch list items are completed and that this station meets COE plans and specs (This will be submitted to GSD as part of their request for turnover).
 - B. A letter was sent to the COE on December 17th, 1998, requesting a list of information and materials needed to turn over the pump station to GSD.
 - As of April 5th, 1999, this information has not yet been provided.
 - **Turnover process is still ongoing as of May 1st and will be part of the discussion at our upcoming coordination meeting with the GSD on May 19th.**

STATUS (Stage II Phase 4) Broadway to MLK Drive – North Levee:

1. All structural levee work completed. All grading and backfilling have been completed.
 - A. Project is approx. 98% completed and the anticipated overall completion is for early spring.
 - Minor grading and seeding will be done **in mid-May**.
2. This portion of levee construction has been completed.
 - A. Walkway to Ironwood pump station has been completed as of December 1st, 1998.
 - B. The pump station has been completed and is ready to be tested. (The meter has been installed as of December 9th, 1998, which will begin the 30 month payback agreement to NIPSCO by the GSD.)
 - Contract and COE still coordinating to schedule the pump test.

STATUS (STAGE III) Chase to Grant Street:

1. Project completed on May 6th, 1994.
Kiewit Construction – Contract price \$6,564,520.
2. COE investigating drainage problems caused by levee installation in Stage III. This is affecting the N.W. IN Foodbank and properties along the west side of Grant Street, and the area south of 35th, east of Chase (Ongoing)
 - A. We received a letter from the COE on March 17th, 1999, including design recommendations, and requesting our comments and review for the STAGE III DRAINAGE REMEDIATION PLAN.
 - We submitted sets for review to the Gary Sanitary District and the Lake Erie Land company **on April 6**.

STATUS (Stage IV Phase 1) Cline to Burr: This area was modified to include the drainage system from Colfax to Burr on June 21st, 1995.

1. The COE has agreed to release this project in (2) segments.

- A. IV-1 (North) The drainage system from Colfax to Burr Street North of the Norfolk Southern RR.
- B. IV-1 (South) The remainder of the IV-1 project not included as part of IV-1 (North), primarily all of the construction South of the N.S. RR.
- C. **A letter was sent to the Gary Sanitation District on April 28th to clarify the scope of work for each phase of construction.**
- 3. **An agreement was signed by the LCRBDC on April 28th with K&S Testing in the amount not to exceed \$1750.00 to do phase 1 site assessment west of Burr & north of the river.**
- 4. A letter was sent to the COE on January 14th, 1999, enclosing comments received from the GSD on January 13th, 1999. We requested the COE to respond individually to these concerns and to incorporate these items as necessary into their plans and specs.
 - A. **A meeting will be held with the COE, LCRBDC, and the Gary sanitary District on May 19th to review ongoing concerns regarding design, drainage, and pump station turnover.**
- 5. A letter was written to the COE indicating that the only portion of this segment that could be released early would be North of the N.S. RR.
 - We received plans & specs for review of the IV-1 drainage system from Ayres on March 29th, 1999.
 - **A letter was sent to the COE on April 28th enclosing our comments and those of the GSD for review of the IV-1 (North) drainage system.**
- 6. The COE wrote a letter to INDOT on Jan. 22nd (We got a copy on Feb. 25th) suggesting coordination for our work limits extending onto an already created mitigation area.
 - We had a conference call with INDOT on March 17th, 1999, regarding our overlap of their mitigation area.
 - We will get a mapping of this area, get a legal of this area, then get into an agreement.

STATUS (Stage IV Phase 2A) Burr to Clark – Lake Etta:

- 1. Scheduled Notice to Proceed in Nov. of 1995. (Dyer Construction is successful low bidder). Currently 95% completed.
 - A. The projected, overall, project completion is **for mid-May** when minor grading and seeding can be completed.
- 2. The pump station is complete.
 - A. Operational inspection was held on March 2, 1999.
 - B. A second inspection was held on March 30th, 1999, to re-check control and electrical problems with the station.
 - C. **A letter was sent to the COE on April 20th enclosing a GSD letter dated April 12th which addressed their concerns regarding the acceptance of this station. This will be addressed as part of the upcoming coordination meeting with the GSD on May 19th.**

STATUS (Stage IV Phase 2B) Clark to Chase

- 1. 100% of levee construction has been completed, and the projected overall completion is for **the Fall** of 1999. (Minor planting and grading to be done **approximately mid-May**).

- Although pre-loading was done, settlement caused a break in the joint from the headwall to the gatewell **in the closure structure west of Chase Street**. This will be allowed to further settle until the spring, upon which the repair will be made.
- Ayres & Associates are currently reviewing the engineering repair and will make recommendations to the COE. **(A/E liability is pending with the COE).**
- Ayres is currently preparing a cost proposal for design and repair of failed structure.

STATUS (Betterment Levee) EJ&E to Burr Street (North of NIPSCO R/W), across RR, then north of railroad R/W eastward ½ way to Clark, thence south.

1. COE projects levee installation along the east R/W line of the EJ&E RR across the NIPSCO north R/W line, then extending levee east from the EJ&E RR along the north side of the NIPSCO R/W, thence east to Burr Street, thence north across the Norfolk Southern RR, then East (north of the RR right-of-way) ½ way between Burr and Clark, then back south over the RR, and then going back approx. 1400' south.
 - A. It has been verbally agreed that this will be broken up into (2) segments as follows: (refer to the Land Acquisition report)
 - Phase 1 will include levee and ditch work from the E.J. & E R.R to Colfax Ave., including a one year option on the work on the E.J. & E. R/W and the Colfax Road raise.
 - Phase 2 will include the remainder not included as part of Phase 1, primarily from Colfax to the area ½ between Burr and Clark.
2. **A letter was sent to the town of Griffith on April 28th requesting haul routes for upcoming construction in Griffith.** 8-9
3. **A letter was sent to Griffith and Gary on April 7th requesting their review and comments to the proposed cross-section design at Colfax.** 10-11
4. The COE sent a letter to Marathon on Feb. 19th requesting information on cost and design for lowering their 6" pipeline west of Arbogast and north of the NIPSCO R/W.
 - A. **We received a letter from Marathon dated April 12th indicating there would be a \$216,000 charge for utility relocations required due to our construction.** 12-13
 - B. **The COE responded with a letter dated April 20th indicating that this was not based upon current plans and specifications and to re-submit their revised estimates.** 14
5. **The COE submitted plans and specifications to the IDNR on April 28th. This request includes both phases of the Betterment Levee Project.** 15-16
6. We received a letter from the COE on March 8th, 1999, indicating hydrology information for the ditch North of the Mansards apartments.
 - We received comments from the Town of Griffith on March 24th, 1999, regarding Cline to Colfax comments and forwarded these to the COE to incorporate into their final plans. **(See Land Acq. Report)**

STATUS Cline to EJ&E RR – Local Project:

1. No protection at this time from Cline Ave. to Arbogast. (Locally protection will be provided).

2. A letter was sent to the COE on February 2nd, 1999, requesting they include this portion West of the E.J. & E. into our betterment levee plans.
 - A letter was sent to the Town of Griffith on March 11th, 1999, indicating that we would include the E.J. & E. portion on the Griffith side as part of our upcoming construction contract.
3. **A letter was sent to Griffith from the COE on April 15th requesting their confirmation of coordinates for Levee alignment.**
4. **A meeting was held with the COE, Town of Griffith, and the Developer on April 22nd to finalize COE engineering concerns and to do final coordination.**
 - **Griffith Contractor scheduled to start on Levee in Mid-May and complete by end of June.**

STATUS (Stage V Phase 1) Wicker Park Manor:

1. Project completed on September 14, 1995.
Dyer Construction – Contract price \$998,630
2. As per a conversation with Phillips Pipeline on 9/30/96, consideration is being given to do a directional bore or both 8" lines, rather than do 2 "up and overs" for both levees (This has been ongoing with the COE since November of 1996)
 - A. The COE indicated in their response for Stage V – Phase 2, that this was not economically feasible. We still contend this should be done as an item of safety.
 - B. See Status (Stage V Phase 2)
Item #4 for update on directional drilling.

STATUS (Stage V Phase 2):

1. At the July 23rd, 1998 Real Estate meeting, the current schedule shows a January 1st, 2001 contract award date. **(This will be reviewed by the Commission.)**
2. A letter was written to the COE on June 16th, 1998, including the (7) major items of concern of the engineering review previously submitted to them on June 1st.
 - The COE wrote a letter of response on **October 23rd 1998** and suggested a meeting to discuss and further review these items. **(As of May 1, 1999, we have not had this meeting.)**
3. We received a letter from the COE on Sept. 11th, 1998 in response to our concern of doing a directional bore for the 2 Phillips pipelines west of the Conrail RR dated Nov. 6, 1996.
 - Letter sent to Phillips on Sept. 11th enclosing COE information on directional drilling for their response. (The COE stated in their letter dated October 23rd (Item #2) that PPL submit a detailed design analysis for review & approval by the COE). (ongoing)

STATUS (Stage V Phase 3) Woodmar Country Club:

1. At the July 23rd, 1998 Real Estate meeting, the current schedule shows a July 1st, 1999 contract award date.
 - We feel this date is non-realistic. With the funding available, **and with appraisals and agreements required for the right of entry, a 2003 date would be more realistic.**
2. Completed engineering review of Hart Ditch control structure and submitted comments to the COE on March 23, 1998.

- Still awaiting response to our comments. **As of May 1, 1999.**

STAGE VI:

1. Had meeting on 1/18/96 with Super 8, Holiday Inn, and Motel 6 with the COE attending regarding levee impact to the properties and how we will proceed.
 - A. We are in the process of doing a feasibility study to determine impact, get fair market values, etc. (in process of assigning). We have received pertinent information from all hotels.
 - Refer to stage VI in Land Acq. report. (Item #2)
 - B. Construction has been re-scheduled from spring of 1998 to a contract award date of January 7th, 2001.
2. We received a request from the COE to do additional survey work throughout the project area. They requested stakeouts for property lines, which could be very expensive. We are awaiting a cost estimate from Cole Associates.
 - Cole Associates are the low bidder and have been approved to do this survey work. (survey work is ongoing)

Stage VII and Stage VIII (Northcote to the Illinois state line):

1. We received a letter from the COE on March 15th, 1999, requesting our review and comments for their A/E scope of work.
 - A. A letter was sent to the COE on April 30th with comments regarding the A/E scope Of work and indicating that stages VII and VIII will probably not be done for another six to seven years.

East Reach Remediation Area – North of I80/94, MLK to I-65:

1. A public meeting was held in Marshalltown on May 5th to discuss the scheduling , design, and impact on the area as well as to answer questions from the public.
2. Project went out for bids on April 8th, 1999, and the bid opening is scheduled for May 11th, 1999, excluding the roadway from Central Avenue to the I-65 sluice gate (This will be put on a one-year option)
3. A letter was sent to INDOT on March 25th, 1999, along with a copy of the legal description of the sluice gate access roadway, for review and comments to see if their I-65 expansion project will be impacted by our request.
 - As of May 1st we have received no response.

West Reach:

1. We received a letter from the COE (dated November 5th, 1998) on November 12th, updating us on the status of the upcoming pump station contracts.
 - They are proposing to release pump station contract 1 to fiscal year 1999. Chicago COE will continue "in house" for all the Hammond pump stations
 - The meeting with Munster and Hammond was held on January 26th, 1999. Scopes of work were reviewed as well as scheduling. We are awaiting their written response. (ongoing)

18

General:

1. Wrote a letter to NIPSCO on June 10th, 1998, requesting their investigation into providing security (gates) to prevent access onto our properties along their tower R/W from Arbogast to Chase. (ongoing)
 - NIPSCO indicated this work **has been completed as of April 9.**
2. A letter was written to the COE on December 17th, 1998, requesting haul route information for upcoming projects in order to facilitate a meeting with Gary to get approval for the proposed routes.
 - **A letter was sent to Gary and Griffith on April 28th requesting their review of our haul route proposal for all (3) upcoming projects in Gary and Griffith.**
3. A letter was sent to the COE on Feb. 23rd indicating that, in addition to coordinating the turnover of pump stations to the GSD, that a meeting with them would be required regarding some of their concerns regarding hydrology and monitoring.
 - **A letter was sent to Colonel Rowan on April 5th from the Gary Sanitation District suggesting a meeting to resolve ongoing concerns as well as eventual pump station turnover.**
4. A revised construction schedule was made by the LCRBDC on May 1st taking into account the discussions at our April 22nd Real Estate meeting and a call with the COE on April with the COE on April to confirm dates.

19-20

21

22



Little Calumet River Basin Development Commission

6100 Southport Road

Portage, Indiana 46368

(219)763-0696
Fax (219)762-1653

EMERSON DELANEY, Chairman
Governor's Appointment

WILLIAM TANKE, Vice Chairman
Porter County Commissioners' Appointment

ARLENE COLVIN, Treasurer
Mayor of Gary's Appointment

JOHN DEMEO, Secretary
Governor's Appointment

CHARLES AGNEW
Governor's Appointment

GEORGE CARLSON
Mayor of Hammond's Appointment

STEVE DAVIS
Dept. of Natural Resources' Appointment

ROBERT HUFFMAN
Governor's Appointment

ROBERT TRELO
Governor's Appointment

MARION WILLIAMS
Lake County Commissioners' Appointment

VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOUIS CASALE
Attorney

April 6, 1999

Ms. Luci Horton
Director
Gary Sanitary District
3600 West 3rd Avenue
Gary, Indiana 46404

Dear Luci:

Enclosed are two (2) copies of a letter from the Army Corps of Engineers dated March 17, 1999 along with project features, costs, design attachments, interior drainage design, and problem analysis for their drainage remediation in the area between Chase Street and Grant Street outside the levees for the flood control of the Little Calumet River.

Please review this information and give me a written response in order that I may incorporate your concerns, along with those of the Development Commission, in a letter to the Corps. It is our intent to take into consideration all concerned parties affected by this remediation. We will then have a meeting with the Corps to review and implement a plan that addresses these concerns.

If you have any questions regarding this report or this request, please call me at the above number.

Sincerely,

James E. Pokrajac, Agent
Land Management/
Engineering

/encl.

cc: Paul Vogel, Greeley & Hansen
James Flora, R.W. Armstrong
Lou Casale, Commission attorney



Little Calumet River Basin Development Commission

6100 Southport Road

Portage, Indiana 46368

(219)763-0696
Fax (219)762-1653

EMERSON DELANEY, Chairman
Governor's Appointment

WILLIAM TANKE, Vice Chairman
Porter County Commissioners' Appointment

ARLENE COLVIN, Treasurer
Mayer of Gary's Appointment

JOHN DEMEO, Secretary
Governor's Appointment

CHARLES AGNEW
Governor's Appointment

GEORGE CARLSON
Mayor of Hammond's Appointment

STEVE DAVIS
Dept. of Natural Resources' Appointment

ROBERT HUFFMAN
Governor's Appointment

ROBERT TRELO
Governor's Appointment

MARION WILLIAMS
Lake County Commissioners' Appointment

VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOUIS CASALE
Attorney

April 28, 1999

Ms. Luci Horton
Director
Gary Sanitary District
3600 West 3rd Street
Gary, Indiana 46406

Dear Luci:

This letter is to clarify the scope of work from the Army Corps of Engineers for the Stage IV Phase 1 construction. It has been determined by the Corps that this project will be broken up into two phases. The first phase (Stage IV Phase 1 North) will include only the drainage system which begins west of Colfax and continues east, adjacent to the northern right-of-way of the Norfolk Southern Corp. RR to Burr Street. An open drainage ditch will be included from the area west of Colfax to Calhoun Street, and a buried 6' x 8' concrete box culvert will be installed from Calhoun Street to Burr Street and will include the culvert underneath Burr Street that drains into a large detention area east of Burr Street with pumping capability into the Little Calumet River. The second phase of construction (Stage IV Phase 1 South) will include all flood protection construction beginning at an area west of the EJ&E RR along, and adjacent to the southern right-of-way of the Norfolk Southern Corp. RR to Burr Street.

The current projected schedule for Phase 1 of this work projects to advertise early in July of 1999 and to start construction sometime in the fall of 1999. The second phase of this project is projected to be advertised late in the summer of 1999. We will keep you appraised as to the status of this portion of the project.

If you have any questions regarding this project, please contact me at the above number.

Sincerely,

James E. Pokrajac, Agent
Land Management/Engineering

/sjm
cc:

Paul Vogel, Greeley & Hansen
Imad Samara, COE
Emmett Clancy, COE
Lou Casale, LCRBDC Attorney
Jim Flora, R.W. Armstrong



Little Calumet River Basin Development Commission

6100 Southport Road

Portage, Indiana 46368

(219)763-0696

Fax (219)762-1653

EMERSON DELANEY, Chairman
Governor's Appointment

WILLIAM TANKE, Vice Chairman
Porter County Commissioners' Appointment

ARLENE COLVIN, Treasurer
Mayor of Gary's Appointment

JOHN DEMEO, Secretary
Governor's Appointment

CHARLES AGNEW
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STEVE DAVIS
Dept. of Natural Resources' Appointment

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Governor's Appointment

MARION WILLIAMS
Lake County Commissioners' Appointment

VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOUIS CASALE
Attorney

April 28, 1999

Mr. Ronald Hosek, CPG
Environmental Manager
K&S ENGINEERS, INC.
9715 Kennedy Avenue
Highland, Indiana 46322

Dear Ron:

Enclosed please find a fully executed copy of the agreement between K&S and the Development Commission for an environmental site assessment (Phase 1) and roof material sampling at the burned out house at 3250 Burr Street. The cost of this work is a cost not to exceed \$1,750. Any additional costs incurred over that amount will require further Board approval. Please consider this letter as your notice to proceed.

If you have any questions, please call me at the above number.

Sincerely,

James E. Pokrajac, Agent
Land Management/
Engineering

/sjm
encl.

**Gary Sanitary District**

3600 West 3rd Avenue, Gary, Indiana 46404
219-944-0595 ext. 12 – Fax: 219-944-0250

April 27, 1999

TRANSMITTED VIA FAX
HARD COPY TO FOLLOW

Mr. James E. Pokrajac, Agent
Land Management/Engineering
Little Calumet River Basin Development Commission
6100 Southport Road
Portage, Indiana 46368

Dear Mr. Pokrajac:

This letter shall confirm that representatives of the Gary Sanitary District (GSD), Little Calumet River Basin Development Commission (LCRBDC), and U.S. Army Corps of Engineers (USCOE) will meet at 10 a.m. Wednesday, May 19, 1999, in the Gary Sanitary District Administrative Offices, 3600 West 3rd Avenue, Gary.

The purpose of the meeting is to discuss the Little Calumet River Local Flood Protection and Recreation Project and its relationship to current and potential future GSD operations and projects; and outstanding questions, actions and issues relating to the transfer of the ownership, operation, and maintenance responsibility for the East Reach Pump Stations to GSD.

Pursuant to our recent conversation and under cover of this letter, I am requesting Mr. Paul Vogel, P.E., Greeley and Hansen Engineers, to prepare an agenda for said meeting. The agenda is to be provided to you in a timely manner; and will be transmitted expeditiously to USCOE representatives to enable them to prepare for the scheduled meeting. (All GSD meeting attendees are hereby requested to submit their proposed agenda items to Mr. Vogel.)

As always, do not hesitate to contact me, should there be questions or concerns.

Sincerely,

Luci L. Horton, Director
Gary Sanitary District

cc: Mr. James B. Meyer, Esq., Gary Sanitary District Attorney
Mr. Paul Vogel, P.E., Greeley and Hansen Engineers
Mr. Don Smales, Technical Services Manager, WREP
Mr. Derrick Earls, Director, Civil Defense Department, City of Gary



Little Calumet River Basin Development Commission

6100 Southport Road

Portage, Indiana 46368

(219)763-0696

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EMERSON DELANEY, Chairman
Governor's Appointment

WILLIAM TANKE, Vice Chairman
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MARION WILLIAMS
Lake County Commissioners' Appointment

VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOUIS CASALE
Attorney

April 20, 1999

Mr. Imad Samara
U.S. Army Corps of Engineers
111 N. Canal Street
Chicago, Illinois 60606-7206

Dear Imad:

Enclosed for your information is a copy of a letter from the Gary Sanitary District dated April 12th regarding their concerns and issues for the field testing of the north Burr Street storm water pumping station. Please review these items and return your comments to us in order that the Development Commission can coordinate with the Gary Sanitary District those items mentioned in the enclosed letter. We realize that some of these items were not included as part of the contract and would like to discuss these items with you.

Please contact us at your earliest convenience in order that we may proceed with their concerns as part of the process of turning over the east reach pump stations to the Gary Sanitary District as part of the overall operation and maintenance of this project.

If you have any questions regarding this request, please contact me.

Sincerely,

James E. Pokrajac, Agent
Land Management/
Engineering

encl.
cc:

Luci Horton, GSD
Don Smales, WREP
James Meyer, GSD Attorney
Paul Vogel, Greeley and Hansen
Jim Flora, R. W. Armstrong
Lou Casale, LCRBDC Attorney

5

3600 West 3rd Avenue
Gary, Indiana 46404
(219) 944-0595, ext. 12
Fax: (219) 944-0250

April 12, 1999

Mr. James E. Pokrajac, Agent
Land Management /Engineering
Little Calumet River Basin Development Commission
6100 Southport Road
Portage, Indiana 46368

Subject: North Burr Street Stormwater Pumping Station

Dear Mr. Pokrajac:

Representatives of the Gary Sanitary District (GSD) were present at the field testing of the subject facility on March 2 and March 30, 1999. GSD representatives identified the following concerns and issues which require attention:

- Properly Secure level control cords in wet well.
- Provide security locks on wet well hatches, discharge structure hatches and roof hatches.
- Verify if the outlet inside the control building is a "welder connection" or an "emergency generator connection". If this outlet is an "emergency generator connection", relocate the outlet so that it is accessible during flood conditions.
- Provide electronic indication of wet well level and basin level.
- Fence outfall structures and post with appropriate warning signage.
- Provide software and hardware necessary to allow programming of the PLC at the pump station.
- Complete final grading, seeding and removal of temporary spillway.

In addition, the GSD would like to reiterate general items required for all the stormwater pumping stations as discussed with you in the past.

- Provide a telemetry system compatible with the GSD's new radio telemetry system that will indicate operating status of the pumps, alarms conditions, water level and other appropriate conditions at the WWTP Control Room.



Gary Sanitary District

- Provide trash racks at required facilities that are accessible during flood events and designed to accommodate debris and able to be lifted by hoisting equipment provided.
- Provide to the Gary Sanitary District copies of complete and approved operation and maintenance manuals, record drawings (as-builts), contract documents, shop drawings and field reports for use in operating and maintaining the facilities.
- Provide to the Gary Sanitary District all specified spare parts and supplies.
- Provide to the Gary Sanitary District a written commitment to have the specified training provided to GSD staff by the Construction Contractor.
- Provide to the Gary Sanitary District copies of all written warranties and guarantees for equipment in the District's name so that enforcement of such warranties and guarantees can be made.
- Provide to the GSD written verification that any directly piped or sewer flows tributary to the new stormwater pumping stations have been constructed properly and that no illicit sanitary sewer connections are present. Closed circuit videotapes or approved field reports shall be provided to verify this prior to approval.

Please advise when the issues, concerns and general items have been completed for the subject facility.

Sincerely,

Luci L. Horton, Director
Gary Sanitary District

- c. Mr. Donald Smales, WREP
Mr. James B. Meyer, GSD Attorney
Mr. Paul Vogel, Greeley and Hansen



Little Calumet River Basin Development Commission

6100 Southport Road

Portage, Indiana 46368

(219)763-0696
Fax (219)762-1653

EMERSON DELANEY, Chairman
Governor's Appointment

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Governor's Appointment

MARION WILLIAMS
Lake County Commissioners' Appointment

VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOUIS CASALE
Attorney

April 28, 1999

Mr. Jim Reyorne
Director of Public Works
Town of Griffith
111 N. Broad Street
Griffith, Indiana 46319

Dear Jim:

Enclosed for your information is a copy of the proposed haul routes for the upcoming construction of our Betterment levee and Stage IV Phase 1 (North) construction. The Betterment levee will include the construction of a levee west of the EJ&E RR that will tie into the Griffith (Kortenhoven) levee, an I-wall and levee east of the EJ&E RR to Colfax Street north of the NIPSCO right-of-way, and a drainage ditch north of the NIPSCO right-of-way from the EJ&E to Arbogast, then south of the NIPSCO right-of-way from Arbogast to Colfax. We anticipate that this will be advertised in June of 1999 and that construction will start approximately as early as September. The Stage IV Phase 1 (north) levee will primarily be a drainage system adjacent to the northern right-of-way of the Norfolk Southern RR going east from Colfax to Burr Street. We request that you present this request to the Town Council to obtain written approval to use these roadways as requested.

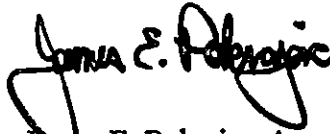
It is anticipated that the clay from both projects will be coming from either the Clark/Chase borrow site as shown on the enclosed drawing or from an adjacent site. Full truckloads of clay could hold up to 18 cubic yards.

In addition, we propose to do a road raising at Colfax Street along the line of protection, install a culvert south of the NIPSCO right-of-way on Colfax for drainage, and install an additional culvert under Colfax near the Norfolk Southern RR. We have coordinated, and will continue to coordinate, with Lake County Highway Dept. for their work for the new Colfax bridge over the Little Calumet River to minimize the down time for Colfax.

Mr. Jim Reyome
April 28, 1999
Page 2

We anticipate that our flood control project for Phase 1 of the Betterment levee and for Stage IV Phase 1 (north) will be completed toward the end of the year 2000 construction season. Some easement agreements will be forthcoming to the town of Griffith allowing us to do this work. If you have any questions regarding this request, or if you need a representative of our Commission to attend any meetings for clarification, please contact us at 219/763-0696.

Sincerely,



James E. Pokrajac, Agent
Land Management/Engineering

/sjm
encl.

cc: Bob Schwerd, Griffith attorney
Bill Greco, town of Griffith
Imad Samara, COE
Jan Plachta, COE
Lou Casale, LCRBDC attorney



Little Calumet River Basin Development Commission

6100 Southport Road

Portage, Indiana 46368

(219)763-0696
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EMERSON DELANEY, Chairman
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MARION WILLIAMS
Lake County Commissioners' Appointment

VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOUIS CASALE
Attorney

April 7, 1999

Mr. Bill Greco
Building Commissioner
Town of Griffith
111 N. Broad Street
Griffith, Indiana 46319

Dear Bill:

Enclosed for your review and comments are a typical cross section of what the Corps is proposing for the Colfax Street road raising along with the specification for how this area will be stoned and paved. The roadway will have a 6" stone base covered with 6" of 630#/syd bituminous base, which will be covered with a 3" bituminous binder and a 1" bituminous surface.

Please submit to me at your earliest convenience any questions, comments, or changes that would apply to this design. If you have any questions, please call me at the above number.

Sincerely,

James E. Pokrajac, Agent
Land Management/
Engineering

/sjm
encl.

cc: Jim Reyome, Public Works Dept.
Imad Samara, COE
Jan Plachta, COE
Tim Kroll, COE
Jim Flora, R.W. Armstrong Co.



Little Calumet River Basin Development Commission

6100 Southport Road

Portage, Indiana 46368

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VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOUIS CASALE
Attorney

April 7, 1999

Mr. Roland Elvambuena
City Engineer
City of Gary
401 Broadway
Gary, Indiana 46402

Dear Roland:

Enclosed for your review and comments are a typical cross section of what the Corps is proposing for the Colfax Street road raising along with the specification for how this area will be stoned and paved. The roadway will have a 6" stone base covered with 6" of 630#/syd bituminous base, which will be covered with a 3" bituminous binder and a 1" bituminous surface.

Please submit to me at your earliest convenience any questions, comments, or changes that would apply to this design. If you have any questions, please call me at the above number.

Sincerely,

James E. Pokrajac, Agent
Land Management/
Engineering

/sjm
encl.

cc: Gwen Malone, City of Gary Public Works
Imad Samara, COE
Jan Plachta, COE
Tim Kroll, COE
Jim Flora, R.W. Armstrong Co.

REC'D APR 14 1999



MARATHON ASHLAND Petroleum LLC
Marketing & Transportation
Engineering Department

277 Streamwood Drive
Valparaiso, IN 46383
Telephone 219/477-4001
FAX 219/531-5422

April 12, 1999

Mr. James J. Flora, Jr., Ph.D., P.E.
Vice President
R.W. Armstrong
8300 Broadway
Merrillville, IN 46410

**RE: Marathon Ashland Pipeline LLC 6" Products Pipeline
Little Calumet River, Burr St. Betterment Levee Crossings**

Dear Mr. Flora:

Enclosed please find an estimate in the sum of \$216000 for the necessary improvements to MAPL LLC's 6" Hammond, IN to Niles, MI pipeline due to the construction of the Betterment Levee from the EJ&E Railroad to just past Burr Street in Griffith and Gary, IN. The estimate includes the costs for MAPL LLC to install 10" split casing around the existing 6" pipeline where the pipeline will go through the proposed concrete portions of the new levee and the costs for two pipe replacements where new or improved ditches will cause additional exposure of the pipelines. Each of the new pipe replacements will be installed by directionally drilling in a new 500-foot piece of 6" pipe and removing the old pipe. When the new sections are installed the pipeline will be taken out of service by purging the liquid product with nitrogen. At the new ditch crossing just East of Calhoun Street, the new line section will be installed to replace the Calhoun Street crossing also. This is being done because the expected settlement of soil underneath Calhoun Street, due to Calhoun Street being raised several feet, will cause significant problems with the pipeline's cathodic protection system between the existing casing and the pipeline.

The estimate also, includes time for a MAPL LLC technician to periodically inspect the pipeline Right of Way to ensure that the levee contractor has not worked over the pipeline, which could substantially damage the pipeline. Any time the pipeline must be crossed by any of the levee construction equipment, the equipment must cross at a location that has at least four feet of cover.

It is my understanding that upon receiving this estimate, that the Little Calumet River Basin Development Commission will begin working with MAPL LLC to develop a

Reimbursement Agreement for the estimated \$216000. Mr. Steve Woods or Mr. Jeff Donnelly of Marathon Ashland Pipeline LLC's Martinsville, IL District office will handle development of this agreement. They can be reached at 217/382-4911.

If you have any questions about the estimate or MAPL LLC's plans, please contact me.

Sincerely,



David L. Woodsmall, P.E.
Advanced Environmental Engineer

enclosure

cc: J.A. Donnelly
S.M. Woods
R.M. Thomson
J.E. Pokrajac – w/enclosure – Little Calumet River Basin Development Comm.
J.S. Plachta – w/enclosure – via FAX – U.S. Army Corps of Engineers



REPLY TO
ATTENTION OF:

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

April 20, 1999

Programs and Project Management Division
Project Management Branch

Mr. David L. Woodsmall, P.E.
Marathon Ashland Petroleum LLC
277 Streamwood Drive
Valparaiso, IN 46383

RE: Marathon Ashland Pipeline LLC 6" Products Pipeline
Little Calumet River, Burr St. Betterment Levee Crossings

Dear Mr. Woodsmall,

We received a copy of your letter dated April 12, 1999 that was mailed to Mr. James J. Flora, Jr. Ph.D., P.E. regarding the above subject. It appears that your estimate was not prepared in accordance with the current Plans and Specifications. To save on construction effort we are now bridging over pipes instead of running them through the concrete panel. Please review the enclosed sheets and revise your estimate as needed.

If you have any additional questions please contact Mr. Jan Plachta of this office at (312) 353-6400, extension 1801. Thank you for your assistance.

Sincerely,


Imad Samara
Project Manager

Encl

CF: Jim Flora, R. W. Armstrong

*Forward to Marathon
on April 26, 99
Overnight mail sent April 27, 99*



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

REPLY TO
ATTENTION OF:

April 28, 1999

Programs and Project Management Division
Project Management Branch

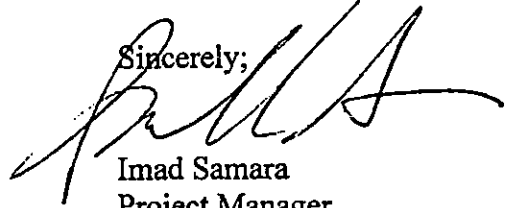
Mr. Joe Marry
Permit Administration
Indiana Department of Natural Resources
402 W. Washington St.
Room W 264
Indianapolis, IN 46204

Dear Mr. Marry;

The Chicago District Corps of Engineers is submitting herewith a permit request for the Burr Street Betterment Levee project that will be built in the northern Indiana. The Burr Street Betterment Levee system is a flood control project primarily funded by the Little Calumet River Basin Development Commission (LCRBDC). The project is specifically designed to alleviate flooding in the area between 35th Street and the Little Calumet River and between Arbogast Avenue and Clark Street in Griffith, Indiana. The level of protection is the 100-year flood stage with a freeboard which varies from 1.5 to 2.2 feet. The 9,097 line of protection consist of earthen levees and two concrete I-Walls. The earthen levee will have 2.5:1 side slopes, a maximum height of 12', and a top width of 10'. The design levee crest is at elevation 602.2 National Geodetic Vertical Datum (NGVD) at Burr Street. In addition, approximately one foot of overbuild has been designed into the project settlement. A number of access ramps and vehicle turnaround areas will also be constructed. A system of interior ditches and culverts which convey interior drainage will be connected to the City of Gary Burr Street Pump Station. Two gatewells and a double closure device will convey interior drainage by gravity across the line of protection. A number of utilities will be relocated, and several buildings will need to be demolished in order to allow for construction of the levee system. The project will be constructed in two Phases: Phase 1, from the NS track of the EJ&R railroad line in the west end of the project to Colfax St., and Phase 2, from Colfax St. to 1600 ft. south of the NW track of EJ&E railroad. The narrative of this project hydrology was forwarded to your office with our application for permit number FW 16-167. The Little Calumet River Basin Development Commission will be submitting the Permit application immediately. Enclosed for your information is a set of project drawings.

If there are any additional questions please contact me at your earliest convenience at (312) 353-6400, extension 1809. Thank you for your assistance.

Sincerely;

A handwritten signature in black ink, appearing to read 'Imad Samara', written over the word 'Sincerely;'. The signature is fluid and cursive.

Imad Samara
Project Manager

Encl.
CF: Jim Pokrajac, LCRBDC

REC'D APR 15 1999



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

REPLY TO
ATTENTION OF:

April 15, 1999

Programs and Project Management Division
Project Management Branch

Mr. Bill Greco
Building Commissioner
Town of Griffith
111 N. Broad Street
Griffith, Indiana 46319

Dear Mr. Greco;

Subject: Little Calumet River Flood Control Project,
Burr Street Betterment Levee, Phase 1

As previously discussed we will perform all work within the EJ&E Railroad Right of Way and 50 feet to the west of the EJ&E west right of way line as part of the Phase 1 Burr Street Betterment Levee Project. To ensure that the alignment of the Griffith levee matches the levee alignment to the east of the EJ&E Railroad please use coordinates of the following two points as shown on the enclosed sketch: Point Of Beginning (POB) - 50' west of EJ&E Right of Way N: 1478630.08, E: 406957.03, and East of EJ&E railway, Beginning of I-Wall: N: 1478630.05, E: 407084.70. Additionally, this short western section of the levee will be build in accordance with our construction specifications.

If you have any additional questions contact Mr. Jan S. Plachta of this office at (312) 353-6400 ext. 1801.

Sincerely;

A handwritten signature in black ink, appearing to read "Imad Samara", is written over the typed name.

Imad Samara
Project Manager

Encl.

CF: Jim Pokrajac - LCRBDC ✓
Dennis Zebell - The Troyer Group



Little Calumet River Basin Development Commission

6100 Southport Road

Portage, Indiana 46368

(219)763-0696
Fax (219)762-1653

EMERSON DELANEY, Chairman
Governor's Appointment

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MARION WILLIAMS
Lake County Commissioners' Appointment

VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOUIS CASALE
Attorney

April 21, 1999

PUBLIC MEETING

**YOU ARE INVITED TO ATTEND A PUBLIC MEETING
AT 6:30 P.M. WEDNESDAY, MAY 5, 1999
AT BETHUNE ELEMENTARY SCHOOL
2367 EAST 21ST AVENUE
MARSHALLTOWN SUBDIVISION
GARY, INDIANA**

The meeting will consist of a presentation by the Little Calumet River Basin Development Commission and the U.S. Army Corps of Engineers to address the upcoming levee construction to protect the Marshalltown Subdivision in Gary. Plans are to install approximately 4,650 linear feet of a compacted levee around the Marshalltown Subdivision. This stage of the entire project is bounded on the west by Martin Luther King Drive, on the east by I-65 and bounded on the north by Central Avenue.

This notice is being sent to all property owners in the immediate area. All are invited. There will be a question and answer period after the presentation.

This is an opportunity for you to come and meet the State and Federal officials that will coordinate this construction. If you have any questions regarding this meeting, please feel free to call either Dan Gardner, Executive Director or Judy Vamos, Land Acquisition Agent, of the Little Calumet River Basin Development Commission at 219/763-0696.



Little Calumet River Basin Development Commission

6100 Southport Road

Portage, Indiana 46368

(219)763-0696

Fax (219)762-1653

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VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOUIS CASALE
Attorney

April 28, 1999

Mr. Roland Elvambuena
Gary City Engineer
City of Gary
401 Broadway
Gary IN 46402

Dear Roland,

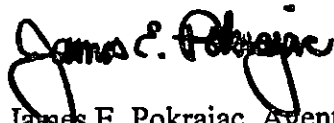
Enclosed, for your information, is a copy of the proposed haul routes for the upcoming construction of our East Reach Remediation area contract around Marshalltown, our Betterment levee project from the EJ & E RR to an area halfway between Burr and Clark Street along the NIPSCO right-of-way, and our Stage IV-Phase 1 (North) drainage project north of the Norfolk Southern RR from Colfax to Burr Street. We suggest you review this report and contact us for a coordination meeting whereby we could preliminarily address the concerns of the city of Gary. After this meeting we will present a final request that you would present to the Board of Public Works. This information includes which streets you would allow loaded, or empty, trucks to travel.

In addition, we have several road closures that will be included as part of these projects which include road raisings at Colfax and Calhoun Streets along the line of flood protection, and culvert installations for drainage under Stevenson, Colfax, Calhoun, and Burr Streets. We have enclosed the information provided by the Army Corps of Engineers listing these proposed routes for hauling full or empty trucks as well as the information regarding these road closures. No more than two (2) of these three road closures will occur at the same time and no two (2) consecutive roads will be closed simultaneously. It is our intent to notify you in writing a minimum of 15 days prior to our start of construction.

Mr. Roland Elvambuena
April 28, 1999
Page 2

We would like to minimize the impact of construction to the City of Gary during the upcoming seasons. We are working toward our goal of completing all of the flood control work in Gary as quickly as land and money are available to do so. It is anticipated that this date would be met after the year 2000 construction season. We would appreciate if you could expedite your preliminary review in order that we could submit our final request for haul routes. Our current schedule requires this approval as soon as possible. Any questions regarding this information may be directed to me at 763-0696 in Portage.

Sincerely,



James E. Pokrajac, Agent
Land Management/
Engineering

/ tm
encl.

cc: Tom Deja, COE
Imad Samara, COE
Gwen Malone, City of Gary

GREELEY AND HANSEN
ENGINEERS

211 WEST FORT STREET, SUITE 1100 • DETROIT, MICHIGAN 48226-3211
(313) 628-0730 • FAX (313) 987-0385

ARTHUR H. ADAMS
RONALD E. BIZZARRI
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JOHN C. VOGEL
TERRY L. WALSH
RONALD F. MARTIN
KENNETH V. JOHNSON
CARL M. KOCH, PH.D.
EDWARD M. GERULAT, JR.
CLYDE WILBER
FRANK J. TANTONE
STEPHEN H. PALAC
ANDREW W. RICHARDSON
STEVEN A. GYORY
JOSEPH R. POPECK
PAUL S. HAGLUND
FEDERICO E. MAISCH

RICHARD P. MILNE
HAROLD D. GILMAN
JOSEPH M. CERVONE
TIM GREIF
CLIFFORD M. POMERANTZ
ROGER S. HOWELL
SCOTT T. GIRMAN
HARVEY A. BRODSKY
DAVID C. HAGAN
DAVID V. HOBBS
NICHOLAS J. HOUMIS
BURTON B. KAHN
JAY H. LOVELASS
MIKE PEKKALA
RENZO GASPAROTTO
PAUL J. VOGEL
JONG S. LEE, PH.D.
RICK L. SCHOENTHALER
EDWIN M. PHILLIPS
V. SAM SUIGUSSAAR
ROGER P. LINDE
PETER F. POLSTER
STANLEY S. DIAMOND
WILLIAM L. JUDY
JOSEPH M. GORGAN
GAETANO GARIBALDI
THOMAS E. POEHLS
D. BRETT BARBER
MATTHEW J. CHROBOCINSKI
RAM G. JANGA
T.J. SHORT
LAWRENCE P. JAWORSKI

April 5, 1999

Lt. Colonel Peter Rowan, District Engineer
United States Army Corps of Engineers
Chicago District
111 N. Canal Street
Chicago, IL 60606-7206

Subject: Little Calumet River, Indiana
Local Flood Protection and Recreation Project

Dear Lt. Colonel Rowan:

The Gary Sanitary District (GSD) has previously expressed concerns to your office and the Little Calumet River Basin Development Commission relating to the subject Little Calumet River flood protection project and its relationship to current and potential future GSD operations and projects. These issues have been summarized and discussed in correspondence and meetings during the last year. The concerns remain to be adequately addressed.

Resolution of these concerns are necessary for the GSD to accept ownership, operation and maintenance responsibility for the pump stations within the Gary reach of the project.

Please advise as to the earliest time when you can meet to adequately address the GSD's concerns.

Yours very truly,

GREELEY AND HANSEN



Paul J. Vogel

c: Ms. Luci L. Horton, Director, GSD
Mr. James B. Meyer, GSD Attorney
Mr. Dan Gardner, LCRBDC
Mr. James Pokrajac, LCRBDC

\\PVOGELC-DRIVE\GSD\ACOB\ACOE3_30.LTR

Current Construction Schedule

As of
May 1, 1999

	Advertise	Bid Openings (30 days)	Contract Award (60 days)	Construction Start (30 days)	Construction Complete
ERR	4/8/99	5/11/99	7/11/99	8/16/99	1 Year
IV-1 North	7/1/99	8/3/99	9/30/99	10/25/99	1 Year
IV-1 South	4/20/00	5/23/00	7/24/00	8/21/00	1 Year
Better- ment Levee (Phase 1)	6/7/99	7/7/99	9/8/99	10/4/99	1 Year
Better- ment Levee (Phase 2)	1/13/00	2/15/00	4/17/00	5/15/00	1 Year



Little Calumet River Basin Development Commission

6100 Southport Road

Portage, Indiana 46368

(219)763-0696

Fax (219)762-1653

EMERSON DELANEY, Chairman
Governor's Appointment

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VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOUIS CASALE
Attorney

Considered at monthly public
Commission meeting on May 6, 1999

RESOLUTION 99-01

A RESOLUTION OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION SUPPORTING DEVELOPING A PARTNERSHIP WITH THE LAKE ERIE LAND COMPANY FOR THE PURPOSE OF RESTORING COMMISSION OWNED LANDS ALONG THE LITTLE CALUMET RIVER CORRIDOR TO ENHANCED ENVIRONMENTAL CONDITION FOR REGULATORY COMPLIANCE CREDITS, INCREASING PUBLIC RECREATION SITES AND USE, AND CREATING SUSTAINABLE ECONOMIC DEVELOPMENT OPPORTUNITIES ON THE ADJACENT LANDS RECOVERED FROM THE FLOODPLAIN.

PROJECT POLICY PRINCIPLES

1. All enhanced lands and uses would be designed and managed to be in compliance with the requirements of the U.S. Army Corps of Engineers Flood Control/Recreation Project.
2. The lands will remain in the ownership of the Little Calumet River Basin Development Commission (State of Indiana) for the life of the project.
3. The lands will be licensed/leased to a development/management entity, acceptable to the USEPA, IDEM and other regulating agencies dealing with environmental compliance credits.
4. The LCRBDC will be compensated on an annual basis for the license/lease project lands at a negotiated fair price per acre based on a two tiered classification of currently productive (farmed) and vacant lands.

5. The development/management entity will be responsible for the design, construction and management/maintenance of the lands used for regulatory compliance credit. The LCRBDC will review the plan for flood control project compliance.
6. The development/management entity will commit to exploring with the LCRBDC and local affected communities additional recreational development along the corridors. Upon consensus of a development plan, the development/management entity will fund these additional improvements.
7. The development/management entity will commit to working with the LCRBDC on the management/maintenance plan for the LCRBDC properties and flood control improvements that are critical to sustaining of the environmentally enhanced lands. A plan will be developed to financially support this quality assured management/maintenance from the trust fund created for project maintenance.
8. The development/management entity will commit to develop with the LCRBDC and the City of Gary an "Economic Redevelopment Action Plan" for the vacant areas in Gary that will be removed from floodplain restrictions as the result of the Little Calumet River Project. An infrastructure component consisting of increased landside surface drainage pumping capacity will be included in the plan. Upon consensus of the three parties, the development/management entity will actively participate in a targeted marketing effort.

LAND MANAGEMENT REPORT

Thursday, May 6, 1999

Non-Project Land Management

A. LCRBDC Mitigation

1. A meeting was held on April 19th to review development of further LCRBDC lands with Lake Erie Land Company

B. Chase Street to Grant Street land management issues

1. We received a letter from the COE on March 17th, 1999, along with a proposal to correct the drainage problem requesting our review and comments. (Refer to Stage III – Engineering Report)
2. **We submitted the information provided by the COE for drainage remediation for comments to the GSD, Gary, and the Lake Erie Land Co. on April 6th.**

C. South of 35th, east of Chase (Commission land)

1. We own approx. 100 acres of land south of 35th Ave., east of Chase. (approx. 45 acres are farmable)
2. Commissioners agreed at the January 7th, 1999 Board meeting to advertise for bids to farm this area in addition to approx. 88 acres of land outside of the levee north of 35th Ave. We published for bids on March 29th and April 5th with the bid opening scheduled for April 20th.
 - **Bids were opened on April 20th to farm the 88 acres north of 35th and the 45 acres south of 35th (See attached information sheet for breakdown and recommendation)**

Project Related Land Management

A. O&M (Project manual review/accepting completed segments)

1. The COE has requested since August 28, 1997 that we complete our project manual review and then start to accept completed levee segments (distributed condensed O&M Manual) (ongoing)

B. Gary Sanitary District pump agreements

1. Received a letter from the Gary Sanitary District on November 17th, 1998, which included a list of issues regarding engineering, construction, and legal issues in reference to getting agreements into place for the four (4) East Reach pump stations. These four stations are as follows:
 - Ironwood stormwater pumping station – (Stage II-4)
 - Broadway stormwater pumping station – (Stage II-3B)
 - Grant St. stormwater pumping station – (Stage II-3C-2)
 - North Burr St. stormwater pumping station – (Stage IV-2A)
2. Refer to each stage/phase of these stations for current status in the Engineering Report.
3. A letter was sent to the COE on February 23rd, 1999, requesting that COE provide additional items in order to allow GSD to accept each of the four (4) pump stations.

- A meeting is scheduled for May 19th with the COE, city of Gary, GSD and the LCRBDC to review this process.

4. A letter was sent to the COE on March 9th, 1999, requesting information about East Reach pump station operation during a flood and during the interim period before BSD would take them over. 2

- Heavy rains occurred from April 15-22nd causing some calls to come in regarding sluice gate and pump station operations and who to contact. A letter was written to the COE on March 9th requesting the same information. We received no response. We feel the COE is responsible until we, or the GSD, accept the turnover.

C. WLTH Radio Tower (north of I-80/94, east of Martin Luther King Drive)

1. Survey elevation information was provided to the COE on Aug. 28, 1999 indicating they are within the 100 year flood elevation and we should correct water problems as a creditable cost.

- This cannot be done until PAC decisions are made.

D. Mitigation (entire project area)

1. LCRBDC still has concerns about the official COE mitigation plan which does not explain the exact procedure for acquisition in the Hobart Marsh area. (Ongoing)
2. We received a request from the Lake County Highway Department on March 5th, 1999, to provide approximately .94 acres of land for mitigation to allow construction of the new Colfax Street bridge over the Little Calumet River.

E. Emergency Management

1. A letter was sent to the COE on April 7th requesting they provide mapping, by community, for all closure information (location and type) for quick reference during an emergency to facilitate quicker response time. 3

F. Landscaping

1. We sent a letter to the COE on April 6th requesting future landscaping considerations that are more in compliance with those specs from the IN Dunes National Lakeshore that would reduce costs and improve efficiency and beauty on the levees. 4-5

G. Gary Parks & Recreation – Driving Range

1. After we receive a letter from Gary indicating city money for easements will be made available to Gary Parks and Recreation, we will write them a letter indicating the new final balance available. We need to accept the following proposals:

- Total engineering design and supervision for Martin Design - \$22,500
- Surveying services from Porter Lakes Engineering - \$4,500
- Services to J. F. New for a total amount of \$35,500



WORK STUDY SESSION
ENGINEERING COMMITTEE
MAY 6, 1999

Recommendations:

Gleason Park Driving Range – To approve proposals to provide funds to Gary Parks and Recreation Dept. from money available for lands obtained from them for the project as follows:

- Total engineering design and supervision for Martin Design - \$22,500
- Surveying services from Porter Lakes Engineering - \$4,500
- Services to J. F. New for a total amount of \$35,500

1. A letter was sent to the COE on April 30th enclosing the current schedule of the remaining construction in the East Reach. All construction should be completed by early fall of the year 2001.
2. A pre-bid construction meeting was held by the COE at Ivy Tech on April 29th for the East Reach Remediation area.
 - This will be a practice on all future contracts
 - The response from the contractors was positive because it afforded them the opportunity to be directly involved prior to advertisement.
3. A meeting is scheduled on May 19th with the COE, GSD, City of Gary, and the Development Commission to discuss Gary concerns regarding COE design of the flood control project and turnover of the four (4) east reach pump stations.



Little Calumet River Basin Development Commission

6100 Southport Road

Portage, Indiana 46368

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Governor's Appointment

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Porter County Commissioners' Appointment

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Lake County Commissioners' Appointment

VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOUIS CASALE
Attorney

April 6, 1999

Ms. Luci Horton
Director
Gary Sanitary District
3600 West 3rd Avenue
Gary, Indiana 46404

Dear Luci:

Enclosed are two (2) copies of a letter from the Army Corps of Engineers dated March 17, 1999 along with project features, costs, design attachments, interior drainage design, and problem analysis for their drainage remediation in the area between Chase Street and Grant Street outside the levees for the flood control of the Little Calumet River.

Please review this information and give me a written response in order that I may incorporate your concerns, along with those of the Development Commission, in a letter to the Corps. It is our intent to take into consideration all concerned parties affected by this remediation. We will then have a meeting with the Corps to review and implement a plan that addresses these concerns.

If you have any questions regarding this report or this request, please call me at the above number.

Sincerely,

James E. Pokrajac, Agent
Land Management/
Engineering

/encl.

cc: Paul Vogel, Greeley & Hansen
James Flora, R.W. Armstrong
Lou Casale, Commission attorney

REC'D MAR 12 1999



March 9, 1999

Mr. Imad Samara
Programs & Project Management Division
Project Management Branch
Corps of Engineers
111 North Canal Street
Chicago, IL 60606-7206

Re: Little Calumet River Levee
East Reach Pump Stations

Dear Mr. Samara:

Following last week's testing of the Burr Street Pump Station, a question was raised about operation of the east reach pump stations if they were needed prior to formal acceptance by Gary Sanitary District. This letter is to follow-up on that question.

With levees and floodwalls now in place, a plan needs to be implemented so that these pump stations are operated when needed. This plan should identify who will operate the pump stations and when they will be operated. One option would be to place the stations in automatic operation and have the contractor maintain and operate them until they are accepted and turned over by Gary Sanitary District.

Since a flood event and the need for pump station operation could happen at any time, this issue needs to be resolved as soon as possible.

Please call so that we may discuss this item.

Very truly yours,

R. W. ARMSTRONG & ASSOCIATES, INC.

A handwritten signature in cursive script that reads "James J. Flora, Jr.".

James J. Flora, Jr., P.E.
Vice President

JJF:kf
911938

cc: Dan Gardner, LCRBDC
✓ Jim Pokrajac, LCRBDC
Louis Casale, LCRBDC Atty.

P. 219.738.2258 F. 219.738.2259

8300 BROADWAY MERRILLVILLE, IN 46410-6251

WEB SITE: www.rwarmstrong.com



Little Calumet River Basin Development Commission

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Portage, Indiana 46368

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MARION WILLIAMS
Lake County Commissioners' Appointment

VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOUIS CASALE
Attorney

April 7, 1999

Mr. Jan Plachta
U.S. Army Corps of Engineers
111 N. Canal Street
Chicago, Illinois 60606-7206

Dear Jan:

Enclosed is an unmarked print of the old project map dated September, 1996. Would it be possible to modify this map, by community, to show where all the closures, and type of closures, would be located. Each community would have its own color; and we could use this to send to each community to show their responsibility relative to the entire project during a flood event.

Much of the information shown on this project map could be deleted, and cleaned up to emphasize only the flood response as an informational tool for community flood control.

I am available to work with you to complete this mapping. Please call in order that we can work together to create a very useful flood response tool.

Sincerely,

James E. Pokrajac, Agent
Land Management/
Engineering

/encl.

cc: Imad Samara, COE
Sue Davis, COE
Jim Mazanec, COE
Jeff Miller, Lake County Emergency Management



Little Calumet River Basin Development Commission

6100 Southport Road

Portage, Indiana 46368

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Mayer of Gary's Appointment

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Governor's Appointment

DAN GARDNER
Executive Director

LOUIS CASALE
Attorney

April 6, 1999

Mr. Imad Samara
U.S. Army Corps of Engineers
111 N. Canal Street
Chicago, Illinois 60606-7206

Dear Imad:

Enclosed is a copy of the specifications for landscaping as used by the IN Dunes National Lakeshore. We are not sure how these compare with the Army Corps specifications but they are offered for your review. It is our understanding that in a matter of several weeks, the Corps will be planting native grasses on completed levee segments to complete the remainder of the Landscaping Phase 1 project. Being that a number of areas "did not take" leads me to question the design and performance specifications. As local sponsor, and ultimately the one responsible for maintenance of these levees, could you please address, in writing, the following concerns:

Item #1 – It is our understanding that on this contract, and all future landscaping contracts, that native grasses will be planted on both the riverside and landside of the levees unless it is behind houses such as Wicker Park Manor. Is this true?

Item #2 – The use of native grasses is the preferred method of planting due to its durability, slow growth after it is established, and the beauty of some flowering plants. We highly agree this is the desirable specification for ease of maintenance.

- Would this require any mowing, watering, pesticides, or fertilizing after it is established?
- Is a controlled burn the recommended method to maintain these levees; what does it cost; how often is it needed; and can we do this adjacent to I-80/94 or in residential areas?

April 6, 1999
Page 2

Item #3 - Does the current specification require the installer of this landscaping to take care of the plantings until they are firmly established? Our understanding is that it could take a couple of years.

- Is this installer a professional landscaper who would be qualified, until acceptance of these plantings, to determine what is necessary to establish a healthy, established system?

Item #4 - As local sponsor and cost participant in this contract, we are concerned that if this has to be redone, will there be additional costs?

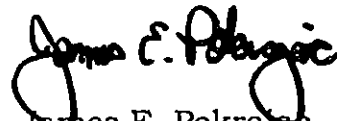
- Will this work being done address our concerns as previously stated in this letter?

During the past few years, the Commission has spent several thousand dollars to mow levees where we thought native grasses would have been planted. We have done this with state money although we have not yet accepted these segments. If the current specifications for landscaping were followed, then they should be reviewed taking into account our concerns for ongoing maintenance after the acceptance of that segment by the Commission. We feel that the contractor, or landscape sub-contractor, should assume this responsibility until the native grasses have established themselves.

Will you please address these ongoing concerns in order that upon completion of these levee segments, we will have a functional, useable, and maintainable levee that we could accept as part of our turnover process.

We would appreciate, in writing, a response to these concerns before proceeding with any further plantings and would like to review and discuss this with you.

Sincerely,



James E. Pokrajac, Agent
Land Management/
Engineering

cc: Greg Moore
Jan Plachta
Leslie Tacon
Tom Deja
Lou Casale

5

LAND ACQUISITION REPORT

Thursday, May 6, 1999

STATUS (Stage II Phase I) – Harrison to Broadway – North Levee:

1. Project completed July 10, 1992.
Dyer Construction – Contract price \$365,524

STATUS (Stage II Phase II) – Grant to Harrison – North Levee:

1. Project completed December 1, 1993
Dyer/Ellas Construction – Contract price \$1,220,386

STATUS (Stage II, Phase 3A (8A) – Georgia to Martin Luther King – South Levee:

1. Project completed January 13, 1995.
Ramirez & Marsch Construction – Contract price \$2,275,023

STATUS (Stage II, Phase 3B) – Harrison to Georgia – South Levee:

1. Project currently 98% complete. (Minor pump station testing and final turnover of the Broadway pump station to GSD to be scheduled early this summer
2. **Additional land will be required to extend a recreation trail off of the existing levee north of IUN to allow recreation trail users to cross Broadway at the light at 33rd Avenue.**
 - A survey is underway to identify the property limits request to the Gary Parks & Recreation Dept.

STATUS (Stage II, Phase 3C2) – Grant to Harrison:

1. Project completed with exception of minor grading and seeding which will be done in the spring.

STATUS (Stage II, Phase 4) – Broadway to MLK Drive – North Levee:

1. A letter was sent to the Norfolk Southern Corporation on February 22nd, 1999, enclosing the easement agreements and the offer for these easements.
 - A follow-up letter was sent to the N.S. R.R. on March 26th, 1999, requesting a response to our previously submitted letter. (Ongoing)

STATUS (Stage III) – Chase to Grant:

1. Project completed on May 6, 1994.
Kiewit Construction – Contract price \$6,564,520

STATUS (Stage IV – Phase 1) – Cline to Burr:

1. **The most recent schedule with the COE for Stage IV Phase 1 (North) would be to advertise on July 1; award contract on Sept. 30; and have construction start by Oct. 25, 1999 with a one year completion.**
2. **The most recent schedule with the COE for Stage IV Phase 1 (South) would be to advertise on April 20, 2000; award contract on July 24, 2000; and have a construction start by August 21, 2000 with a one year scheduled completion.**

3. We received the modified Norfolk Southern legals from Cole Associates on March 17th, 1999 and forwarded these to Lou on March 22nd, requesting we initiate easement agreements. **(Ongoing)**
4. Current Real Estate drawings for the permanent easement on the WIND radio property include their buildings, septic field, and underground fuel tank. COE will modify these work limits and forward to us.
 - We received modified real estate drawings from the COE at the April 22 Real Estate meeting and are proceeding with modified legal descriptions.
5. The legal description for the Wolverine easement was modified to eliminate the staging area on the Sumar property and was forwarded to Attorney on April 28th to get necessary easement agreements.
6. The final EJ&E legals and key map have been completed and were forwarded to Attorney on April 28th to obtain necessary easements for construction (Stage IV phase 1 (South))

3
4

STATUS (Stage IV – Phase 2A) – Lake Etta – Burr to Clark:

1. All construction is currently completed. Pump test is scheduled for mid-April. (Refer to Engineering Report)

STATUS (Stage IV – Phase 2B) – Clark to Chase:

1. Construction currently 85% complete. Projected completion in early spring. (Refer to Engineering Report)

STATUS (Stage V – Phase 1) – Wicker Park Manor:

1. Project completed September 14, 1995
Dyer Construction – Contract price \$998,630

STATUS (Stage V – Phase 2) – Indianapolis to Kennedy – North Levee:

1. Need final design and engineering drawings to submit to the appraiser in order to start appraisal process. (Ongoing)
 - We completed our engineering review and submitted it to the COE on June 2nd, 1998. (Awaiting COE response.)

STATUS (Stage V – Phase 3) – Northcote to Indianapolis – (Woodmar Country Club):

1. Appraisal will start upon completion of the Woodmar Golf Course architect (Killian's) comprehensive plan, and its being incorporated with the COE design. (Ongoing)

STATUS (Stage VI) – Kennedy to Cline:

1. At our October 15th Real Estate meeting, the COE indicated Stage VI will be divided into 2 phases.
 - Stage VI P1 (north of the river all construction and south of the river Kennedy to Grace)
 - Stage VI P2 (south of the river Grace to Cline and the north Grace St. pump station)

1. The first part of the paper discusses the importance of the study and the objectives of the research.

2. The second part of the paper describes the methodology used in the study and the data collection process.

3. The third part of the paper presents the results of the study and discusses the findings.

4. The fourth part of the paper discusses the implications of the study and the conclusions drawn from the research.

5. The fifth part of the paper discusses the limitations of the study and the areas for future research.

6. The sixth part of the paper discusses the contributions of the study to the field of research.

7. The seventh part of the paper discusses the ethical considerations of the study and the measures taken to ensure ethical standards.

8. The eighth part of the paper discusses the acknowledgments and the funding sources of the study.

9. The ninth part of the paper discusses the references and the sources used in the study.

10. The tenth part of the paper discusses the appendices and the additional information provided.

11. The eleventh part of the paper discusses the conclusion and the final remarks of the study.

12. The twelfth part of the paper discusses the bibliography and the list of references.

13. The thirteenth part of the paper discusses the index and the list of figures and tables.

Burr St. (Betterment) levee – Arbogast to Burr:

1. The current schedule as per our February 25th, 1999 Real Estate meeting for Burr St. – Stage 1, indicates real estate available by **June 1st, 1999**; advertise by July 1999, and award contract by September 1999.
2. **The current schedule for Burr S. Stage 2 (East of Colfax and all remaining work eastward) indicates advertising on Jan. 13, 2000; contract award April 17, 2000; and construction start on May 15, 2000 – with approx. one year to complete.** 2
3. We met with General Manager of the Mansard Apartments to discuss acquisition of their property for the Colfax road-raising and the destruction of a line of trees on our property. Safety will be an issue concerning a playground area adjacent to the ditch.
 - **LCRBDC wrote a letter to the Mansards Apartments on April 23rd providing them the COE hydrology information and indicating that we would install a safety fence along their north property line to protect against mishaps.** 5
4. **Betterment Levee (West of EJ&E)**
 - **We sent a letter to the town of Griffith on April 9th requesting that they submit to us a ROE to allow us to do work for them for all necessary easements.** 6

EAST REACH REMEDIATION AREA – (NORTH OF I-80/94, MLK TO I-65):

1. **The most recent schedule with the COE (as of April 28, 1999) indicates the contract was advertised on April 8th; the scheduled award for contract is July 11th; and construction start is projected for August 16, 1999 with an anticipated one year completion.** 2
 - The Central Ave. to I-65 roadway to the sluice gate would push back the ROE and will be included as a one-year option.
 - **The demolition will be removed from the project until all agreements are resolved (These are in the flowage area)**

GENERAL:

1. The City of Gary verbally committed that the \$200,000 available to them for project lands be made available to Gary Parks and Rec. for their driving range.
 - A. **The Commission will request, from the city of Gary, a letter indicating that the 179 acres will no longer be a consideration in exchange for their properties. We obtained easements for the flood control project and that amount of money would then be made available to the Gary Parks & Recreation Dept. for their driving range.**
2. Crediting
 - A. We received a letter from representative Peter Visclosky on April 1st, 1999 stating that he will see inclusion of language in the fiscal year 2000 energy and water appropriations bill to allow credit on flowage easements in the East Reach Remediation Area.
 - Dan and Lou will pursue an addition to the LCRBDC legislation that will approve credit for INDOT projects caused by the LCRBDC such as the Grant St. interchange, Indianapolis Blvd. raising of the bridge, and the Georgia Street culverts. (ongoing)
3. Mitigation
 - A. Until the final COE plan is approved, we cannot proceed with in-project acquisitions, at 29th and Hanley and Liable Road in Highland

4. Attorney is researching the Indiana Disposal of Property regulations to decide if Commission must comply. Disposal of Commission property not needed could be part of an anticipated land use policy.

7-10



Little Calumet River Basin Development Commission

6100 Southport Road

Portage, Indiana 46368

(219)763-0696
Fax (219)762-1653

EMERSON DELANEY, Chairman
Governor's Appointment

WILLIAM TANKE, Vice Chairman
Porter County Commissioners' Appointment

ARLENE COLVIN, Treasurer
Mayor of Gary's Appointment

JOHN DEMEO, Secretary
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MARION WILLIAMS
Lake County Commissioners' Appointment

VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOUIS CASALE
Attorney

April 7, 1999

Richard W. Hug, PhD.
Associate Professor
I.U. Northwest
3400 Broadway
Gary, Indiana 46408-1197

Dear Mr. Hug:

As per our conversation of April 7th, I am enclosing a sketch showing the proposed ramp from our existing levee down to 33rd Avenue at Broadway. This will allow recreational trail users to safely cross at the existing stoplight. We propose to identify the property owner east of our levee, west of Broadway, and north of 33rd Avenue and obtain an easement agreement to allow us to do this construction. We will keep you apprised of the status of this agreement.

In previous discussions with Spencer Courtwright, it is our understanding that I.U. intends not only to plant on our levee in this general area, but also to plant in the area where the remains of the construction field office currently exists. The corps has informed us that the contractor (Rausch Construction) will be removing the fencing, removing all existing stone, re-grading this area, and adding additional black dirt as required. It is also our understanding that this work has already begun, and that it should be completed no later than April 16th. We will keep you apprised of the status of this agreement.

We have identified the property owner north of our levee and south of the Little Calumet being the Gary Parks & Recreation Department.

If you have any questions regarding this information, please contact me at the above number.

Sincerely,

James E. Pokrajac, Agent
Land Management/
Engineering

/sjm
encl.

cc: Spencer Courtwright, I.U.N.
Imad Samara, COE, w/encl.
Jan Plachta, COE
Tom Deja, COE, w/encl.

Current Construction Schedule

As of
May 1, 1999

	Advertise	Bid Openings (30 days)	Contract Award (60 days)	Construction Start (30 days)	Construction Complete
ERR	4/8/99	5/11/99	7/11/99	8/16/99	1 Year
IV-1 North	7/1/99	8/3/99	9/30/99	10/25/99	1 Year
IV-1 South	4/20/00	5/23/00	7/24/00	8/21/00	1 Year
Better- ment Levee (Phase 1)	6/7/99	7/7/99	9/8/99	10/4/99	1 Year
Better- ment Levee (Phase 2)	1/13/00	2/15/00	4/17/00	5/15/00	1 Year

1. The first part of the document is a list of names and addresses of the members of the committee.

2. The second part of the document is a list of names and addresses of the members of the committee.

3. The third part of the document is a list of names and addresses of the members of the committee.

4. The fourth part of the document is a list of names and addresses of the members of the committee.

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25. The twenty-fifth part of the document is a list of names and addresses of the members of the committee.



Little Calumet River Basin Development Commission

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Lake County Commissioners' Appointment

VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOUIS CASALE
Attorney

MEMORANDUM

TO: Lou Casale, Attorney

FROM: Jim Pokrajac

SUBJECT: Wolverine Pipeline Company Stage IV Phase 1
(North) construction

DATE: April 28, 1999

Enclosed please find four (4) copies of the Wolverine Pipeline Company easements that will be required for the Stage IV Phase 1 (North) project which is scheduled to be advertised for bids on June 7, 1999. Please make arrangements at your earliest convenience to submit an agreement for these easements to:

Mr. Fred Hipshire
Wolverine Pipeline Company
8105 Valleywood
Portage, Michigan 49024

If you have any questions regarding these easements, please call me.

/sjm
encl.



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VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOUIS CASALE
Attorney

MEMORANDUM

TO: Lou Casale, Attorney

FROM: Jim Pokrajac

SUBJECT: EJ&E RR Stage IV Phase 1 (South) construction

DATE: April 28, 1999

Enclosed please find three (3) copies each for three (3) permanent easements and five (5) temporary easements that will be needed for the construction of the Stage IV Phase 1 (South) levee protection. Also enclosed are four (4) copies of the key map for these easements. Please make arrangements at your earliest convenience to submit an agreement for these easements to:

Mr. Ken Hay
EJ&E Railway Company
1141 Maple Road
Joliet, Illinois 60432

If you have any questions regarding these easements, please call me.

/sjm
encl.



Little Calumet River Basin Development Commission

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Portage, Indiana 46368

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EMERSON DELANEY, Chairman
Governor's Appointment

23 April 1999

WILLIAM TANKE, Vice Chairman
Porter County Commissioners' Appointment

ARLENE COLVIN, Treasurer
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Lake County Commissioners' Appointment

VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOUIS CASALE
Attorney

Ms. Diane Martin, General Manager
Mansards Apartments
1818 Mansard Boulevard
Griffith, IN 46319

*LCRBOC
proposing fence
along playground
area
JW
4/23/99*

Dear Ms. Martin:

RE: Copies of offers recently sent to the Mansard owners plus hydrology information for the ditch behind the playground area.

As we discussed on 9 April 1999 I'm mailing copies of the offers we recently sent to the Mansard landowners. These easements are west of Arbogast Avenue.

I'm also enclosing the Army Corps of Engineers hydrology information you requested for the ditch north of the playground/parking lot. Please note that the hydrology information is the worst case scenario under heavy rain conditions.

Our concern like yours is the safety factor of standing water near the playground and we are offering to construct a safety fence (details can be worked out as we progress) along the south line of the ditch as a protection against mishaps.

I send my thanks for your cooperation and ask that you call me 219-763-0696 if you have questions. Thank you.

Respectfully,

Judith (Judy) Vamos
Land Acquisition Agent

Encl:

cc: Imad Samara, Project Manager, US Army Corps of Engineers (wo/encl:)
Emmett Clancy, Chief, Acquisitions, US Army Corps of Engineers (wo/encl:)

5



Little Calumet River Basin Development Commission

6100 Southport Road

Portage, Indiana 46368

(219)763-0696
Fax (219)762-1653

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VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOUIS CASALE
Attorney

April 9, 1999

Mr. Bill Greco
Building Commissioner
Town of Griffith
111 N. Broad Street
Griffith, Indiana 46319

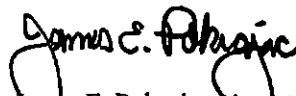
Dear Bill:

Enclosed for your information and for your use is a copy of the real estate requirements necessary to do the levee work west of the EJ&E RR and south of the NIPSCO right-of-way. This area is approximately 178' west of the west EJ&E RR right-of-way, with the west 10' of this as a temporary easement, and starting 12' south of the south NIPSCO right-of-way, a 125' easement with the north 8' and the south 12' being a temporary easement. As per our conversation of April 9th, we would request that you submit to us a right-of-entry to allow the Army Corps of Engineers' contractor permission to do the work in this area as designated. We would offer to have our attorney coordinate with you to establish the format. We will submit your right-of-entry along with ours to the Army Corps which will allow the Corps to release this total project for bids.

It is our intention that no recreational work will be done on the EJ&E right-of-way or west of the EJ&E right-of-way as part of this contract. The Army Corps has had additional questions regarding utility pipelines and pole lines that might hinder construction. Will you please coordinate with Imad Samara from the Army Corps at 312/353-6400 ext. 1809.

If you have any questions regarding this request, please contact me at the above number.

Sincerely,


James E. Pokrajac, Agent
Land Management/
Engineering

/encl.

cc: Jim Reyome, Town of Griffith
Dennis Zebell, The Troyer Group
Imad Samara, ACOE
Emmett Clancy, ACOE
Jan Plachta, ACOE
Jim Flora, R. W. Armstrong
Lou Casale, LCRBDC attorney

LEGAL MEMORANDUM

TO: Little Calumet River Basin Development Commission
FROM: Lucas, Holcomb & Medrea
RE: Disposal of Property of LCRBDC
DATE: APRIL 21, 1999

Background:

The Little Calumet River Basin Development Commission, (hereinafter referred to as the "Commission") authorized and governed by Indiana Code 14-13-2-1 et seq., was created to promote the general health and welfare of the citizens of Indiana; provide for the creation, development, maintenance, administration and operation of park, recreation, marina, flood control and other public works projects; and to enter into and fulfill the requirements of a nonfederal interest as defined by 42 U.S.C. 1962d-5b. I.C. 14-13-2-4.

In order to fulfill its objective, the Commission is statutorily authorized to acquire, by purchase or by lease any land, rights, rights-of-way, franchises, easements, and other interests in real property, including land under water and riparian rights, and any existing facilities, betterments, and improvements. Additionally, the Commission is authorized to acquire land by gift, bequest or eminent domain. I.C. 14-13-2-12; I.C. 14-13-2-13.

The Indiana Disposal of Property Act, I.C. 4-20.5-7-1 et seq. controls the disposition of state property. In order for a state agency to dispose of state property, it must comply with the Act's provisions for verifications by land offices, surveys, environmental audits, appraisals, transfers by sale, gift or auction. These provisions additionally describe the bid and auction procedure, cash sales and recordation and filing requirements.

The process by which a state agency disposes of land under the Indiana Disposal of Property Act is much more complex than under the Little Calumet River Basin Development Commission Act. Additionally, a state agency under the Indiana Disposal of Property Act has much less discretion to dispose of property than the Commission currently has. The Commission requests a ruling by the Office of the Attorney General with regard to the two Acts as described above.

Question Presented:

The question presented is whether or not the Indiana Disposal of Property Act applies to the acquisition of property by the Commission?

Discussion:

It is the Commission's contention that its acquisition and disposal authority should not be governed by the Indiana Disposal of Property Act for the following reasons:

1. The Indiana Disposal of Property Act was intended to apply to State Agencies and the Commission is not a State Agency.

The Indiana Disposal of Property Act defines a state "agency" as an agency, board, bureau, commission, committee, department, division, instrumentality, office of officer *of the state*. I.C. 4-20.5-1-3.

While the Little Calumet River Basin Development Commission is a "commission", it is not a *state* commission. Its jurisdiction is not state-wide, but rather its jurisdiction extends only to the geographic area within and extending one mile from the bank of the west arm of the Little Calumet River and Burns Waterway in Lake County and Porter County.

The Commission takes and holds title to land and other interests in the name of the State of Indiana, but it is not a state agency. The Commission is a multi-jurisdictional board and a public body corporate and politic. I.C. 14-13-2-5. Further, while the Commission does receive resources from the State of Indiana in the form of grants, the Commission's sole source of revenue is not restricted to grants from the State or from a State agency.

2. The Indiana Legislature intended that the Commission dispose of or acquire land without being subject to the Indiana Disposal of Property Act.

Pursuant to I.C. 14-13-2-12, the Commission is specifically authorized to acquire, by purchase or by lease, any land, property, rights, rights-of-way, franchises, easements, and other interests in real property, any existing facilities, betterments, and improvements, that the Commission considers *necessary or convenient* for the establishment, development, construction, improvement, or operation of any projects. Additionally, the Commission is authorized to exercise its eminent domain authority when *necessary and proper* for the creation, development, establishment, maintenance, or operation of a project or any part of a project pursuant to I.C. 14-13-2-13.

The Commission has equally broad discretionary authority as to property improvements, acquiring property from or conveying property to political subdivisions or public entities, and managing park and flood control projects.

Statutes should be construed so as to ascertain and give effect to legislative intent. Gebhart v. State, 484 N.E.2d 45 (Ind. App. 1 Dist. 1985). In construing a statute, it is just as important to recognize what a statute does not say as it is to recognize what it does say. Bonge v. Risinger, 511 N.E.2d 1082 (Ind. App. 4 Dist. 1987); City of Evansville v. Zerkelbach, 662 N.E.2d 651 (Ind. App. 1996). In this instance, it is clear that the legislature intended that the Commission be empowered to exercise its acquisition and disposal authority according to its discretion. Neither the Act authorizing the creation of the Commission nor the Indiana Disposal of Property Act references one another.

Indispensable to ascertaining the legislature's intent in passing a statute is a consideration of the goals sought to be achieved and the reasons and policy underlying the statute. Bd. of School Trustees of South Vermillion School Corp. v. Bennetti, 492 N.E.2d 1098 (Ind. App. 1 Dist. 1986). The objects and purposes of the statute must be considered, as well as the effect and consequences. Woods v. Brown County Plan Comm'n, 446 N.E.2d 973 (Ind. App. 1983). The primary goals, objectives and purpose of the Commission's enabling act, that being the creation of a local sponsor for the United States Army Corps of Engineer's Flood Control and Recreation Projects, requires an agency with liberal and flexible powers to acquire and dispose of real estate. Requiring the Commission to adhere to the Indiana Disposal of Property Act would greatly hamper its ability to properly carry out its goals, objectives and purposes, which was not the intent of the legislature.

In construing a statute, it cannot be presumed that the legislature expects the enactment to be applied in an illogical or absurd manner, inconsistent with its underlying policies and goals. Alvers v. State, 489 N.E.2d 83 (Ind. App. 1 Dist. 1986). Such would be the case here if it were held that the Indiana Disposal Act applies to the disposal and acquisition of property within the Commission's authority. It is illogical and inconsistent to hold that at one time the Commission had broad discretion to determine how best to effectuate its policies and goals of flood control and now, because of the enactment of a more general disposal statute, the Commission is confined to the processes as outlined in the Indiana Disposal of Property Act. Clearly, the legislature intended that what authority was originally granted to the Commission should continue until completion of the projects.

Further, a general statute does not overrule or supersede a specific statute unless the intent to do so is clear. Sexton v. Johnson Suburban Utilities, Inc., 422 N.E.2d 1293 (Ind. App. 1981). Nowhere within the Indiana Disposal Act does it appear that the legislature intended to supersede, overrule or replace the Commission's authority by placing the Commission under the governance of the Disposal Act.

Finally, pursuant to I.C. 14-13-2-13, the Commission is specifically granted eminent domain authority. Those vested with the power of eminent domain are vested with large discretion in determining what property to condemn. Frum v. Little Calumet River Basin Development Commission, 518 N.E.2d 809, 812 (Ind. App.3 Dist. 1988). A large discretion is necessarily vested in those (condemnors) who are vested with the

power in determining what property and how much is necessary. Highland Realty, Inc. v. Indianapolis Airport Authority, 395 N.E.2d 1259, 1271 (Ind. App. 2 Dist. 1979). With regard to public utilities' condemnation authority, it has been held that the condemnation statute authorizing certain public utilities to take, acquire, condemn and appropriate land in such quantity as they deem necessary is a broad grant of discretionary right. Alabach v. Northern Indiana Public Service Co., 329 N.E.2d 645, 649 (Ind. App. 2 Dist. 1975). By granting the Commission eminent domain authority, it is clear that the legislature intended the Commission to be an autonomous organization with very broad discretion. To hold that the Commission is now subject to the Indiana Disposal of Property Act would dilute the Commission's acquisition and disposal authority.

3. Statutory Rules of Construction support the Commission's argument that it is not governed by the Indiana Disposal of Property Act.

Two statutes dealing with the same subject matter should be read together and construed so as to harmonize and give effect to each. Barr v. Sun Exploration Co., Inc., 436 N.E.2d 821 (Ind. App. 1982). In this instance, it is possible to harmonize the Little Calumet Act and the Indiana Disposal Act while at the same time, giving effect to each. Exempting the Commission from governance by the Indiana Disposal of Property Act would allow the Commission to continue in its operations intended by the legislature when it created the Commission, yet would still allow state regulation of state agency transfers of property.

In the event that the two statutes referenced above cannot be reconciled, the more detailed and specific statute prevails over the more general one. Murray v. Monroe-Gregg School Dist., 585 N.E.2d 687 (Ind. App. Dist. 1992); State ex rel. Hatcher v. Lake Superior Court, Room Three, 500 N.E.2d 737 (Ind. 1984). Clearly, the Little Calumet River Basin Development Act is more specific and detailed with regard to the transfer of property for the Commission's flood control purposes. The Indiana Disposal of Property Act is general legislation describing the process by which any number of state agencies may dispose of property for a variety of reasons.

Conclusion:

To summarize, the Little Calumet River Basin Commission is not subject to the Indiana Disposal of Property Act because the Commission is not a "state agency", as defined by the Indiana Disposal of Property Act. Also, the Indiana Legislature never intended that the Commission be governed by the Indiana Disposal of Property Act. Finally, application of basic rules of statutory construction clearly support the Commission's argument that it is not governed by the Indiana Disposal of Property Act.

5 TELEVISION STATIONS 20,000,000

6
7 The above appropriation is for grants for digital conversion of public television. The
8 Indiana Public Broadcasting Stations, Inc. shall submit a distribution plan for the education
9 television stations that must be approved by the budget agency after review by the budget
10 committee.

11
12 COMMUNITY WASTEWATER AND DRINKING WATER GRANTS
13 AND LOANS 40,000,000

14
15 The foregoing appropriation for local wastewater and drinking water grants and loans
16 shall be deposited in the supplemental drinking water and wastewater assistance fund
17 established by IC 13-18-21-21.

18
19 THE DEPARTMENT OF TRANSPORTATION

20 State-local airport improvement grant program 2,000,000

21 NICTD East Chicago Station 3,500,000

22 Monroe County Airport 50,000

23 TRANSPO Amtrak station 1,500,000

24 THE DEPARTMENT OF NATURAL RESOURCES

25 Lake Shafer Enhancement 2,000,000

26 Lake George Dredging (Lake County) 500,000

27 Heritage Trust 5,000,000

28 Lake Michigan Marina Development Com. 500,000

29 West Baden Springs 1,000,000

30 City of Vincennes Old Post Office 200,000

31 Hometown Indiana 1,000,000

32
33 Each Hometown Indiana project shall be reviewed by the budget committee.

34
35 SPECIAL BIF 10,000,000

36
37
38 FOR THE STATE BUDGET AGENCY - LOCAL PROJECTS

39
40 Abington Twp. FD 5,000

41 Acuff Road Business Park (Monroe Co.) 125,000

42 African American Achievers Theater (Lake Co.) 150,000

43 African American Achievers Youth Corp., Inc. (Lake Co.) 25,000

44 African American Achievers (Lake Co.) 25,000

45 African Americans United, Inc. (Lake Co.) 50,000

46 Allen County Local Education Fund 25,000

47 Allen County/Ft. Wayne Historical Society 50,000

48 Allen Co. Central City Trust Fund 50,000

49 Anderson - Memorial Field renovation 25,000

1 Anderson - Meridian Street revitalization 95,000

2 Anderson - Wilson Boys and Girls Club 47,000

3 Anderson Twp. VFD at St. Marks (Perry Co.) 20,000

4 Argos Community Ambulance Service equipment 18,500

5 Argos VFD equipment 18,500



STATE OF INDIANA

Frank O'Bannon
Governor

STATE BUDGET AGENCY

212 State House
Indianapolis, IN 46204-2796
(317) 232-5610

Peggy Boehm
Director

May 11, 1999

The Honorable Richard Lugar
United States Senator
Congress of the United States
306 Hart Building
Washington, D.C. 20510

Dear Senator Lugar:

Thank you for expressing your support for \$4 million in appropriations in the State of Indiana budget to meet the non-federal match for the Little Calumet River flood control project in northwest Indiana.

The State of Indiana does recognize the importance of this project, which received a \$2 million appropriation in the FY 1997-99 budget. Unfortunately, I must report that there is no appropriation for the Project in the FY 1999 / FY 2001 budget (House Bill 1001).

If you have any questions please contact me (317) 232-5612.

Sincerely yours,

A handwritten signature in cursive script that reads "Peggy Boehm".
Peggy Boehm,

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION

WORK STUDY SESSION/COMMISSIONER'S MEETING

6 May 1999

Land Acquisition/Management Committee Report: Chuck Agnew, Chairman

- 1.) There are two (2) increased offers:

DC 546 \$22,230 increased to \$25,000

DC 818 \$2601 increased up to \$4000

There are two (2) condemnations:

DC 476 Lots 3 & 4 in Block 1 Georgia Gardens Subdivision

DC 526 Lot 26 Block 1 Liberty Farmettes Subdivision

- go
memo
Att. Gen.?*
- 2.) The Land Acquisition Committee meet on 12 April to establish a property disposal procedure. Lou will follow-up his research with a letter to the Indiana Attorney General asking for a ruling on whether the LCRBDC is a commission or a state agency. The answer will decide how we dispose of property. The committee also discussed starting a master plan for land usage. The problem may be solved with the partnering of the Lake Erie Land Company.

- 3.) We need a motion to accept the partnering agreement with the Lake Erie Land Company. (Dan will explain and the Commissioners should have a copy of the agreement to review).

- \$1800*
- ~~4.) We need a recommendation to approve \$3,938.06 to Fluid Pump Service, Inc. for additional needed to complete the Gleason Park Pump Station. This amount will be deducted from the current balance due to Gary Parks and Recreation for project lands,~~

- 5.) We need a motion on a request from the Lake County Highway Department for a permanent easement on our land to complete the Colfax bridge over the Little Calumet River Road. The offer came in on 5 May 1999. The parcel is south of the river west of Colfax Avenue and totals .179 acres. Their offer is \$2,000. They are also requesting a right-of-entry to begin construction as soon as possible.

- 10 a' 15 y'*
- 6.) Bids were opened on 20 April to farm the 88 acres north of 35th Street and the 45 acres south of 35th Street. (See attached information sheet for breakdown and recommendation.)

Land Acquisition/Management Committee Report (continued)

7.) The Commission will request a letter from the City of Gary indicating that our 179 acres will no longer be a consideration in exchange for their properties. The monies paid to the city for our easements would then be made available to the Gary Parks and Recreation Board for their proposed driving range.

8.) After we receive the letter from the City of Gary indicating that city money can go the Park Board we will write a letter that specifies the final balance available. We need to accept the following proposals for the driving range:

- total engineering design and supervision = Martin Design for \$22,500)
- hydrologic study = Porter Lakes Engineering for \$ 4,500
- services paid to J.F. New as follows = total amount \$35,500 which includes
 1. permit application and mitigation design \$24,000
 2. hydrologic study \$8,000
 3. construction in floodway \$3,500

9.) Heavy rains occurred from April 15-22. Some calls came in about flooding on Grant Street and who is the point of contact for sluice gate and pump station operation. LCRBDC wrote a to the COE on 9 March asking the same question. LCRBDC believes the COE is responsible until we or Gary Sanitary District accepts the turnover.

10.) It has been suggested to have a commissioners's tour "A Look at the Parks of the Little Cal" around the 3rd week of May. We would meet at the Highland Municipal Parking Lot at 8:30 am and leave promptly at 8:45 am. Lunch at Rigby's will follow after the tour.

Tour could include:

- Lake Erie Land Company's Coffee Creek,
- our 179 acres,
- the 32 acre site of the proposed handicapped-accessible park,
- Lake Etta,
- Carlson-Oxbow Park,
- and Gleason Park via the repaved 30th Avenue.



Little Calumet River Basin Development Commission

6100 Southport Road

Portage, Indiana 46368

(219)763-0696
Fax (219)762-1653

EMERSON DELANEY, Chairman
Governor's Appointment

WILLIAM TANKE, Vice Chairman
Porter County Commissioners' Appointment

ARLENE COLVIN, Treasurer
Mayor of Gary's Appointment

JOHN DEMEO, Secretary
Governor's Appointment

CHARLES AGNEW
Governor's Appointment

GEORGE CARLSON
Mayor of Hammond's Appointment

STEVE DAVIS
Dept. of Natural Resources' Appointment

ROBERT HUFFMAN
Governor's Appointment

ROBERT TRELO
Governor's Appointment

MARION WILLIAMS
Lake County Commissioners' Appointment

VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOUIS CASALE
Attorney

INFORMATION, BREAKDOWN AND RECOMMENDATION SHEET FARM LAND LICENSE BIDS (CHASE TO GRANT)

1. The only traditional bid received was from Tim and Ed Bult @ \$65/Acre for tillable land. If they farmed all 88 acres north of 35th Avenue, it would generate approximately \$5,720 minus pumping charges.
 - The 45 acres south of 35th Avenue would generate approximately \$2,925 minus the charge to grub and prep the land to make it tillable.
2. A proposal was received from The Committee for Improvement of Emerson with the following considerations:
 - We would allow them to farm only the 88 acre parcel – 40 acres the first year; 60 acres the second; and the 88 acres in the third year.
 - They would not be capable of preparing the south 45 acres nor have interest to do so.
 - An agreement would be worked out for (say \$1/year)
 - Minorities could be trained in the process of marketing and business, and create jobs in the city of Gary.
 - Crops planted would be cash crops such as tomatoes, peppers, etc. which could be sold in the Chicago market whereby that money could be used for enhancing the community of Gary by the CDC.

Commission Concerns:

1. The LCRBDC would not be responsible at any time for de-watering this area, or be responsible to provide water for the crops during dry periods.
2. Those lands not being used as part of this agreement will still be under ownership of the LCRBDC, who may determine the use of that land.
3. This agreement will be a one year agreement and each agreement thereafter will be a one year agreement.
4. Ongoing local drainage concerns are currently being addressed and may require contractor access on this designated area to remediate these problems.
5. The Committee would need to document its not-for-profit status (501-C3) to be eligible for an agreement.
6. The sub-agreement the Committee would have with Don Ewen would need to be specified regarding Commission concerns.

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION ATTENDANCE ROSTER

NAME OF MEETING: LCRBDC DATE: 5-6-99

LOCATION: Portage CHAIRMAN: Emerson Delaney

PLEASE SIGN IN

	NAME (PLEASE PRINT)	ORGANIZATION, ADDRESS, PHONE NUMBER
1	Lee McGill LeemcGill	Watch City in Watch PO Box Portage, Ill.
2	David Hendrix - The Times	219-763-2807 46368
3	Pete ZAK	50, Shore 1920142.
4	Mary Jane Zak	South Shore Marina, Inc.
5	DON EWOLDT	LAKE ERIE LAND CO.
6	Jim FLORA	R.W. ARMSTRONG
7	Eloise Gentry	Urban League - NW Ind.
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