Sandy

Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

(219) 763-0696 Fax (219) 762-1653
E-mail: littlecal@nirpc.org

MEETING NOTICE

THERE WILL BE A MEETING OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION AT 6:00 P.M. THURSDAY, MARCH 7, 2002 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 William Tanke
2. Pledge of Allegiance
3. Recognition of Visitors and Guests
4. Approval of Minutes of February 7, 2002 (RN/SD) 1-4
5. Chairman's Report
   - Committees organization for year 2002
   - Press Release from last Commission meeting 5-6
6. Executive Director's Report
   - Update on Non-Federal credit issues
   - Project Mitigation Status
     - Letter to Denarie Kane, city of Hobart, Director of Development 7-8
   - Letter to Lake County Surveyor George VanTil requesting determination of 75' drainage easement
7. Old Business
   - O&M issues regarding Colfax-Calhoun drainage ditch
   - Letter to City of Hammond Planning Dept.

8. Standing Committees

A. Land Acquisition/Management Committee - Arlene Colvin, Chairperson
- Appraisals, offers, acquisitions, recommended actions
- COE Real Estate meeting held on February 21st
- R/E request for In-project mitigation and Stage III remediation
- Other issues

B. Project Engineering Committee – Bob Huffman, Chairman
- Report on Engineering Committee meeting on February 15th
- Gary Sanitary District engineering/O&M concerns
- V.E. Cost Savings Items
- Outstanding Issues
- February 26th memo from INDOT regarding Tri-State drainage
  > INDOT construction started on Hohman Avenue bridge; construction started on Harrison Street bridge over I-80/94; and construction on Georgia Street over I-80/94 scheduled for early 2003
- Other Issues

C. Legislative Committee – George Carlson, Chairman
- Update of status on legislative session
- Other Issues

D. Recreational Development Committee – Curtis Vosti, Chairman
- East Reach recreation features
- Other Issues

E. Marina Development Committee – Bill Tanke, Chairman
- Status of marina build out
- Marina claim approval for April bond payment
- Other issues

9

F. Finance/Policy Committee – Curt Vosti, Chairman
- Financial status report
- Approval of claims for March 2002
- State Board of Accounts audit in process for years 1997-98-99-00
- Report of recommendations of Finance Committee meeting held February 5th
- Other issues

10
11-12

G. New Committees
- Environmental; Policy; Public Relations

9. New Business
- Hammond/Munster cleanup of log jam at NICTD bridge

10. Statements to the Board from the Floor

11. Set date for next meeting

MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
HELD AT 6:00 P.M. THURSDAY, FEBRUARY 7, 2002
6100 SOUTHPORT ROAD
PORTAGE, INDIANA

Chairman William Tanke called the meeting to order at 6:10 p.m. Eight (8) Commissioners were present. Pledge of Allegiance was recited. Quorum was declared and guests were recognized.

Development Commissioners:
Robert Marszalek
Marion Williams
Mark Reshkin
William Tanke
Steve Davis
Bob Huffman
Curt Vosti
Arlene Colvin

Visitors:
Bill Petrites – Highland resident
Ray Coughenour - ACOE
Jomary Crary – IDNR, Div. of Water
Ursula Cano – Hobart
Sandy O'Brien - Hobart
Jim Flora – R.W. ARMSTRONG CO.
Mark Lopez – Congressman Visclosky's office
Deb Lawrence - IDNR
D. Taborski – Black Oak resident
Glenn & Pat Stotts – Black Oak residents
Dorreen Carey – City of Gary
Imad Samara - ACOE

Staff:
Dan Gardner
Sandy Mordus
Jim Pokrajac
Judy Vamos
Lorraine Kray
Lou Casale

Commissioner Arlene Colvin made a motion to approve the minutes of January 3, 2002; motion seconded by Bob Huffman; motion passed unanimously.

Chairman's Report - At the last meeting, the Commission voted to retain the existing officers for a second year term with the exception of the Treasurer's office. A motion was made by Arlene Colvin to elect Curt Vosti as Treasurer; motion seconded by Mark Reshkin; motion passed unanimously.
Chairman Tanke introduced Ray Coughenour, Deputy District Engineer replacing John Sirles. Mr. Coughenour and Imad Samara met with some of the Board members prior to the regular Commission meeting to discuss some ongoing issues and project status. The meeting went well and we hope that a new line of communication was established. Mr. Coughenour said he appreciated coming to the meeting and hoped that the renewed momentum will continue through the project; he will attend again at the March meeting.

Executive Director's Report - Executive Director Dan Gardner reported on the Indianapolis meeting with the Governor's staff on January 16th. Accompanying Mr. Gardner to the meeting were Bob Huffman, Curt Vosti and Lou Casale. They met with Jeff Viohl, Deb Lawrence and Beth Compton to review crediting, local participation, using our monies to the best advantage, mitigation, etc. They will continue

to periodically meet and update. Mark Lopez, Congressman's staff, was in attendance tonight and Mr. Gardner expressed our continuing desire to work closely with the Congressman's Office. Mr. Gardner thanked Imad for the V.E. cost savings review meeting held in Chicago on February 1, 2002.

Mr. Gardner stated that we tried another meeting format tonight with the meeting in the same room so a continuity was established. We will also try to make the Work Study Session more of a technical meeting than the Board meeting, where more policy issues would be addressed. We have also listed "Old Business" items (so we can make sure a follow-up is completed when needed) and "New Business" items on the agenda. Deb Lawrence stated the Governor's office is here to help us in any way they can and she is happy to be part of that.

Mr. Gardner referred to the letter from Shirley Heinze Environmental Fund (SHEF) stating that they cannot commit the property they own for mitigation use, as proposed in the Hobart Marsh area. Although SHEF offered to serve as landowner for newly acquired project properties, they noted that IDNR has also made a similar offer, so the project can move forward. Mr. Gardner stated that Judy Vamos would be available to act as the land acquisition agent and work under the direction of the DNR The National Lakeshore has indicated that they would be willing to take on an active role in management of the properties once they are acquired. Mark Reshkin stated he was very pleased with this plan and proceeded to make a motion that we move in this direction; motion seconded by Curt Vosti; motion passed unanimously. Mr. Vosti added that, after attending the meeting with the Governor's staff in Indianapolis, he views the state's interest in this project as essential. He felt that communication may have been a problem in the past but feels that, with having Deb Lawrence involved, it is a very positive step forward. He also thanked Mark Lopez for the strong support from the Congressman's office. Commissioner Huffman inquired whether the properties listed out on the DNR letter would be enough to accomplish our mitigation requirements; Mr. Gardner answered that it probably would not be but we will keep a running total list of acreages and wetland credits by type (enhancement or restoration) so we will know what the acreages are at all times. Imad Samara added that Greg Moore is doing a letter to us about the acreages that we will be receiving very soon.

Mr. Gardner stated that a public meeting for affected and/or adjacent property owners in Stage VII was held at Wicker Park Center on January 30. It was well attended and well received. Maps were available so residents could see exactly what was proposed at this time. Several elected officials were in attendance, as well as several of our Commissioners. Commissioner Vosti added that Melcy Pond from Earth Tech (COE's A/E) gave an excellent presentation.

Mr. Gardner gave a presentation at Sand Creek regarding regional trails. Over 200 people were in attendance.

Land Acquisition/Management Committee – Committee Chairperson Arlene Colvin gave the committee report. She made a motion to approve some increased offers in which the property owners are willing to sell in fee but not just for an easement. They were DC 715 ($1500 fee take from $530); DC 786 ($1800 fee take from $690); DC 765 ($2000 fee take from $530); DC 754 ($2200 fee take from $680); motion seconded by Bob Huffman; motion passed unanimously. Commissioner Vosti asked if this would avoid condemnation and what the total acreage is of these parcels. Judy Vamos replied that it would avoid condemnation and the total acreage is 4 acres.

Mr. Taborski and Mr. & Mrs. Stotts from the area between Colfax and Calhoun were in attendance at the meeting. They own property adjacent to a ditch that runs through and cuts off the back portion of their land to the point that they cannot maintain it because of water in the ditch. Because the COE only needed a ditch easement, we did not buy the property in fee (we would not have gotten credit for additional monies spent). Commissioner Colvin made a motion that the Commission take responsibility for mowing that remnant and cleaning the ditch; motion seconded by Bob Huffman. Mr. Vosti asked the attorney what legal implications were involved if we did not own the property. After discussion, Chairman Tanke asked staff for more information and to present this at the next meeting. Ms. Colvin withdrew the motion. Mr. Huffman withdrew the second.

Project Engineering Committee – Committee Chairman Bob Huffman gave the engineering report. He reported that a meeting was held with the COE on February 1, 2002 to review the V.E. proposals submitted to them. Written responses have been received regarding outstanding issues but did not adequately address or resolve all the issues we feel need addressing. Engineering Committee meetings will be scheduled in the very near future to discuss both the V.E. issues as well as the outstanding issues and responses to GSD concerns.
In regard to the letter received on December 13, 2001 from Hanson Professional Services (INDOT consultant for I-80/94 construction), we have written a response letter asking them to address our concern for runoff and what measures would be taken to handle environmental concerns.
Discussion ensued on the COE's response letter regarding GSD issues/concerns. Until GSD is satisfied that all their concerns have been met, they will not discuss future O&M of the pump stations.

Legislative Committee – In Committee Chairman George Carlson's absence, Mr. Gardner reported that the legislature is in session and dealing with the tax restructuring situation and the state's budget deficit. He also reported that the speaker of the House, John Gregg, has indicated he will not seek re-election. One of the leading candidates to replace him is Representative Chet Dobis from Merrillville.

Recreational Development Committee – Committee Chairman Curt Vosti stated there was no Recreation Report at this time. He did thank the Chairman for setting a direction on how the Recreation Committee should go forward.

Marina Committee – Committee Chairman Bill Tanke stated the Commission has received a financial accounting of monies taken in and disbursed from the Portage Public Marina. He reported that the attorney is talking to Portage's attorney and will check with the bank what it would take to build out the marina.

Finance/Policy Committee – Treasurer Curt Vosti gave the Finance report. Mr. Vosti referred to several meetings that the Finance Committee has held. He proceeded to distribute a draft Travel Policy for the Commission's review and input. Committee will meet again to finalize the Travel Policy and propose it to be adopted at the next meeting.
Mr. Vosti talked about the proposed changes in committee structure. It will be proposed that the Finance/Policy Committee be separated into 2 committees. Also, Minority Contracting Committee will be folded into the Engineering Committee and a new Environmental Committee and Public Relations Committee will be formed. Chairman Tanke added that members can select their own committees and then choose their own Chairman of that particular committee.

Mr. Vosti then made a motion to approve the monthly financial report and the claim sheet as presented in the amount of $46,638.31; motion seconded by Bob Marszalek; motion passed unanimously.
Mr. Vosti reported that the State Board of Accounts is currently auditing the Commission's finances. They are auditing 4 years (1997 through 2000). Upon completion, an exit interview will be scheduled. Mr. Gardner added that he will notify the Chairman and Treasurer of that date when set.

Minority Contracting Committee – Committee Chairman Marion Williams stated that since construction is not ongoing right now, he feels that it probably would serve the Commission best include this committee as part of the Engineering Committee. Mr. Williams proceeded to make a motion to that effect; motion seconded by Curt Vosti; motion passed unanimously.

Old Business – Attorney Casale stated that he has drafted a letter to go to Hammond Planning Dept in regards to the 75' drainage easement. We are waiting for a set of real estate maps from the COE to accompany the letter. It will go out as soon as they are received. A similar letter will be sent to Highland and Munster, that will include the most recent Army Corps real estate mapping.
Attorney Casale reported he sent a letter to Krosan. Jim Pokrajac also sent a letter requesting information from him but we have not received it as of today.

New Business – Bob Huffman asked the attorney about the Lyles property. Attorney Casale responded that the property was not cleaned up as the court had directed them. Staff has taken pictures of the area. The next step is to meet with Lyles to direct him what needs to be done, and if he does not meet this direction, the next step would be to go to court.
Chairman Tanke then proposed the new committee structure. Steve Davis made a motion to separate the Finance/Policy Committee into 2 committees. Treasurer Curt Vosti amended the motion by adding that it would take affect after next month; motion seconded by Bob Huffman; motion passed unanimously. Steve Davis then made a motion to create a new Public Relations Committee; motion seconded by Bob Marszalek; motion passed unanimously. Mr. Davis then made a motion to create a new Environmental Committee; motion seconded by Bob Huffman; motion passed unanimously.
Mr. Vosti thanked Jim Pokrajac for the photos he took of the debris buildup in the river east of the Monon RR tracks in Hammond/Munster area. Mr. Vosti is hopeful in getting the river cleaned up there; he has talked with the town of Munster and NICTD (who owns the tracks).

Statements to the Board – Sandy O'Brien, Hobart, stated she recognized the need for good public relations regarding the Hobart Marsh area but we need to wait until the land is bought before we do a press release saying that we are interested in purchasing land there; otherwise, price will go up. She recommended we send letters to area environmental groups first and not the landowners.

The next meeting was scheduled for Thursday, March 7th at 6:00 p.m.

/sjm

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION

FOR IMMEDIATE RELEASE
Contact: Dan Gardner, Executive Director
Little Calumet River Flood Control and Recreation Project
219-763-0696

LITTLE CAL PROJECT WELCOMES GUESTS AT MONTHLY MEETING

Portage, IN – 8 February 2002

The Little Calumet River Basin Development Commission (LCRBDC) held its monthly meeting on 7 February 2002 and welcomed several guests. Ray Coughenour, the new Deputy Colonel of the Chicago District of the Army Corps of Engineers, spoke of the Corps' commitment to the flood control project and praised the close working relationship between the Corps and Little Cal Commission. He discussed federal budget developments as well as state funding ability to keep levee construction progressing.

Congressman Peter Visclosky was represented by his Projects Coordinator Mark Lopez and Deborah A. Lawrence, Assistant Director of Community Relations and Outreach, represented the Department of Natural Resources. All pledged to work closely in these challenging budget times for the LCRBDC.

Under official business the commission voted to establish a new committee, a public relations committee. Commission Chairman Bill Tanke explained that the new public relations committee would be a community outreach program to inform residents and public officials of the workings and progress of the flood project.

The LCRBDC meetings are held on the first Thursday of each month. The next meeting is scheduled for 7 March 2002 with a work study session at 5:00 pm and a public meeting at 6:00 pm.

30-

Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

(219) 763-0696 Fax (219) 762-1653
E-mail: littlecal@nirpc.org

February 26, 2002

Ms. Denarie Kane
Director, Planning & Development
City of Hobart
414 Main Street
Hobart, Indiana 46342

Re: City of Hobart Sewer Plans for "Hobart Marsh Area"

Dear Denarie:

I am writing you following our brief conversation the other day relative to the Little Calumet River Basin Development Commission's intentions regarding wetland mitigation in the western portion of the city of Hobart adjacent to the IN Dunes National Lakeshore's "Hobart Prairie Grove". The intent of this letter is to serve as information to yourself, Mayor Buzinec, and city engineer Steve Truchan, as well as to ask the status of the City's sewer plans for the area. As I mentioned on the telephone, the Development Commission is being directed by the U.S. Army Corps of Engineers to acquire private property in the "Hobart Marsh area" to satisfy mitigation needs that cannot be met along the main Little Calumet River corridor. To accomplish this, the Development Commission will partner with the Indiana Department of Natural Resources, in whose name the offers will be made. The area where we intend to concentrate our offers is bounded by I-65 on the west, Indiana Street on the east, Ridge Road on the north, and roughly 57th Street on the south. I have included a map to better illustrate the area and showing lands already in public ownership and those private properties candidate for offer.

I would be happy to meet with you and any other city officials to explain the project if you feel that would be necessary. The Development Commission wishes to work with Hobart in a cooperative manner and to concentrate the offers around the existing publicly held properties for better management, ecologic value, and to minimize the impact to areas suitable for development. The long term intent is to restore a number of these areas with Federal Corps of Engineers money and to make them publicly accessible for nature viewing and management by the National Lakeshore.

In order to make fair but not exorbitant offers to the landowners, the Development Commission will have appraisals done on the candidate properties. The presence of sewers will affect the development potential and value of the property. Would you please write me a letter indicating whether the city of Hobart, in their capital improvement program, intends to provide sewers for the above-described area in the foreseeable future. This will aid in our documentation for the appraisals.

Thank you for your attention to this matter. If you have any questions, please call me at your convenience.

Sincerely,

Dan Gardner
Executive Director

/sjm
encl.
cc: Mayor Linda Buzinec, Hobart
Steve Truchan, Hobart
Mark Lopez, Congressman's Office
John Bacone, IDNR, Div. Nature Preserves
Jomary Crary, IDNR, Div. of Water
Dale Engquist, IN Dunes National Lakeshore
Greg Moore, ACOE
Imad Samara, ACOE

Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

(219) 763-0696 Fax (219) 762-1653
E-mail: littlecal@nirpc.org

February 15, 2002

Mr. Felix Kimbrough
Clerk Treasurer
City of Portage
6070 Central Avenue
Portage, Indiana 46368

Dear Felix:

I have enclosed a copy of the Bank One invoice requesting the payment due on the marina revenue bond. Please consider this letter as the Development Commission's request for the $28,643.84 revenue bond payment that is due on April 1, 2002. Please cause this claim payment to be approved by the Portage Board of Public Works at their next scheduled meeting. This payment should be made payable to the Little Calumet River Basin Development Commission, as stated in the bonding requirements.

If you would please call me when the check is ready, we will pick it up from City Hall. I hope I have allowed enough time for you to process the check before the date that it is due. If you need any additional information, please call me.

Sincerely,

Dan Gardner
Executive Director

/sjm
encl.
cc: Doug Olson, Mayor of Portage
John Smolnar, Portage Port Authority
Lou Casale, LCRBDC attorney

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
FINANCIAL STATEMENT
JANUARY 1, 2001 - JANUARY 31, 2002

CASH POSITION - JANUARY 1, 2002			
CHECKING ACCOUNT			
LAND ACQUISITION		14,521.85	
GENERAL FUND		171,753.88	
TAX FUND		0.00	
INVESTMENTS		1,530,399.10	
ESCROW ACCOUNT INTEREST		100.57	
			1,716,775.40
RECEIPTS - JANUARY 1, 2001 - JANUARY 31, 2002			
LEASE RENTS		10,000.00	
INTEREST INCOME(FROM CHECKING & FIRST NATL)		167.28	
LAND ACQUISITION		92,147.70	
ESCROW ACCOUNT INTEREST		76.82	
MISC. INCOME			
KRBC REIMBURSEMENT RE: TELEPHONE CHARGE		145.81	
PROCEEDS FROM VOIDED CHECKS		1,500.00	
Ck#7254 N. NIMETZ 1,500.00			
TOTAL RECEIPTS			104,037.61
DISBURSEMENTS - JANUARY 1, 2001 - JANUARY 31, 2002			
ADMINISTRATIVE			
2001 EXPENSES PAID IN 2002	76,846.83		
PER DIEM		3,300.00	
LEGAL SERVICES		436.33	
NIRPC		19,599.27	
TRAVEL & MILEAGE		330.40	
PRINTING & ADVERTISING		0.00	
BONDS & INSURANCE		0.00	
TELEPHONE EXPENSE		473.07	
MEETING EXPENSE		1,523.95	
LAND ACQUISITION			
LEGAL SERVICES		7,285.00	
APPRAISAL SERVICES		3,700.00	
ENGINEERING SERVICES		15,698.63	
LAND PURCHASE CONTRACTUAL		3,295.00	
FACILITIES/PROJECT MAINTENANCE SERVICES		3,205.00	
OPERATIONS SERVICES		0.00	
LAND MANGEMENT SERVICES		14,276.97	
SURVEYING SERVICES		0.00	
MISCELANEOUS EXPENSES		0.00	
ECONOMIC/MARKETING SOURCES		380.00	
PROPERTY & STRUCTURE COSTS		673.00	
MOVING ALLOCATION		0.00	
TAXES		0.00	
PROPERTY & STRUCTURES INSURANCE		0.00	
UTILITY RELOCATION SERVICES		3,398.21	
LAND CAPITAL IMPROVEMENT		0.00	
STRUCTURAL CAPITAL IMPROVEMENTS		345.00	
TOTAL DISBURSEMENTS			77,919.83
CASH POSITION - JANUARY 31, 2002			
CHECKING ACCOUNT			
LAND ACQUISITION		55,912.74	
GENERAL FUND		156,401.15	
TAX FUND			
INVESTMENTS			
FIRST NATIONAL BANK	700,000.00	4/26/2002	
(BASE CAPITAL INVESTMENT)			
FIRST NATIONAL BANK	76,728.00	4/26/2002	
(MISC INTEREST/RENTAL INVESTMENT			
FIRST NATIONAL BANK	46,000.00	4/26/2002	
(MISC INTEREST/RENTAL INVESTMENT			
BANK ONE	157,805.04	MONEY MARKET	
(LEL MONEY)			
BANK ONE	140,959.75	MONEY MARKET	
(MARINA SAND MONEY)			
BANK ONE	18,472.37	MONEY MARKET	
(STATE DRAW MONIES)			
BANK ONE	387,447.10	MONEY MARKET	
(GARY PARKS & REC MONIES)			
TOTAL INVESTMENTS		1,527,412.26	
ESCROW ACCOUNT INTEREST AVAILABLE		177.39	
			1,739,903.54

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION

MONTHLY BUDGET REPORT, FEBRUARY 2002

	2002 BUDGET	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	6 MONTH ALLOCATED TOTAL	UNALLOCATED BUDGETED BALANCE
5801 PER DIEM EXPENSES	16,000.00	400.00	0.00					400.00	15,600.00
5811 LEGAL EXPENSES	8,500.00	1,102.33	670.33					1,772.66	6,727.34
5812 NIRPC SERVICES	125,000.00	9,166.68	9,877.00					19,043.68	105,956.32
5821 TRAVEL/MILEAGE	14,000.00	153.20	0.00					153.20	13,846.80
5822 PRINTING/ADVERTISING	5,000.00	0.00	56.67					56.67	4,943.33
5823 BONDS/INSURANCE	7,500.00	0.00	77.00					77.00	7,423.00
5824 TELEPHONE EXPENSES	7,000.00	356.03	391.21					747.24	6,252.76
5825 MEETING EXPENSES	8,000.00	98.57	0.00					98.57	7,901.43
5838 LEGAL SERVICES	125,000.00	7,875.89	6,320.57					14,196.46	110,803.54
5840 PROFESSIONAL SERVICES	500,000.00	24,865.61	39,996.25					64,861.86	435,138.14
5860 PROJECT LAND PURCHASE EXP.	3,170,188.00	2,275.00	0.00					2,275.00	3,167,913.00
5881 PROPERTY/STRUCTURE INS.	25,000.00	0.00	0.00					0.00	25,000.00
5882 UTILITY RELOCATION EXP.	200,000.00	0.00	0.00					0.00	200,000.00
5883 PROJECT LAND CAP. IMPROV.	250,000.00	0.00	0.00					0.00	250,000.00
5884 STRUCTURES CAP. IMPROV.	25,000.00	345.00	0.00					345.00	24,655.00
	4,486,188.00	46,638.31	57,389.03					104,027.34	4,382,160.66

	2002 BUDGET	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	12 MONTH ALLOCATED TOTAL	UNALLOCATED BUDGETED BALANCE
5801 PER DIEM EXPENSES	16,000.00							400.00	15,600.00
5811 LEGAL EXPENSES	8,500.00							1,772.66	6,727.34
5812 NIRPC SERVICES	125,000.00							19,043.68	105,956.32
5821 TRAVEL/MILEAGE	14,000.00							153.20	13,846.80
5822 PRINTING/ADVERTISING	5,000.00							56.67	4,943.33
5823 BONDS/INSURANCE	7,500.00							77.00	7,423.00
5824 TELEPHONE EXPENSES	7,000.00							747.24	6,252.76
5825 MEETING EXPENSES	8,000.00							98.57	7,901.43
5838 LEGAL SERVICES	125,000.00							14,196.46	110,803.54
5840 PROFESSIONAL SERVICES	500,000.00							64,861.86	435,138.14
5860 PROJECT LAND PURCHASE EXP.	3,170,188.00							2,275.00	3,167,913.00
5881 PROPERTY/STRUCTURE INS.	25,000.00							0.00	25,000.00
5882 UTILITY RELOCATION EXP.	200,000.00							0.00	200,000.00
5883 PROJECT LAND CAP. IMPROV.	250,000.00							0.00	250,000.00
5884 STRUCTURES CAP. IMPROV.	25,000.00							345.00	24,655.00
	4,486,188.00							104,027.34	4,382,160.66

CLAIMS PAYABLE FOR FEBRUARY 2002

ACCT	VENDOR NAME	AMOUNT	EXPLANATION OF CLAIM
5811	CASALE, WOODWARD & BULS, LLP	283.33	RETAINER FEE BILLED THROUGH 2/24/02
5811	CASALE, WOODWARD & BULS, LLP	387.00	ADDITIONAL LEGAL SERVICES THROUGH 2/24/02
5812	NIRPC	9,851.94	SERVICES PERFORMED JANUARY 2002
5812	KRAMER & LEONARD	25.06	OFFICE SUPPLIES PURCHASED
5822	JIM POKRAJAC	34.62	REIMBURSEMENT FOR FILM TO TAKE PICTURES OF COMMISSION PROJEC AREA
5822	SAND RIDGE BANK	22.05	EXPENSES INCURRED ORDERING COLORED REPRINTS OF PICTURES OF DEMOLITION HOUSES AND RIVER LOG JAM
5823	DALY INSURANCE COMPANY	77.00	RENEWAL OF TREASURER BOND
5824	WORLDCOM (MCI)	58.60	BILLING PERIOD 1/15/02-2/14/02
5824	VERIZON	243.17	BILLING PERIOD 2/16/02-3/16/02 (TOTAL BILL 377.64 KRBC 134.47)
5824	A T & T	89.44	BILLING PERIOD 1/3/01-1/25/01 COMMISSION CALLING CARD BILL
5838	CASALE, WOODWARD & BULS, LLP	6,320.57	LAND ACQUISITION/LEGAL SERVICES FOR PERIOD ENDED 2/24/02
5841	JANET O'TOOLE	4,500.00	APPRAISALS FOR DC-83,DC-209-213A
5842	R. W. ARMSTRONG	6,300.00	PROFESSIONAL SERVICES FOR PERIOD ENDED 2/15/02
5843	MERIDIAN TITLE CORP	285.00	TITLE WORK PREFORMED FOR DC-543
5843	MERIDIAN TITLE CORP	285.00	TITLE WORK PREFORMED FOR DC-573
5843	TICOR TITLE INSURANCE COMPANY	270.00	TITLE WORK PREFORMED FOR DC-455
5843	TICOR TITLE INSURANCE COMPANY	385.00	TITLE WORK PREFORMED FOR DC-747
5843	TICOR TITLE INSURANCE COMPANY	385.00	TITLE WORK PREFORMED FOR DC-798
5843	TICOR TITLE INSURANCE COMPANY	224.00	TITLE WORK PREFORMED FOR DC-800
5843	INDIANA TITLE NETWORK COMPANY	150.00	TITLE WORK PREFORMED FOR DC-1038
5843	INDIANA TITLE NETWORK COMPANY	150.00	TITLE WORK PREFORMED FOR DC-1039
5843	INDIANA TITLE NETWORK COMPANY	150.00	TITLE WORK PREFORMED FOR DC-1040
5843	INDIANA TITLE NETWORK COMPANY	150.00	TITLE WORK PREFORMED FOR DC-1041
5844	JAMES POKRAJAC	5,075.00	ENGINEERING/LAND MANAGEMENT SERVICES 1/16/02-1/31/02
5844	JAMES POKRAJAC	199.08	JANUARY MILEAGE
5844	JAMES POKRAJAC	4,618.25	ENGINEERING/LAND MANAGEMENT SERVICES 2/1/02-2/15/02
5844	JAMES POKRAJAC	4,110.75	ENGINEERING/LAND MANAGEMENT SERVICES 2/16/02-2/28/02
5844	JAMES POKRAJAC	171.92	FEBRUARY MILEAGE
5844	JUDITH VAMOS	3,741.25	LAND ACQUISITION/MANAGEMENT SERVICES 1/16/02-1/31/02
5844	JUDITH VAMOS	3,412.75	LAND ACQUISITION/MANAGEMENT SERVICES 2/1/02-2/15/02
5844	JUDITH VAMOS	1,898.00	LAND ACQUISITION/MANAGEMENT SERVICES 2/16/02-2/28/02
5844	SANDY MORDUS	318.50	CREDITING TECHNICIAN SERVICES 1/16/02-1/31/02
5844	SANDY MORDUS	147.00	CREDITING TECHNICIAN SERVICES 2/1/02-2/15/02
5844	SANDY MORDUS	551.25	CREDITING TECHNICIAN SERVICES 2/16/02-2/28/02
5844	G. LORRAINE KRAY	1,058.50	CREDITING TECHNICIAN/LAND ACQUISITION ASST 1/16/02-1/31/02
5844	G. LORRAINE KRAY	657.00	CREDITING TECHNICIAN/LAND ACQUISITION ASST 2/1/02-2/15/02
5844	G. LORRAINE KRAY	803.00	CREDITING TECHNICIAN/LAND ACQUISITION ASST 2/16/02-2/28/02

TOTAL 57,389.03

PROJECT ENGINEERING
MONTHLY STATUS REPORT
For meeting on Thursday, March 7, 2002

(Information in this report is from February 3, 2002 – February 26, 2002)

STATUS (Stage II Phase 1) H

1. Project completed on Ju
   Dyer Construction – Cc
2. Harrison Street – INDO
   A. We submitted a RO
   our property South
   bridge raise.
   - **Construction sc**
   27th, 2002. Supe

STATUS (Stage II Phase II) C

1. Project completed on D
   Dyer/Ellas Construction

STATUS (Stage II Phase 3A)

1. Project completed on Ja
   Ramirez & Marsch Con

Landscaping Contract (This c
planting zones, seeding, and la

1. Dyer Construction – Fi
   - Overrun (over origi
   Project completed June

STATUS (Stage II Phase 3B)

1. Rausch Construction sta
   - **Current contract a**
   - **Original contract a**
   - **Amount overrun -**
2. A final inspection with t
   portion of the project no

Little Calumet River Basin Development Commission

Enclosed in the GENERAL SECTION of this report (located at the end of the report) is detailed information regarding the "V.E. ISSUES FOR COST SAVINGS ITEMS" and "OUTSTANDING ISSUES". The status, responses, and tasks are summarized based upon our Engineering committee meetings regarding these issues, conference calls, and ongoing correspondence with the COE. I apologize for the massiveness of this report but information is available herein on a one-time basis. We intend to clean it up for next month whereby we will keep an ongoing status but not at the detail level contained in this report.

Thanks,

Jim

STATUS (Stage II Phase 3C2) Grant to Harrison: (8A contract)

1. The final inspection, and punch list items have been completed. We received a letter from the COE on November 22nd, 2000, indicating Webb Construction has completed this work in accordance with the provisions of the plans and specs.
   - Currently, $3,915,178.36 has been spent on this project.
   - Overrun (over original bid) $463,196

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

1. Project is completed.
   - Current contract amount - $4,186.070.75
   - Original contract amount - $3,089.692.00
   - Amount overrun - $1,096,378 (36%)
2. A final inspection will be scheduled with the LCRBDC and the COE for this entire project, including the Ironwood stormwater pumping station, no later than February, 2002.

STATUS (STAGE III) Chase to Grant Street:

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

STAGE III DRAINAGE REMEDIATION PLAN.

1. COE estimates approx. $1 million to do this work. $800,000 for ditches and pumps, $50,000 to engineer an 18,500 GPM pump station West of Grant St. & remainder toward work with the City of Gary.
2. The scope of this project is to include the following:
   A. Lift stations West of Grant to remediate drainage problems due to Stage III construction
   B. East Reach remediation lift station for interior drainage
   C. East Reach remediation demolition – **We received an email from the COE on February 25th, 2002, indicating we may be able to release all demo projects in a future 8A contract.** /
   D. Extending the combination sewer East of Grant Street, North to our line of protection
3. Tentative schedule is to advertise **March** 2002 and start construction in **June** of 2002.
4. Met with NIPSCO on January 30, 2002 to give them engineering drawings for review. We need their comments prior to signing a ROE (See Land Acq. Report for ROE info)
   A. We received an email response from NIPSCO on February 8th, 2002, addressing the engineering. 2
      - **This was submitted to the COE for their information on February 11, 2002**

STATUS (Stage IV Phase 1 - North) Cline to Burr (North of the Norfolk Southern Railroad:

1. IV-1 (North) The drainage system from Colfax to Burr Street North of the Norfolk Southern RR.
   - Current contract amount – **2,956,964.61**
   - Original contract amount - $2,708,720.00
   - Amount overrun - **$248,244.60 (9%)**

2. The final inspection was held on August 30th, 2001, and tools & manuals were given to the LCRBDC.
3. Will still require "as-built" drawings, and minor punch list items need to be completed.
4. **We received a modification to the contract which decreases the amount by $56,945.91 after the final quantities were tabulated for fill, concrete, etc. which decreases the total contract to $2,956,964.61. (Full copy of report available upon request.)** 3

STATUS (Stage IV Phase 1 – South) (South of the N.S. RR.)

1. Dyer Construction was low bidder. Given 450 days to complete
   - Current contract amount - **$4,266.494.35**
   - Original contract amount - $3,862,736.65
   - Amount overrun - **$403,757.70 (10%)**
2. Overall construction is now complete. The COE did a preliminary walk-thru with the contractor on October 17th, 2001, and comprised a preliminary punch list.
   - An inspection is anticipated for **Spring, 2002.**
3. WIND Radio facilities:
   A. Three outstanding issues need to be addressed that are new or existing.
      1. WIND has damaged the completed levee segment and suggest that the cost to repair this could be done as part of the expense of repairing their ground system.
         - We received a cost estimate from the COE (Arzumanian Nursery) to do all repairs in the amount of $4,975.00
      2. We received a letter from WIND on November 29th, 2001, along with receipts and cost breakdowns, requesting an increase for this utility re-locate from their original estimate of $37,960.70 to $53,900.
      3. The remaining issue concerns their letter of September 17th, 2001, requesting that we fence an "open pond" we created for drainage as well as fencing to secure their property from trespassers to get river access.
         - **Our commissioners agreed that we would only fence this open area and that we would not fence their entire North area to secure their property.** 4
         - **We received a quote from the Hammond Fence Company on February 7th, 2002, in the amount of $4,200.00.**
      4. We received an email from Paul Easter on January 30th, 2002, indicating they would accept fence, charge $53,900 for grounding, and want us to pay $4,975 for levee repairs.
         - **The combined cost for fencing, levee repair, and grounding installation would be $63,075. All of these costs are currently being reviewed.**
4. We received modification #18 for a supplemental cost to the contract in the amount of **$44,464.42 on February 15th, 2002, after final quantities were tabulated for fill, concrete, etc. (copy of report available upon request)** which increases the total contract to **$4,266,494.35.** 5

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

1. Dyer Construction-95% complete.
   - Current contract amount - $3,329,463.66
   - Original contract amount - $2,473,311.50
   - Amount overrun - $856,152 (34%)
2. The North Burr Street stormwater pumping station has been completed.
   A. The complete auxiliary power hook-up has been completed by Austgen Electric and an inspection will be scheduled with the COE and GSD to complete this segment.

STATUS (Stage IV Phase 2B) Clark to Chase

1. The final inspection was held with the COE and Dyer Construction on July 23rd, 2001, and we received the O&M Manuals.
2. Project money status:
   - Current contract amount - $1,948,053.31
   - Original contract amount - $1,530,357.50
   - Amount overrun - $417,696 (27%)

STATUS (Betterment Levee – Phase 1) E.J. & E. Railroad to, and including Colfax North of the NIPSCO R/W (Drainage from Arbogast to Colfax, South of NIPSCO R/W):

1. The bid opening was held on May 9th, 2000
   - The low bidder is Dyer Construction.
   - Current contract amount - $2,228,652.16
   - Original contract amount - $2,074,072.70
   - Amount overrun - $113,604.62 (6%)
2. The final inspection was held on August 30th, 2001, with minor punch list items to be completed. Manuals and tools, and "as-built" drawings will be turned over to LCRBDC.
3. The drainage ditch north of the Mansards is having sloughing problems that should be corrected when Burr Street Phase II is completed.

STATUS (Betterment Levee – Phase 2) Colfax to Burr Street, then North NSRR, then East (North of RR R/W) ½ between Burr and Clark, back over the RR, then South approx. 1,400 feet:

1. We wrote a letter to the COE on May 21st, 2001, requesting final information for all utility re-locates in order that we may proceed with agreements.
   - We received an email from the COE on November 20th, 2001, indicating that this project is currently on hold and that they are concentrating their efforts on other segments.
2. The projected government estimate for this project is approximately $3.6 million.
   - LCRBDC needs to review spending through 2003 (this biennium) to establish priorities. The $5.5 million may not allow this construction if land acquisition and utility re-locates in the West Reach exceed original cost estimates.
   - We included the Land Acq., utility re-locates, and our portion for construction into this biennium, but are pursuing the possibility of making this project part of the flood control project (not a betterment).

STATUS (Stage V Phase 1) Wicker Park Manor:

1. Project completed on September 14, 1995.
   Dyer Construction – Contract price $998,630
2. Phillips Pipeline directional bore under the existing levee is currently being engineered by Phillips. Awaiting their design and cost by June, 2001.
   - As of March 23, 2001, a temporary hold has been put on this engineering request due to current funding restrictions. This will be done at a later date as part of the V-2 construction.

STATUS (Stage V Phase 2):

1. With the approved $5.5 million for this biennium and with $5.5 million assumed for the next biennium, we project a fall, 2005 advertising date.
2. A utility coordination meeting was held on November 16th, 2000 with all pipelines, utilities, etc. that will be impacted in the NIPSCO corridor West of Kennedy Ave.
   A. We have received cost information from the pipeline companies to do the work necessary to accommodate I-walls. The total cost in this corridor and for 2 directional bores west of the RR will total approximately $1.1 million.
   B. We made a request to NIPSCO on August 22nd for copies of all subordinated agreements with other pipelines to allow our attorney to review their responsibilities to repair or modify their pipelines.
      - **LCRBDC attorney has reviewed the agreements we submitted to determine compensability issues.**
      - **We received a response on February 18th, 2002, indicating what remaining subordinated agreements we need to complete our review, determination that Phillips Pipelines are on the Norfolk Southern Railroad R/W, and that they still need to complete analysis of who pays for the re-location.**

6-7

3. We requested an email from Highland/COE regarding drainage concerns with INDOT in the area around and adjacent to the Tri-State Bus terminal.
   A. A meeting was held with the COE, INDOT, LCRBDC, North Township and Highland on June 14th, 2001, to review these drainage concerns.
      - A potential exists to partner between Highland, North Township and INDOT to build a pump station in the ditch area West of Tri-State.
   B. We received a letter from the COE dated May 24th, 2001 (on July 3rd) indicating to INDOT that the ponding in this are is likely to be substantially greater and it would be in the best interest of the community if they would include a pumping unit.
      - We received the hydrology information for the area around the Wicker Park Golf Course from the COE on January 18th, 2002.
   C. We received a call from North Township (Greg Cvitkovich) on December 19th, 2001, requesting a meeting with the COE, INDOT, and Highland to review and discuss the status of INDOT's proposal in this area. **(This was cancelled by INDOT.)**
      - **We received a letter from INDOT to North Township on February 26th, 2002, indicating that rather than installing a pump station, they would divert water flows through culverts to the existing 81st St. pump station.**

8

4. We received a request from the COE on September 26th, 2001, to obtain additional information on the pipeline corridor for locations and elevations.
   - We received a quote from GLE for the survey work at a cost not to exceed $3500.
   - We met Badger Daylighting on October 18th, 2001, to review scope of work. We received a letter on November 12th, 2001, indicating they could do the pipe exposing for $12,200 during dry conditions and $37,000 in wet conditions.
   - **We submitted a letter to the COE on February 21st, 2002 requesting that they complete the field work to obtain the remaining information to complete their design.** 9-10
   - **We received a response from COE on February 27, 2002 responding to our letter** 11-12

STATUS (Stage V Phase 3) Woodmar Country Club:

1. Refer to Land Acquisition report for status of appraisal process and revised schedule.
   - As per our June 7th, 2000 partnering meeting, the schedule shows a March 2002 advertising date. This date **has been** pushed back due to funding restrictions this biennium. The construction sequence due to hydrology will push construction back in the schedule.
2. Appraisal work ongoing (refer to Land Acquisition report).
3. This project will be done after all other construction between Cline Ave. and Northcote is completed due to hydrology concerns with installing the control structure as part of the project.

STATUS Stage VI – Phase 1 (Cline to Kennedy – North of the river, and Kennedy to Liable, South of the river.):

1. The COE is currently planning to advertise this project in October, 2003, award in February of 2004, and start construction in April, 2004. This will be advertised at the same time as Stage VI-2. The contract estimate for Stage VI-1 in 1998 was $7.7 million.
2. Legal descriptions North of the river have been completed by GLE, and legals South of the river have been completed by DLZ.
   A. Legals have been done for Hammond, HSD, and Hammond Parks between the Highlands Apartments and the S.E. Hessville Pump Station.
      - These lands include approx. 62 acres of ownership and when the appraisal is completed, we will coordinate with Hammond for turnover of these lands for our project. **(Appraisal is ongoing)**
   B. Highland properties were completed (plats & legals) by DLZ and given to Dale Kleszynski (appraiser) at our July 19th, 2001 Real Estate meeting. (Approx. 62 acres.) See Land Acq. Report.
   C. Appraisal work has been completed for the Kennedy Industrial Park area (see Land Acq. Report).
3. A letter was sent to the COE on November 15th, 2001, requesting a list of all utilities, locations, costs, etc. in order that we may proceed with utility re-location agreements in a timely manner.
   - We received a list of all re-locations, utilities, points of contact, what actions were taken, on January 14th, 2002, but not locations, costs, or information necessary to begin our utility re-location process.

- **LCRBDC will try to draft a generic letter to all utilities, communities, and pipelines to try to obtain all necessary design and cost information in order that we might start utility re-location agreements.**

4. A letter was sent to Krosan Enterprises on January 28, 2002, requesting a written response to indicate how much area would be needed to allow traffic flow South of his building. **(No response as of February 28, 2002)**
5. **The COE is currently scheduled to modify the levee cross-sections in the Kennedy Industrial Park initially, then to do other areas. We sent an email on February 19, 2002 and the COE will begin this process after they complete their other priorities** 13

STATUS Stage VI – Phase 2 (Liable to Cline – South of the river.):

1. Rani Engineering was awarded the A/E contract by the COE in January 2000. (They are out of St. Paul, Minnesota.)
2. It is the intent of the COE to advertise this segment simultaneously and separately from Stage VI-1. The anticipated schedule is to advertise in October, 2003, award in February of 2004, and start construction in April, 2004.
3. We received a letter from INDOT to Rani Engineering on January 8, 2001 indicating their concerns regarding culverts & recreational proposals.
   A. A meeting was held with RANI, the COE, INDOT, and the LCRBDC on April 11, 2001 to review these and other engineering issues.
      - INDOT agreed we could cross Cline Avenue at the existing light at Highway Avenue. (See Recreation Report).
   B. We responded to their 100% submittal on January 10th, 2002, and indicated that many of the 50% comments were not addressed or considered. (Responses available upon request.)
      - **Refer to the "Outstanding Issues" of this report in Section "F" under engineering review of plans and specifications.**

STATUS (Stage VII) Northcote to Columbia:

1. The final contract with Earth Tech to do the A/E work for this stage/phase of construction was signed and submitted by the COE on December 21st, 1999.
2. We sent a letter to the COE on February 1 with comments to their 75% submittal indicating a number of concerns and requesting another review opportunity prior to the 100% review.
3. A public meeting was held with Hammond and Munster on January 30, 2002 at the Wicker Park Social Center.

STATUS (Stage VIII) Columbia to the Illinois State Line):

1. The A/E award was given to S.E.H. (Short, Elliot & Henderson Inc.)
2. A public meeting was held at the Wicker Park Social Center for Hammond and Munster on November 28th, 2001, to gather public information and to answer questions.
3. A letter was sent to the Lake County Highway Dept. on November 20th, 2001, requesting that our concrete closure slab on Hohman Ave. be incorporated into their bridge project which is scheduled to start on April 1st, 2002.
   - We received minutes of the pre-construction meeting on January 3rd, 2002.

- **With the elevation of the top of the bridge deck, it was determined that we do not need a concrete closure slab.**
- **The clay line of protection will be needed and the contractor (Kankakee Valley) estimated this cost to be $17,267.57. The COE is currently checking on whether they can pay this out using them as a sole source (as a project cost).** 14

4. We received a letter from NICTD dated October 9th, 2001 with the engineering/ recreational design concerns in the area under I-80/94.
   - We have been working on a meeting with NICTD and the COE to discuss their letter of October 9th, 2001.

East Reach Remediation Area – North of I-80/94, MLK to I-65:

1. Project cost information
   - Current contract amount - $1,873,784.68
   - Current contract amount - $1,657,913.00
   - Amount overrun - $215,971 (13%)
2. A final inspection was held with the COE and Dyer Construction on July 23rd, 2001 and we received copies of the O&M manuals.
   - We received "as-built" drawings from the COE on June 25th and distributed to the city of Gary on June 27th.

Mitigation (Construction Portion) for "In Project" Lands:

1. The COE is anticipating to advertise this portion of construction in **March, 2002**, and start construction in May of 2002.
2. They are proposing to use the most qualified contractor rather than bidding it out. The contractor will need a botanist.
   - This is projected to be a $1 million contract – our portion at 25% is $250,000, and the Corps anticipates we need to contribute 60% this biennium (approx. $150,000).
3. Met with NIPSCO on January 30, 2002 to give them the engineering drawings for review. We need their comments prior to signing a ROE. (See Land Acq. Report for ROE info)
   - **We received an email response from NIPSCO on February 8, 2002 addressing their engineering concerns.** 2
4. **LCRBDC currently contracted out GLE to survey and coordinate all legals for NIPSCO and the city of Gary.**
   - **We have been re-directed by the COE that a "drop dead" date of March 14, 2002 would allow us to keep the same construction schedule.**

West Reach Pump Stations – Phase 1A:

1. The four (4) pump stations that are included in this initial West Reach pump station project are Baring, Walnut, S. Kennedy, and Hohman/Munster.
2. Low bidder was Overstreet Construction. Notice to proceed was given on November 7th, 2000 – 700 work days to complete (Oct. 2002)
   - Current contract amount - $4,697,178.47
   - Original contract amount - $4,638,400.00
   - Amount overrun – $58,778.40 (1%)

3. A pre-construction meeting was held on November 27th, 2000, to discuss scheduling, establish points of contact, and coordination.
   - Baring started July 2001, Hohman/Munster in August 2001, and S. Kennedy and Walnut in September 2001. Anticipated completion is October 2002.

4. **Baring Pump Station**
   - 5% complete
   - 2 pumps on site
   - concrete work starting

   Walnut Pump Station
   - 6% complete
   - 3 pumps currently being re-built
   - Electric demolition begun

   S. Kennedy Pump Station
   - 5% complete
   - One pump being re-built
   - Concrete pads being constructed

   Hohman/Munster Pump Station
   - 5% complete
   - Electric demolition ongoing
   - 2 pumps installed and ready for operation
   - 2 additional pumps received and ready for installation

5. We received the last status report from the COE on January 28, 2002.
6. A coordination meeting was held on December 18th, 2001, with the COE, LCRBDC, NIPSCO, HSD and Overstreet to review service upgrades for each pump station.
   - NIPSCO will engineer each station, provide a cost estimate, enter into agreements with HSD for upgrades & with the LCRBDC for any utility re-locates.
7. Received 3 administrative changes for additional money available for payment in the amount of $1,100,000 – money now available $2,152,865.97.
8. We received a change order for an additional $21,773.47 for differing site conditions on December 18th, 2001, increasing the total contract cost to $4,697,178.47. (Copy available upon request.)

West Reach Pump Stations – Phase 1B:

1. The Two (2) pump stations included in this contract are S.E. Hessville (Hammond), and 81st Street (Highland). Overall project is 99% complete.
   A. A final inspection was held for both stations on September 18th, 2001. We received a letter that day listing key turnover items.
   B. We received an email from the COE on November 7th, 2001, indicating that we will be receiving the final O&M Manuals in the near future.
2. Thieneman Construction from Griffith, IN was the successful bidder.
   - Current contract amount - $2,120,730.12
   - Original contract amount - $1,963,400.00
   - Amount overrun - $157,330 (9%)
3. We received the last status report from the COE on January 28, 2002.

North Fifth Avenue Pump Station:

1. The low bidder was Overstreet Construction
   - Current contract amount - $2,387,500.0
   - Original contract amount - $2,387,500.00
   - Amount overrun - none
2. A pre-construction meeting was held on May 21st with Overstreet Construction, town of Highland, COE, NIPSCO, and the LCRBDC.
   - There are currently 10 pumps and all of these will be replaced with new and will be coordinated with the town of Highland.
3. We received the last status report from the COE on January 28, 2002.
4. We received a request for an administrative change in the amount of $500,000 on January 14th, 2002, which makes money available for payment $750,000.

GENERAL:

1. **We received a letter from INDOT Consultant, Hanson Professional Services, Inc., on December 13th, 2001, regarding their upcoming construction for I-80/94 and asked for our comments and concerns.**
   - **A. We responded to this request on January 31, 2002, and also addressed an additional concern for runoff and what precautions will be taken to handle environmental concerns. (We are awaiting a written response)**
2. **75' Drainage Easement**
   A. A letter was sent out to the city planner from Hammond on February 25, 2002 along with all of the current west reach real estate mapping and general information regarding the 75' drainage easement. 15-16
      - **We requested that this 75' easement be shown on the city of Hammond master plan and that the LCRBDC be notified of all future developments in this easement.**
3. **At our Engineering Coordination meeting on February 15, 2002, the LCRBDC agreed to contact the Lake County Surveyor to establish the line for the entire west reach on the existing levees where the 75' easement will start.**
      - **The Kennedy Industrial Park area (Cline to Kennedy, north of the river) will be the first area we need to address.**

"General Comments"

V.E. COST SAVINGS ITEMS

A. An Engineering Committee meeting was held on November 13, 2001, to review a tentative list of cost savings issues for our project. 17-18
   1. These included reviews of our rights and entitlements of our 75' drainage easement, re-channeling of the river to lessen impacts to property owners, hydrology changes near the state line due to Cady Marsh modifications and the Thornton Quarry, and re-consideration of our approach to Woodmar County Club.
   2. We sent a letter to the COE on December 6, 2001 enclosing information, maps, sketches, and some FDM 5 data that are pertinent to our "tentative list of cost saving items".
   3. We asked the COE to review these and then to provide "VE" information to Jim Flora to allow us to provide economic justification.

B. A meeting was held in Chicago on February 1, 2002 with the COE, Jim Flora (R.W.Armstrong), Bob Huffman (Engineering Committee Chairman), Bill Tanke (LCRBDC Chairman), Dan Gardner and Jim Pokrajac (LCRBDC)
   1. Minutes of the meeting were completed on February 6 and were used for the V.E. portion of our Engineering Committee meeting agenda on February 15. 19-20
   2. A letter was sent to the COE on February 22 thanking them for coordinating this meeting and suggesting a similar meeting to review the outstanding issues. 21

C. The Engineering Committee for the LCRBDC met on February 15 to review GSD issues, the V.E. issues presented to the COE, and the outstanding project issues. 22

D. <u>The V.E. issues, and their status, are as follows:</u>
   <u>V.E. #1 – Stage VI Issues</u>
   - <u>Highland Dump</u>
     > COE & LCRBDC agree not to impact
   - <u>Channel Re-location</u>
     > LCRBDC will not pursue due to water depth and steepness of slope. We recognize it would not be economically feasible.
   - <u>Minimizing levee footprint</u>
     > COE currently investigating the elimination of the planting zone and using concrete retaining block walls.
     > Real estate will then be modified accordingly, a re-appraisal will be done, then offers could go out.

> If COE modifies levee sections, they need to confirm slope stability.
> The 75' drainage easement is currently being pursued by the LCRBDC. This will also affect the appraisals.
> Burger King property may be able to have a levee rather than an I-wall (need economic feasibility)

- KROSAN property
> We requested from KROSAN their real estate requirements. To date, we have received no response.
> We will proceed as outlined above in "minimizing levee footprint".
> Entitlements to rights on the 75' drainage easement are currently being determined by the LCRBDC attorney.

V.E. #2 – Stage VIII Issues

- (4) Homes west of Hohman Avenue
> Survey has been completed showing that only the furthest house east could be impacted by floodwaters during a 100 year event.
> We received a letter from the COE on February 14 (dated February 8) providing us survey and flood data. 23-25
> LCRBDC to coordinate with Munster regarding public safety & emergency response issues.
- Southmoor Estates levee
> LCRBDC concurs that an earthen berm alone, behind the houses, would not be advisable because of questions of slope stability. It appears we need to install a short floodwall.
> COE to check geotech issues regarding slope stability and water tightness of existing embankment.
> COE to investigate alternative construction methods to minimize impact to residents during installation (possibly working from river side)
> End around flooding will still occur in certain events over 100 years.
- Type of Protection
> COE will pursue alternatives to levee alignment and design through in-house staff and SEH.
> All efforts will be made to minimize loss of mature trees.

V.E. #3 – Woodmar Country Club

- Tie Back Levee
> The top of the line of protection needs to be 604.9 (200 yr. plus freeboard) and would have to tie into the I-80/94 embankment, and would be over 5000' long.
> The flowage easement would need to be expanded to 604.9 (induced water level)

> LCRBDC concurs with the COE that this would not be economically justified and we should use the current design.

- Length of construction time

> The COE feels all construction could be completed in one season, and the LCRBDC concurs.

> The contract for this work could be structured to assure that the contract would be completed in a timely manner, whether through liquidated damages for going past a deadline or by providing bonuses for completing the contract at an earlier date.

> After construction impact is evaluated by the COE, the appraisal will need to be redone.

V.E. #4 – Doughman Borrow Site/Hartsdale Pond

> LCRBDC and COE concur we cannot recommend its' use as a sole source and will continue to release contracts allowing the contractor to provide his own clay.

> Hartsdale Pond should be pursued for clay removal to show interlocal cooperation with the Lake County Drainage Board. LCRBDC to get storage and elevation information to the COE.

OUTSTANDING PROJECT ISSUES:

A. Responses to (5) Outstanding GSD Concerns

- Submitted letters of request for these (5) issues on September 6, 2001 and November 14, 2001; some of these issues go back to 1998.
- This is critical to the LCRBDC because the GSD will not even discuss potential responsibility for O&M until these issues are resolved. GSD could potentially assume responsibility for all east reach pump stations & some mechanical.
- We received the COE response on February 7, 2002.
- The LCRBDC will submit a letter to the GSD, WREP, and Greeley and Hansen (GSD engineering consultant) asking them to review. We will then have a preliminary engineering review meeting prior to discussing future O&M responsibilities in the east reach.

B. Cost Savings Engineering (V.E. issues)

- This was an "A" priority and has been satisfactorily addressed as a separate issue.

C. Utility Relocation Coordination

- The A/E for Stages V-2, V-3, VI-1, and VI-2 made substantial efforts on utility relocation, but did not obtain acceptable relocation plans and cost estimates in order for the LCRBDC to proceed with utility relocation agreements.
- The A/E utility relocation efforts on V-2, V-3 and VI-1 were made about 5 years ago. Consequently, with change in personnel at the utility companies, current utility relocation efforts have almost been like starting over and we will be paying again for the same work.
- We requested a list of all utility relocations, including costs, location and engineering, for all of the relocations in Stage VI-1 and Stage VI-2 in order that we would be able to proceed with the necessary agreements.
- LCRBDC agreed to comprise and send a generic letter to the COE which could be used by the A/E for their engineering stage which is intended to impress upon the utilities that this construction will be our first in the west reach and we need this information to complete our engineering and to allow time to enter into individual easement agreements.
- A problem will exist with the remainder of the west reach segments (west of Kennedy Ave. to the State line) because the communities, utilities, and pipelines know construction in these areas is a long way off, the relocations will not be done for years,

and their reimbursement for engineering would need to be immediate.

D. V-2 Pipeline Elevations and Locations

- Stanley & Associates did this work 5-6 years ago and did not obtain this detailed utility information, which should have been part of their scope of work.
- When we had a coordination meeting with all of the pipelines and utilities for this corridor approx. 2 years ago, all of them indicated that the pipelines needed to be exposed in order to obtain dead center, top of pipe locations and elevations.
- LCRBDC offered to coordinate this locally to help the COE complete their engineering.
- The scope of work for the line of protection south of the river is directly in the center of an existing levee. We did not want to degrade this line of protection. Accordingly, we thought that by obtaining elevations at the toe of the levee, on the landside, that this would be adequate.
- We suggest that the COE take all of the information we have provided, coordinate what remains to obtain the field information needed for design, and complete this as part of the utility relocation responsibility in the contract with Stanley. This letter was sent to the COE on February 21, 2002.

9-10

E. INDOT Project at Indianapolis Blvd. at Tri-State

- Not a current COE/LCRBDC issue.
- INDOT wrote a letter to North Township and the town of Highland on February 26, 2002 indicating they do not intend to construct a pump station in this area, but intend to install a culvert at the north end of Tri-State that will tie into a culvert that Highland will install under Indianapolis Blvd. that will drain to the 81st St. pump station.

8

F. Engineering Review of Plans and Specifications

(Refer to letter dated February 28, 2002 for details)

G. Remaining East Reach Recreation Features

- Although the COE and LCRBDC have had several conversations regarding this issue, we requested a written response, for record, that we could include in our monthly Recreation Committee Report.
- We concur that, at this point in time, our money is best spent in the west reach to prepare for ROE to start construction in Stage VI. (This ties in with our request to the COE in the V-2 pipeline corridor to spend 100% state money to do survey work that should have been done in their A/E contract).

- The COE response to this issue dated February 7, 2002 is what we would like to have seen in the letter we requested.
- While RANI Engineering was in the process of doing their work, INDOT indicated we could not cross as proposed, that we would have to cross approx. ¼ mile south at Highway Avenue.
- LCRBDC met with both Highland and Griffith and got alternative routes. We suggested meeting in the field with RANI to share this information so they could modify their engineering and real estate drawings accordingly. This did not happen.
- We are at the 100% level of review and this is not incorporated. It should be, and as local sponsor, we and the communities, need to have another opportunity to comment.

H. Project Borrow Sites
- Not an issue
- A indicated in current west reach engineering drawings and specs, we have noticed that the Hartsdale Pond is the designated site rather than the Clark-Chase borrow site.

PROJECT CONCERNS (ONGOING)

A. Creditable Costs versus Project Cost
- When the LCRBDC coordinates, and pays for, engineering or utility tasks, we pay 100% of the cost and get fully credited. If the COE, or their A/E perform the same task, it would be a project cost whereby the LCRBDC would only participate in 25% of the cost (18% credits and 7% cash).
- With the limited amount of state budget money, we feel we should optimize its' use by focusing on Stage VI acquisition and utility relocates and paying for ongoing construction.
- Over the past several years, there have been occasions where the LCRBDC has provided survey work, or utility coordination information and data that should have been the responsibility of the party doing the engineering for that project as indicated in their scope of work.
- As per past requests, and discussions with the COE, we have pointed out that it is much simpler, and more efficient, for the A/E to coordinate directly with the utilities to get utility engineering information to incorporate into their final set of plans.

B. Scheduling
- We are in agreement that the LCA states the funding requirements regarding the non-Federal spending should match the Federal spending. Unfortunately, the IN State Budget did not provide adequate funds to do this.

- **Our point was that if the COE could have coordinated with the LCRBDC ahead of time, they would have been aware that we only averaged approximately $1 million/year for every previous biennium.**
- **Local review should have 15 working days after receipt of the plans and specs. Unfortunately, it has taken 4-5 days to mail, and we should not count weekends (Refer to Item "F" in Engineering review of plans and specs.)**
- **We disagree that it has taken 5-6 weeks. We generally meet the COE schedule, and if we cannot, the COE has extended the deadline a week or so. This has happened upon occasion when the COE gives us overlapping reviews.**
- **Stage VII and Stage VIII are way in advance. To again refer to our budgetary constraints, which the COE is aware of, we have agreed, and the COE agreed with us, that we would only complete real estate and utility coordination in the next upcoming construction segment. As each segment was completed, we would then move to the next segment west.**
- **As this project moves westward, all of these previously engineered segments will need to be re-visited to confirm changes in existing real estate impacts and confirm that utilities (and how to re-locate these utilities) have not changed.**

C. Compensability
- **It appears that almost all utility re-locates on a public right-of-way will be a local cost and should be creditable.**
- **Each will need to be reviewed on an individual basis, but it appears the only time these utilities would pay for it on their own would be if it were at the request of that community.**
- **LCRBDC attorney is still reviewing.**

OUTSTANDING TECHNICAL ISSUES

A. Quarterly Technical Review Meetings
- **We concur with the COE that at this point in time, most of the project engineering is done, and has been done in the most part to include engineering that we have discussed and reviewed. Accordingly, in the future, these meetings could be held on an as-needed basis.**
- **Our V.E. Coordination meeting was a good example of clarifying, discussing, and resolving issues and working together as a team.**
- **Even though items have been discussed in the past, that does not mean those issues are resolved.**
- **We would like to compliment the Griffith field office for all of their cooperation. It provides the LCRBDC with updated information on ongoing contracts and cost changes and substantiation for these changes.**

B. Sheet Piling Issues

- These issues have adequately been addressed.
- Structural inspections will be done before and after construction and it appears that the soil type in the existing levees is of a softer nature that would probably cause minimal impacts.
- (Refer to letter dated February 28, 2002 for details)

C. Overflow Section

(Refer to letter dated February 28, 2002 for details)

Judy Vamos

From: "Samara, Imad LRC" <Imad.Samara@lrc02.usace.army.mil>
To: "'Judy Vamos'" <jvamos@nirpc.org>
Sent: Monday, February 25, 2002 1:36 PM
Subject: RE: Demolitions in the East Reach Remediation Area

Judy, since you don't have all the lots in your ownership for the demolition we may wait and do a small 8a contract for this work. We maybe able to get a contractor from Gary to do all these at one time. When do you project you will have all the demolition ownership obtained.

Imad N. Samara
Project Manager
111 N Canal Street
Chicago, IL 60606
312-353-6400 Ext 1809
Fax: 312-353-4256

-----Original Message-----
From: Judy Vamos [mailto:jvamos@nirpc.org]
Sent: Monday, February 25, 2002 1:53 PM
To: Imad Samara
Subject: Demolitons in the East Reach Remediation Area

<< Message: >> << File: Angie Ogrentz.vcf >>

Judy Vamos

From: "Judy Vamos" <jvamos@nirpc.org>
To: "Imad Samara" <Imad.Samara@usace.army.mil>
Sent: Monday, February 25, 2002 1:53 PM
Attach: Angie Ogrentz.vcf
Subject: Demolitons in the East Reach Remediation Area

25 February 2002

Dear Imad,

Just a reminder that there are two (2) demolitions in the East Reach Remediation Area:

1.) DC 743 owner Rev. Kirby Jeffries Lot 68 Carver Small Farms, a house in substandard condition with miscellaneous trash clean-up around the perimeter of the lot.

2.) DC 748 owner Fred Jeffries Lot 71 Carver Small Farms, a trailer with miscellaneous trash clean-up around the lot and a second trailer the owner had parked on a neighbor's lot.

We had discussed this issue at a real estate meeting and agreed that these demos could be added to the Stage III Remediation contract as an option. By the time the contract Stage III Remediation contract is advertised LCRBDC may have ownership of other lots in the ERR area that also need demolition. I hope so and we could clean-up the area all at once.

Please call me if you have questions. Thanks!

JV
Judith (Judy) Vamos
Land Acquisition Agent
Little Calumet River Flood Control and Recreation Project
Phone: 219-763-0696
Fax: 219-762-1763

From: <nearndt@NiSource.com>
To: <littlecal@nirpc.org>
Cc: <jjfitzer@NiSource.com>; <jfnadolski@NiSource.com>
Sent: Friday, February 08, 2002 11:59 AM
Subject: 30-36 West Of Chase St; West Grant, Army Corp

To Jim Pokrajac: This letter is being forwarded as information only and in the interest of keeping the project moving forward. The official letter and formal agreement will be sent by Mr. Jim Fitzer, Principal Utility Highway Affairs, NIPSCO.

Jim, regarding our meeting with Mr. Pokrajac of last Thurs., I've had a chance to look over the plans of the Army Corps proposed culvert work across NIPSCO's 30-36" R/W at the above locations. The first locations approx. 1400' west of Grant St., doesn't seem to be a problem per their plan. In looking at the depths of our pipelines it just seems like they are shown pretty deep. If this is the accurate depth, there is no problem. They will be well above the gas lines. As always, the pipelines should be located prior to construction and the gas lines should be physically located to verify depths and location.

The other 2 locations, on the west side of Chase St., and the other approx 2200' west of Chase following the 30-36" R/W, the Army Corp is planning on replacing existing culverts and doing some grading. The plans do not show the 30" and 36" pipelines. They must be shown on the plans so the contractor will know they are there. According to Mr. Pokrajac, at these 2 locations existing culverts will be replaced at the same elevation. The culvert right on the west side of Chase St. looks to be a problem. Our 30" gas line is exposed in the bottom of the ditch, so I think it should be taken into account in the engineering plans and avoided. It would be beneficial if the new culverts would extend over our 30" so that it would be buried. A fiberglas shield could be installed between the gas line and the culvert for electrical isloation. Normally we would require a clearance of 12" between NIPSCO's facilities and foreign facilities. I did not get a chance to look at the other location because vehicular travel was blocked by concrete barriers. Again, the pipelines should be located as described above. I did see on the plans under general notes that the utilities are to be physically located.

We would also request that the Gary GM&T Dept be notified at least 5 days prior to any construction at these locations.

In addition, as we discussed, we may want to put something in the easement document specifying that the "Little Calumet River Basin Development Commission" be responsible for repairing any water damage/erosion caused by these culvert installations. Whether it be to the roadway, pipelines, or electric poles.

Roadway is to be repaired to new condition.

Neal Arndt
NIPSCO - Gas Engineering
219-647-4779
nearndt@nisource.com

• STAGE IV - 1 NORTH - MOD. #12
• VARIATION IN QUANTITIES - FINAL totals

31 JAN 2002
• DECREASE CONTRACT BY - $56,945.91
• CONTRACT WAS - $3,013,910.52
• CURRENT CONTRACT - $2,956,964.61

CELRC-CO-S (1180-1-1q)

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Contract No. DACW27-00-C-0003
Local Flood Control
Stage IV, Phase 1-North
Little Calumet River, Indiana
Modification No. P00012 - Executed

1. Enclosed for your file is a copy of all pertinent information related to executed Modification No. P00012, under the subject contract.

2. Any questions concerning the enclosed items shall be directed to Mr. Doug Anderson at (219) 923-1763/4.

Thomas A. Deja, P.E.
Area Engineer
Calumet Area Office

Enclosures

Copies Furnished:
CELRC-CO-S (Complete Mod. File)
CELRC-CO-C (Complete Mod. File)
CELRC-CT (Complete Mod. File)
CELRC-CO-S (E. Karwatka, Mod. Only)
CELRC-CO-S (D. Anderson, Mod. Only)
CELRC-PM-M (I. Samara, Mod. Only)
LCRBDC (J. Pokrajac, Mod. Only)

Hammond Fence Company

P.O. BOX 514, 5720 Columbia Ave., Hammond, In. 46320
219-933-4686 708-862-4700 Fax 219-933-4831

>>> PROPOSAL <<<

Date: **February 7, 2002**

To: **James Pokrajac,**
Little Calumet River Basin Development Commission,
6100 Southport Road Phone: **219-763-0696 ext 116**
Portage, In 46368 Fax: **219-762-1653**

Location: **Colfax Street South of 29th Ave Railroad Crossing**
BlackOak (Gary), Indiana

Measurements & Heights:

Chain Link Fence 6' high plus 1' 3 Strand Barb Wire Top angled out, and Tension Wire at Bottom.

North Side, 58' to be installed along the back of Guard Rail with 10 post welded to back of Guard Rail Post, and Chain Link Wire to go to ground.

East and West Side to angle along the outer rocked edge of drain ditch, over the run off ditches, and angled inward up incline to appx 2' above concrete culvert and across South Side of culvert connecting East and West Sides.

East and West run off ditches will have the area under the fence closed for security but open for water drainage.

One 4' Walk Gate on West Side.

Post to be Industrial grade SS20, set in Concrete 3' in ground (except guard rail post).
Corner and Gate Post to be 2-1/2" and Line Post to be 2".

*Will need verified location of underground utilities.

TOTAL PRICE = $4200.00 **Terms: Net – 30.**

Sales Rep: **Larry Law** Accepted by: _____ Date_____

- III-1 SOUTH - MOD. # 18
- VARIATION IN QUANTITIES - FINAL TOTALS
- INCREASE CONTRACT BY $44,464.42
- CONTRACT WAS - $4,222,029.93
- CURRENT CONTRACT - $4,266,494.35

15 FEB 2002

CELRC-CO-S (1180-1-1q)

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Contract No. DACW27-01-C-0015
Local Flood Control
Stage IV, Phase 1 South
Little Calumet River, Indiana
Modification No. P00018 - Executed

1. Enclosed for your file is a copy of all pertinent information related to executed Modification No. P00018, under the subject contract.

2. Any questions concerning the enclosed items shall be directed to Mr. Doug Anderson at (219) 923-1763/4.

Thomas A. Deja, P.E.
Area Engineer
Calumet Area Office

Enclosures

Copies Furnished:
CELRC-CO-S (Complete Mod. File)
CELRC-CO-C (Complete Mod. File)
CELRC-CT (Complete Mod. File)
CELRC-CO-S (D. ANDERSON, Complete Mod. File)
CELRC-CO-S (E. KARWATKA, Mod. Only)
CELRC-PM-M (I. SAMARA, Mod. Only)
LCRBDC (J. POKRAJAC, Mod. Only)
CELRC-CO-S (PROJECT BINDER, Mod. Only)

Attorney Client Communication
Subject to Work Product Immunity and
Deliberative Process Privilege

February 18, 2002

James E. Pokrajac
Agent, Land Management/Engineering
Little Calumet River Basin Dev. Comm'n
6100 Southport Road
Portage, Indiana 46368

Dear Jim:

In response to our conversation in your office on February 11, you requested I perform three tasks. First, that I list one-by-one the license agreements in my possession between NIPSCO and the various utilities involved in the Stage V Phase 2 Project. The following is the complete list located in the Project and the answer as to whether or not I have the license agreement in my possession:

COMPANY	PIPE SIZE	THE LICENSE AGREEMENTS IN MY POSSESSION THAT MATCH THE CURRENT UTILITY IN THE R.O.W.
Buckeye	10"	Buckeye (10/29/65)
BP Amoco	8"	Do not have
BP Amoco	22"	I think it is Sinclair (8/1/52)
Marathon	12"	Do not have
Marathon	16"	Do not have
Equilon	14"	I think it is Shell (1/14/52)
Explorer	24"	Do not have
TransMontaigne (NORCO)	Two 8" pipelines	I think it is Sinclair (11/10/43)
Exxon/Mobil (Wolverine)	16"	Wolverine (5/19/69)
Exxon/Mobil (Wolverine)	18"	Wolverine (11/7/75)
NIPSCO	8", 12", 36"	Do not have
Phillips	8"	Do not have
Phillips	8"	Do not have

Second, that I analyze the language of the license agreements to determine whether the cost of rearranging the pipelines in NIPSCO's right-of-way (R.O.W.) for the project are to be paid by the utility under the agreement with NIPSCO. I understand you spoke with Lou regarding this issue last week, so I will not address it here.

Third, you requested that I review the Phillips file and determine whether their pipeline is on an easement or if Phillips owns the land in fee. A letter to Lou dated June 14, 1993 from Jim

Noland of Phillips reveals that the two 8" pipelines occupy railroad right of way and private property per rights granted in the following instruments:

License Agreement	8/1/39	8" pipe in RR ROW	Unrecorded
License Agreement	6/5/52	8" pipe in RR ROW	Unrecorded
ROW Contract	4/22/52	20" ROW North of River for 2 pipelines	Book 566, Pg. 456
ROW Grant	7/26/41	15' ROW South of River	Book 333, Pg. 578
Amendment of ROW Grant	1/13/55	Expands 15' ROW on South Side of River to 19'	Book 626, Pg. 322

Jim, I believe that is what you needed. If you have any other questions, please give me a call. I will be in Lou's office every Monday and Wednesday from 9:00 am to 1:00 pm.

Sincerely,

Jim Rushenberg

INDIANA DEPARTMENT OF TRANSPORTATION
100 North Senate Avenue
Room N755
Indianapolis, Indiana 46204-2249
(317) 232-5533 *FAX: (317) 232-0238*
An Equal Opportunity Employer • http://www.state.in.us/dot

FRANK O'BANNON, Governor
J. Bryan Nicol, Commissioner

Writer's Direct Line

To: Greg Cvitkovich
Township Trustee, Lake County North
5947 Hohman Ave.
Hammon, IN 46320

Thru: Merril Dougherty, P.E. MED
INDOT Hydraulics Engineer

From: John Wright, P.E. JW
INDOT Consultant Project Group Manager

RE: Des # 9133625
US 41 Phase I (Main Street to just South of the Little Calumet River)

Dear Mr. Cvitkovich

A meeting was held last March 1st, 2001 at the Highland Public Works Department. The purpose of that meeting was to discuss stormwater issues for the area generally located west of the Tri-State Bus Station and south of the Little Calumet River. The main issue is how the internal drainage will be relieved when the level of the Little Calumet River is up high enough to prevent normal drainage from taking place.

At that meeting, INDOT threw out the idea of a pump station for everybody to use. INDOT asked that all the parties involved, i.e., Highland, Wicker Park etc., estimate their contribution of water entering the system so that an equitable financial package could be put together. It is now a year later and INDOT has not received any interest or data from all those involved. There has also been no interest in working out any details as to who would maintain a group pump station. Therefore, INDOT is in the process of working out its own plan. It consists of diverting all of INDOT's stormwater runoff north of Ridge Road to a pump station at the southeast corner of the bridge over the Little Calumet River. Depending on the elevation of the outlet at the river, two outlets would be provided; a gravity line for when the river's elevation is low and a force main for when the river is high. If the grades necessary to outlet the trunk line prevent the use of a gravity outlet, the trunk line will outlet via the force main. This plan takes care of INDOT's contribution of water to US 41 and will be coordinated with the Corps of Engineers.

Cc: John Bach / Director of Public Works, Highland
Jim Pokajac / Indpls Blvd/Little Calumet River Basin Commission
Ahmad Samarh / Army Corps of Engineers
Terry Hodnick / NES Engineering
Ned Grady / United
file

REC'D. ON FEB. 26, 2002

Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

(219) 763-0696 Fax (219) 762-1653
E-mail: littlecal@nirpc.org

February 21, 2002

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

Subject: Stage V Phase 2 Pipe Elevations and Locations

Dear Imad:

In response to your letter dated February 7th concerning our outstanding issues, I was requested by our Commissioners to write a letter to you to clarify any items that seem to not be resolved. The Stage V Phase 2 pipeline corridor locates remains to be an outstanding issue. Your letter indicated that we had not completed the scope of work that you provided to us, which would require exposing all of the pipelines in order to obtain the locations and elevations of all 14 pipelines on both sides of the river. Stanley & Associates were contracted as the A/E by the COE to do this work approximately 5-6 years ago and did not obtain the necessary detailed utility information which, from what I understand, should have been part of their scope of work. When we had a coordination meeting approximately 2 years ago with all of the pipelines and utilities for this corridor, they all indicated that these pipelines needed to be exposed in order to obtain top of pipe locations and elevations. At that point in time, the LCRBDC offered to coordinate this locally to help the COE complete their engineering. In the scope of work submitted to us to obtain this information, the existing south line of protection was directly in line with where we proposed to put the concrete T-wall. A field decision was made to not degrade this levee by exposing the pipe, but instead to expose the pipe as close to the toe of the levee on the landward side as possible. At that point in time, we thought that by getting those elevations that this would meet your needs. Apparently, that is not the case as we now understand it. However, State budget restraints and guidance given to us by the Governor's office and State Budget Agency do not permit us to do anything further at this time, especially based upon the uncertainty of cost and potential risk.

We suggest that the COE take all of the information we have provided, which includes your scope of work north of the levee (which we fulfilled) and the data south of the south levee and do the remaining work

necessary to complete your engineering drawings. All of these locations and elevations have been determined. We feel that based upon the original scope of work with Stanley that the COE should obtain the remaining information needed to finish their design and to complete this as part of their contractual utility relocation responsibility. The information obtained to date was surveyed by Great Lake Engineering and the exposing of the pipe was performed by Badger Daylighting.

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

Sincerely,

Dan Gardner
Executive Director

/sjm
cc: Ray Coughenour
William Tanke
Robert Huffman
James Flora

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

REPLY TO
ATTENTION OF

Planning, Program and
Project Management Division

February 27, 2002

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

Dear Mr. Gardner:

Thank you for your letter dated February 21, 2002 regarding the outstanding issue of the utility relocations on Stage V-2. I would like to clarify two items that you mentioned in your letter.

Stanley and Associates (S&A) were contracted by the COE to develop plans and specification for Stage V-2. Part of their scope of work was to coordinate relocations with utility companies. These companies were to provide relocation plans. S&A completed their design and coordinated a utility relocation plan that contained a floodwall at this location. They gathered all the information needed to develop the design. We accepted their final submittal and determined that they fulfilled the requirement of the scope of work provided to them. Subsequent to our acceptance of the work at the Utility Coordination Kick-Off Meeting held on 16 Nov. 2000 and as stated in your letter "they (the utilities) all indicated that these pipelines needed to be exposed..." The utility companies requested that the pipelines be exposed and not the S&A design team. Since the utility companies are requesting this action, the utility companies can expose the pipeline. The cost of exposing the lines will be part of the utility relocation cost, which is a creditable local sponsor cost. In the same meeting it was determined that it would be more cost efficient for the Commission to perform this work instead of each utility exposing their lines separately. That is why the Commission is performing this work, which is a good decision on part of the Commission.

In your letter you also state that State budget restraints and guidance given to you do not permit you to do anything further. I was not aware of these restrictions. I thought the only restriction is that fund used by the commission have to be creditable and this work is creditable. If this work is not executed, an agreement with the utility companies may not be reached. As stated above the COE does not require this work to complete the design. The design is complete with the information obtained earlier. This information is to satisfy the utility companies requirement. Once the Commissions complete this work we will coordinate final relocation plans with the utility companies.

//

If you have any questions please feel free to call me at 312-353-6400 ext. 1809.

Sincerely Yours,

Imad N. Samara
Project Manager

Sandy Mordus

From: "Samara, Imad LRC" <Imad.Samara@lrc02.usace.army.mil>
To: "'Sandy Mordus'" <smordus@nirpc.org>
Sent: Tuesday, February 19, 2002 4:24 PM
Subject: Status

To answer your questions currently we are working to complete Stage III remediation and South Grant Pump Station. Once these are completed we will work on the Stage VI- 1 real estate. I'm having a meeting with the team tomorrow to go over our work. I will stress to them that we need to get VI-1 out ASAP but as I said other things are pressing. I will get you an update after the meeting tomorrow.

-----Original Message-----
From: Sandy Mordus [mailto:smordus@nirpc.org]
Sent: Tuesday, February 19, 2002 4:13 PM
To: Samara, Imad
Subject:

Imad:

I would like to confirm that as per our VE cost savings engineering meeting on February 1st, that the COE is currently working on modifying the levee cross sections in Stage VI Phase 1 by eliminating planting zones and installing concrete block retaining walls.

With our pressing time schedule for acquisition for Stage VI-1, we need to have this modified engineering completed as soon as possible in order to modify the real estate requirements. When we receive these modified real estate drawings, we will need to redo the appraisals before we can make any offers to the property owners.

Jim Pokrajac

KANKAKEE VALLEY
Construction Co., Inc.

P.O. Box 1471, LaPorte, IN 46350 • Phone (219) 362-9267 • FAX (219) 324-7954
www.kvcbridge.com

February 4, 2002

North-West Engineering Co., Inc.
504 Broadway Suite 1028
Gary, Indiana 46402

Attn: Tom Weinmann

Re: InDOT Contract B-25403-A
Hohman Avenue Bridge Replacement
Over the Little Calumet River in Hammond
Lake County Bridge 244

Gentlemen:

As a follow up to you request, we propose to provide the clay for the levee from the pit on Clark Street, as specified in the documents from the Corps of Engineers, compacted in place for a unit price of $ 23.20 per cubic meter. Below are the approximate quantities of each respective pay item required to complete the levee in place as requested by the Corps of Engineers.

Clay for Levee	407.3	m3	$ 23.20	$ 9,591.92
Common Excavation	264.7	m3	$ 26.93	$ 7,128.37
Borrow	-407.3	m3	$ 6.88	$ -2,802.22
Testing	1	LS	$ 3,349.50	$ 3,349.50
Approximate Total for Levee Work				$ 17,267.57

Very truly yours,
Kankakee Valley Construction Co., Inc.

Neal S. Carboneau

Neal S. Carboneau

Equal Opportunity Employer

1 & 2

ATTORNEYS AT LAW

CASALE, WOODWARD & BULS, LLP

9223 BROADWAY - SUITE A • CAMBRIDGE COMMONS • MERRILLVILLE, IN 46410 • TELEPHONE: 219-736-2163 • FAX: 219-736-5025 • E-MAIL: thefirm@cwblawfirm.com

LOUIS M. CASALE
DAVID E. WOODWARD
DAVID A. BULS
JAMES M. SPIVAK
DAVID M. BLASKOVICH*
*LICENSED IN INDIANA & ILLINOIS

LEGAL ASSISTANTS
DEBRA L. KOZLOWSKI
ANGELA M. OGRENTZ
TEREASA G. COOK

FINANCIAL COORDINATOR
JULIE MALKOWSKI

February 21, 2002

Brian Poland, Director
Hammond Planning Department
649 Conkey
Hammond, IN 46320

RE: Little Calumet River Basin Development Commission Flood Control and Recreation Project

Dear Mr. Poland:

I have been directed by the Little Calumet River Basin Development Commission to request that the Hammond Planning Commission modify its Master Plan to reflect the Little Calumet River Basin Development Commission's flood control and recreation project plans along the Little Calumet River and within the City of Hammond.

The two aspects of the project which should be taken into account in the City's Master Plan include a seventy-five foot (75') easement held by the Little Calumet River Basin Development Commission and the flood control/recreation project plans as they presently exist.

The Little Calumet River Basin Development Commission holds an easement and right-of-entry which extends seventy-five feet (75') outward from the top edge of each bank of the Little Calumet River. This easement and right-of-entry has existed since the Little Calumet River was declared a regulated drain and is described in Indiana Code 36-9-27-33. It was transferred from the County Surveyor/Drainage Board to the Little Calumet River Basin Development Commission pursuant to Indiana Code 14-13-2-29. This easement is for right-of-entry by the Little Calumet River Basin Development Commission or its representatives onto the affected area. It also restricts the construction of permanent structures within the easement without the Little Calumet River Basin Development Commission's written consent, and otherwise restricts the use of the land. I have enclosed herein copies of the relevant statutes as well as a copy of a recent case interpreting the statute granting the easement. The Little Calumet River Basin Development Commission requests that this seventy-five foot (75') easement be shown on the Master Plan of the City of Hammond, and that the Little Calumet River Basin

Development Commission be notified of all future development requests within the easement. A permit from the Little Calumet River Basin Development Commission will be needed for any permanent structure within the easement.

I have included herein the most recent plans of the Little Calumet River Basin Development Commission/United States Army Corps of Engineers flood control and recreation project along the Little Calumet River through the City of Hammond. The Little Calumet River Basin Development Commission believes that the plans are at a sufficient level of detail to permit incorporation in your City's Master Plan. A similar request is being made of the towns of Highland and Munster. This will show the State the coordination with local communities as well as reduce the risk of costly public expenditures to remediate development encroachments.

After review of the documents provided, please feel free to call Dan Gardner at (219) 763-0696 or me if there are any questions. I look forward to hearing from you regarding the Little Calumet River Basin Development Commission's request as outlined herein.

Sincerely,

CASALE, WOODWARD & BULS, LLP

Louis M. Casale

LMC/amo

Enclosures

cc: Dan Gardner, LCRBDC
Bill Tanke, LCRBDC

TENTATIVE LIST OF COST SAVINGS ITEMS OF
DISCUSSION FOR ENGINEERING COMMITTEE MEETING

The purpose of the Engineering Committee Meeting is to investigate potential cost savings, make the committee aware of major engineering issues, and obtain input from the Committee as to how to proceed. The result of the committee meeting will be part of the topics of discussion for our upcoming Technical Review meeting with the COE. We will also address these issues in letter form to the COE to allow them to do an economic evaluation for design change implementation.

The list of issues below has been prioritized in accordance with current COE project activity timetables.

1. Stage VI-1 - Kennedy Industrial Park area (north of the Little Calumet River, east of Carlson OxBow Park, west of Cline Avenue)
   Fact
   A. Krozan has stoned and paved in the 75' drainage easement and wants to take 45' of this easement for access around their building.
      - Current understanding is that the LCRBDC must compensate Krozan for these new improvements when the LCRBDC acquires real estate

   Questions
   B. What control does state or county law give LCRBDC to control activity in the 75' drainage easement?
      - If State law does not provide adequate control, we will be required to shift the levee toe toward the river to allow them access. This will cost us more to re-design (we may need to install an I-wall).
      - We would propose to move the existing north bank into the river and excavate on the south side. We need to know how critical the channel width is in this area.
      - We would need to get soil borings on south side (Old Highland dump site) to determine if we could re-channel without disturbing landfill materials.
   C. This same application could be applied to the 3 hotels as well as other adjacent facilities.
      - We would replace proposed I-wall construction with levees and reduce real estate requirements.

2. Stage VIII - Columbia Avenue to Illinois State Line (both sides of the river)
   A. Re-consideration for acquisition and/or flood protection design west of the former L&N RR (West Lake Corridor) and north of I-80/94
      - This area includes the 4 houses west of Hohman Avenue and Southmoor residents east of Hohman Avenue.
   B. Following are facts and questions that need to be addressed by the COE.

      1. Facts
         - Illinois levee crest is 598.0'
         - Currently the proposed Indiana levee crest is approximately 601' and consequently ends around flooding west of former L&N RR is possible due to lower Illinois levee.
         - Table 1 from FDM-5

2. Questions
   - What is the schedule for completion of Thornton Quarry and Cady Marsh Ditch projects compared to Stage VIII?
   - Are there any plans to raise the Illinois levee?

C. Minor river channel realignment to allow use of earthen embankment rather than floodwall (Stage VIII and others)
   1. In the area of Harrison Street – north of the river, we could re-align to eliminate over 500' of I-wall on the south side (See Sheet C-30 & C-31)

      Facts
      - Typical levee costs:
        i. Earthen = $400 per linear foot
        ii. I-Wall = $1,500 per linear foot
      - It appears that by minor shifts in the river channel, sheet pile could be replaced by earthen levee.

      Questions
      - If channel is shifted, is there adequate space to construct earthen levee rather than sheet pile wall?
      - What is required to shift channel? Permits needed?
      - What is the potential savings if change to earthen levee is implemented?

3. Stage V-3 (Woodmar Country Club) – Review current levee alignment
   A. Facts
      1. Acquisition of Woodmar will be extremely expensive.
      2. Levee construction will disrupt golf course operation for almost 18 months.
   B. Questions
      1. Is project flood protection needed for the golf course? How many days per year is the course flooded versus the estimated days it will shut down for levee construction?
         - 100 year flood goes approximately ¼ mile from the river (approx. 2/3 of the way) to the club house.
      2. From a project cost standpoint, would it be cheaper to construct tie-back levees on the east and west side of Woodmar and pay Woodmar for slightly increased flood elevations and duration?

4. Borrow material for the remaining project area
   A. Met with Brian Doughman on 11/7/01 (current owner and supplier of clay) east of Clark and north of Ridge Road in Gary
      - He has purchased property adjacent to the existing site and has started stripping unsuitable material from the surface.
      - This will provide at least an additional 500,000 cubic yards of suitable clay that should be enough for the rest of the project.

5. Any other issues?

OVERVIEW OF CONCEPTUAL VE STUDY
LITTLE CALUMET RIVER FLOOD CONTROL
AND RECREATION PROJECT

SYNOPSIS OF MEETING
1 FEBRUARY 2002

VE ISSUE 1

Location: Stage VI
Issues Addressed:

- Relocate north levee into channel.
  Minimize Real Estate requirements
  Impacts: Excavate in/near Highland Dump
  Fill into Channel

Results of Discussion:

- Eliminate any incursion into Highland Dump
  Disposal Issues, Permitting Issues
- Fill in channel not recommended; not economically feasible.
  - Wide, deep section would require large amounts of fill
  - New permits required for work in channel
- Corps evaluating potential for minimizing levee footprint in Stage VI.
  - Evaluating retaining wall on landside toe
  - Minimize Real Estate in vicinity of Hotels
  - Commission to check on status of Burger King property
- Krosan Property
  - Commission to address through legal channels (75 foot easement)
  - Commission awaiting response from Krosan per Real Estate requirements
  - Corps to provide minimal footprint requirements for this location.

VE ISSUE 2

Location Stage VIII
Issues Addressed:

- Four Homes West of Hohman Avenue
- Levee Protection at Southmoor
- Type of Protection (Levee vs. Floodwall) including location (in channel)

Results of Discussion:

- Four Homes
  - Survey of River Drive and driveways completed
  - Water levels for 100 and 200 year storms (with full project) compared to survey data
  - Commission to receive letter from District
  - Commission with coordinate with Munster regarding public safety issues
  - Evacuation of residents could be initiated as part of the Flood Warning Plan
  - Investigate a potential road raise of River Drive

- Southmoor Estates Levee
  - Small earthen berm on top of existing embankment not recommended, full section would be required. Thus the Corps recommendation of short floodwall.
  - Citizen concerns about the need for any protection discussed.

- Discussion centered on ways to minimize construction easements/impacts
- Geotech issues would need to be addressed (including stability/watertightness of existing embankment)
- Corps indicated it would be available for discussions with residents.
- End around flooding will still occur for certain events (greater than 100 year)
- Investigate potential innovative construction methods to construct this segment from the riverside.

➢ Type of Protection

- Corps indicated it would continue to pursue optimization of alignment through it's Contractor and in-house staff
- Commission indicated it may do it's own evaluation of in-channel fill versus floodwall after the Corps analysis is complete.

Contractual Update

SEH contract may be put on hold do to budgetary constraints. Stage VIII issues will be addressed, but it may be in the future.

VE Issue 3

Location: Woodmar Country Club

Issues Addressed:

➢ Tie-back levee and easement versus riverbank levee
➢ Length of Construction time (i.e. impacts on club operation)

Results of Discussion:

➢ Tie back levees would need to extend to elevation 604.9 (I-80/94 embankment).
➢ Tie backs would extend about 5000 feet
➢ Flowage easement would likely need to extend to 604.9 (induced water level)
➢ Construction per field office could be completed in one season
➢ Potential for bonus/liquidated damages in Corps contract discussed
➢ After the evaluation of construction impacts is complete, the appraisal will need to be reviewed and possibly redone.

VE Issue 4

Location/Issue: Doughman Borrow Site

Issue Addressed:

➢ Dedicated use of Doughman site for west reach levees

Results of Discussion:

➢ Corps cannot recommend use of Doughman as sole source
➢ Potential issues with use/timing of work on Hartsdale Pond
➢ Commission to provide storage/elevation info for Hartsdale Pond
➢ Easement at Doughman discussed/rejected – not profitable for Doughman
➢ Corps indicated that additional sources will not need to be identified as Doughman and/or Hartsdale Pond should provide sufficient material for the West Reach levees.

Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

(219) 763-0696 Fax (219) 762-1653
E-mail: littlecal@nirpc.org

WILLIAM TANKE, Chairman
Porter County Commissioners' Appointment

ROBERT HUFFMAN, Vice Chairman
Governor's Appointment

CURTIS VOSTI, Treasurer
Governor's Appointment

JOHN MROCZKOWSKI, Secretary
Governor's Appointment

GEORGE CARLSON
Mayor of Hammond's Appointment

ARLENE COLVIN
Mayor of Gary's Appointment

STEVE DAVIS
Dept. of Natural Resources' Appointment

EMERSON DELANEY
Governor's Appointment

ROBERT MARSZALEK
Governor's Appointment

DR. MARK RESHKIN
Governor's Appointment

MARION WILLIAMS
Lake County Commissioners' Appointment

DAN GARDNER
Executive Director

LOUIS CASALE
Attorney

February 22, 2002

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

Dear Imad:

I would like to thank you for coordinating our VE engineering cost savings meeting on February 1. We appreciated your providing us with information that cleared up many ongoing issues that we have presented to you and for having appropriate personnel available to make this presentation. We are summarizing responsibilities for both the COE and LCRBDC to follow up on these issues. Even though these suggestions may not be able to be used as we discussed, it appears that further investigation into alternative cost savings items related to these issues may still be done.

Similarly, we will be requesting another meeting with appropriate personnel, to review the outstanding issues, many of which will require further discussion or clarification. Even though some of these items have been discussed and addressed by the COE, we need to come to a common resolution to end any further "lack of communication". A letter will be forthcoming regarding only those outstanding issues that we feel need clarification and discussion and need to be pursued. It was suggested by our Commissioners at our engineering coordination meeting on February 15th, that I would respond on behalf of the Commission to those responses that we feel need further discussion as per your letter dated February 7th. We hope to come to a common resolution in order that we may move on with the project and proceed in a workmanlike and efficient manner.

We look forward to working with you to resolve these issues and if you have any questions regarding these items, please contact me.

Sincerely,

Dan Gardner

Dan Gardner
Executive Director

/sjm
cc: Ray Coughenour
Sue Davis
Bill Tanke
Bob Huffman

Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

(219) 763-0696 Fax (219) 762-1653
E-mail: littlecal@nirpc.org

To: **Committee members George Carlson, Emerson Delaney, Bob Huffman, Mark Reskin and Bill Tanke**

From: **Jim Pokrajac, Agent, Land Management/Engineering**

Engineering Committee meeting
9:00 a.m. Friday
February 15, 2002

LCRBDC Office
6100 Southport Road
Portage, IN

The intent of this meeting is to discuss, primarily, 3 separate engineering issues. These issues are as follows:

1. **The response to the Greeley & Hanson engineering request (on behalf of the Gary Sanitary District as their engineering consultant). This is important to review because the GSD will not even discuss the potential of their participation in any future O&M items, which includes the 4 pump stations we have already constructed in the east reach.**

2. **The VE issues that we had compiled from our November 13, 2001 engineering committee meeting will be discussed. We had a meeting with the COE on February 2, 2002 to review and discuss the economic feasibility of these issues. This will be imperative to discuss being that the COE has offered some alternatives to our suggestion and currently, new tasks have been assigned.**

3. **The outstanding issues that the LCRBDC had presented to the COE on January 14, 2002 were responded to on February 7, 2002 (the afternoon of our Commission meeting). We would like to review and discuss Imad's response to our concerns.**

This will be the guideline for our meeting. We appreciate you being able to attend and if you have any questions between now and the meeting, please call me.

cc: Arlene Colvin, Steve Davis, John Mroczkowski, Bob Marszalek, Curt Vosti, Marion Williams, and Jim Flora

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

RECEIVED ON FEB. 14, 2002

REPLY TO
ATTENTION OF

February 8, 2002

Planning, Program and Project
Management Branch

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

Subject: Little Calumet River Flood Control Project, Stage VIII

Dear Mr. Gardner:

During the 50% review of Stage VIII Plans and Specifications, your staff requested that we re-evaluate the Feature Design Memorandum 5 (FDM 5) recommendation because of the large costs involved. As you are aware, FDM 5 recommended that the 4-four homes west of Hohman Avenue on River Drive should be purchased and the families relocated at project expense. Per your request, our office has reviewed the FDM 5 recommendations, current Flood Insurance Study (FIS) elevations, and the existing and projected 100-year flood elevations (from FDM 5).

The published regulatory flood elevation (100 year) is 598.2 at Hohman Avenue. New topographic information obtained during the development of the Stage VIII plans and specifications confirms that only one of the four homes west of Hohman Avenue *may* be directly impacted by floodwaters during a 100-year event. At the present time, all four of the homes are currently shown in as Zone A on the Flood Insurance Rate Map (FIRM) Enclosure 1. Based on the old Soil Conservation Service (SCS) inventory for the Little Calumet River, the first floor elevations for each of the residences are as follows, with only 27 South River Drive having a first floor entry below the 100-year flood stage.

27 South River Drive	597.8
1 South River Drive	599.9
21 South River Drive	599.7
15 South River Drive	600.3

During the completion of FDM 5, concerns were raised by the Town of Munster about emergency access to the four residences during a 100-year or less frequent rainfall event based the potential for inundation of River Drive, which has an approximate elevation of 595.4 (feet NGVD). Consequently, the recommendation was made, in concurrence with the local sponsor, to include a buyout of those four homes in the flood control project. As a follow-up to the issue

of emergency access, we performed a survey of River Drive, from Hohman Avenue to the State-Line, and of each of the four driveways associated with the residences. This information will allow concerns regarding emergency access for the residences to be more fully addressed. Enclosure 2 is the elevation of River Drive and the driveways, that information can be presented by the Little Calumet River Basin Development Commission to the community of Munster and the residents. As additional information, the water surface elevations from the unsteady flow modeling at Hohman Avenue and the Illinois-Indiana State-Line for the 100-year and 200-year events are tabulated below. Results were included for existing and with-project conditions (including with and without the Thorn Creek Reservoir Project in Illinois.)

Water Surface Elevation (ft NGVD)				
	Existing Conditions		Project Conditions	
Frequency Event	W/O Thorn Creek	W/ Thorn Creek	W/O Thorn Creek	W/ Thorn Creek
100 Year				
Illinois-Indiana State-Line	598.5	596.3	598.2	595.5
Hohman Avenue (Munster Gage)	598.6	596.7	598.3	595.7
200 Year				
Illinois-Indiana State-Line	599.02	597.65	598.68	597.20
Hohman Avenue (Munster Gage)	599.13	597.86	598.75	597.33

A secondary consideration regarding the four structures that has been raised regards their status in terms of flood insurance. As noted above, the current, regulatory flood in that reach is 598.2 (feet NGVD). If the residents of those four residences are not relocated, then either the Town of Munster, or the Little Calumet River Basin Development Commission can petition FEMA to prepare a Letter of Map Revision (LOMR) to remove those four homes from the Zone A floodplain. Further information about this process is available from FEMA. This request could be made once the Thorn Creek project is 100% funded and 50% of the construction is complete. The issuance of the LOMR would result in a mapping change and remove the structures from the regulatory floodplain. The removal from the floodplain would eliminate any requirements for those residents to purchase flood insurance. It should be noted that once construction of the Little Calumet River Project is complete, the Indiana portion of the Little Calumet River floodplain will be re-mapped by the District in conjunction with FEMA. There is an effort underway to re-map the Illinois portions of the floodplain once the Thorn Creek project goes on-line.

Please contact Mr. Daniel Kriesant (312-353-6400, X 3115) or myself (at extension 1809) if any additional clarification of this issue is required.

Sincerely,

Imad N. Samara
Project Manager

Enclosures

Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

(219) 763-0696 Fax (219) 762-1653
E-mail: littlecal@nirpc.org

February 28, 2002

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

Dear Imad:

As per a request from our Commissioners at our February 15 Engineering Committee meeting, we are enclosing responses to your letters of February 7, 2002 regarding V.E. cost savings items, outstanding project issues, and GSD outstanding issues. We have summarized the status of these items and have included information we feel is pertinent to allow us to coordinate and communicate more efficiently in the future. Some items needed clarification and still need to be resolved.

While the answers to the sheet piling concerns, the overflow section issue, and the engineering review of plans and specifications do not need necessarily satisfy us fully, we also feel it is no longer useful to pursue these issues any further as we feel we will not reach a consensus with the COE. . Regarding the sheetpile corrosion issue, please see our response; however, except for Stage IV-1, which we would still like to get your comments on, we believe that the corrosion issue has been addressed. Regarding the overflow section issue, please see our response; we have received the response from the COE we requested. Regarding the plans and specification issue, we believe that since all west reach engineering is past the 50% review process, these issues have now become a mute point. We feel that to complete the final review, we still need to have community and local sponsor issues addressed and resolved.

We hope that information and summarizations that we have provided can serve as a guideline to track the status of many of the ongoing issues. We look forward to working with you in order to provide better documentation, status of these issues, and tracking to assure that these are all completed in a timely manner.

Sincerely,

Dan Gardner
Executive Director

Cc: Ray Coughenour, COE
Jim Flora, R. W. Armstrong Co.

SHEET PILING ISSUES

- Potential damage to adjacent property during sheet pile driving.

  We agree with the proposed solution to this issue as explained in your letter.

- Sheet Pile Corrosion

  We have decided to accept your answer that "corrosion will not be a problem and the useful life of sheet piling is the life of the project". We however point out for the record the following facts:

  - You have not represented Mr. Sam Doaks September 12, 2000 memorandum correctly when you state: "corrosion in the first several feet of undisturbed soil is virtually non-existent due to the rapid loss of oxygen." What Mr. Doaks memorandum states is the following: "When steel pilings are driven in undisturbed soil a few feet below the ground surface, the oxygen necessary for any type of corrosion to occur is quickly depleted. After that there is virtually no corrosion. The top few feet of the sheet piling in the levee embankment is not really needed for seepage control and could be sacrificed or cut off. This is the only area that will corrode to any extent."

  - Mr. Doak's memorandum indicates that corrosion of sheet piling can be significant in the top few feet of soil below ground surface. So the significance of corrosion in the top few feet of soil will depend on the purpose of the sheet piling in the top few feet of soil.

  - In case of Stages 7 and 8 you indicate that "corrosion is not a problem due to the non-structural nature of the cut off wall." This agrees with Mr. Doak's comments and we accept it.

  - In the case of Stage 4 –1 south you indicate that "we could not build our standard concrete I-Wall due to excavation limitations in the area so the sheet pile was driven in undisturbed soil." We are not sure how this relates to Mr. Doak's memorandum. It would be good if you clarified this situation.

  - Your response also states that "the real issue here is why the Local Sponsor feels that corrosion is a problem". We believe this to be an important question. The real issue is not why the Local Sponsor feels that corrosion may be a problem, but why the Corps seems so unwilling and unable to address a legitimate question. We have not said corrosion is a problem. We have only asked if it could be a problem.

OVERFLOW SECTION ISSUE

- We have understood the need for overflow sections for many years as well as the reason for their specific location, our only question has been regarding the risks of armoring the overflow sections.

  Your response provides the answer to our question: "... the inclusion of armoring on an overflow section reduces the potential for failure at these carefully selected locations. This then increases the risk that an embankment will overtop or fail at less desirable, i.e. dense residential areas."

  Our concerns regarding armoring comes from two observations:

  1. If a levee is overtopped there is a significant risk of embankment failure. This concern appears to be confirmed by the statement in your response that states "in the event that the overflow sections are overtopped, there is a potential for embankment failure."

  2. Embankment failure or a washout of a section of the levee will mean that the water level on the landside of the levee will be the same as between the levees. Therefore overtopping that results in embankment failure will not only cause flooding in the desired areas of golf courses, oxbow lakes, ponding areas and less developed areas but also in adjacent dense residential areas. The lack of tie-backs to high ground will also make such flooding widespread.

  For the record we still believe that the overflow sections should be armored since this will minimize the level of landside flooding. While you may be correct with your assumption that an armored overflow section increases the risk of embankment overtopping and failure at non-overflow sections, we believe that armored overflow sections allow an overflow to occur safely without risking failure of the levee which would result in extensive flooding. Failure of the levee embankment either in an overflow section or non-overflow section will have the same end result of extensive flooding.

  Since this is an issue upon which we apparently will never agree, we suggest that we agree that we will disagree on this issue.

ENGINEERING REVIEW OF PLANS AND SPECIFICATIONS

- Incomplete set of drawings.

  - Although your letter implies otherwise, we have always recognized that there are various levels of plan completion which we review. For the record we have always only reviewed 50%, 100% and final plan sets.

  - Our comment was primarily aimed at the 50% level of completeness in certain plan sets. Your response regarding Stage VI Phase 2 confirms our original comment.

  - We agree with your response that states: "At the 50% level all major elements should be finalized, dimensioned and designed." As long as you require you're A/E's to conform to this standard, we believe the issue is resolved.

- Stage VII and Stage VI Phase 2

  - Your response regarding Stage VI-2 states the following: "During the review meeting we tried to address as many Local Sponsor issues as possible even at the expense of in-house review issues. However as happens at many of these meetings the Local Sponsor representative gets on a topic and won't let go thus taking precious time away from other issues from both the Local Sponsor and in-house team. For Stage VI-2 meeting it was the Sandalwood Subdivision and the Cline Avenue trail crossing. Therefore, when the 100% rolled around some of the Local Sponsor issues were not incorporated because they were never resolved." In fact review of the agenda for the April 11, 2001 meeting reveals that Sandalwood Subdivision and Cline Avenue trail crossing were issues that needed to be addressed. From the notes taken by Mr. Pokrajac at the meeting it appears as if your meeting agenda topics were all addressed. Review of the 50% plan review comments was not on the agenda. If you had read the A/E's response to our 50% comments that we received from Jan Plachta on February 27, 2001, or Mr. Pokrajac's letter of March 8, 2001 expressing his concern about the many comments answered with "discuss" or "discuss with Corps", then why were these comments not on your agenda? When did you plan to discuss these comments? After all responses were needed from the Corps <u>not</u> the Local Sponsor.

    In fact if you review our comments on the 100% you will find that they include the 50% written comments and new 100% comments. A number of these comments involve Sandalwood and Cline Avenue trail crossing. The Corps and its A/E did not even address significant issues regarding Sandalwood Subdivision even though as you say the Local Sponsor took "precious time away from other issues" to discuss them. The Cline Avenue trail crossing also was not adequately addressed as you will see if you looked at our 100% comments.

- The Corps response states that "the recreation trail path were not detailed in the 100% because the COE told the A/E to go no further ...." Why then did the 100% show a short section of trail east of Cline that connected to no other trail section. If you did not want to take the time to sort out what was needed from Cline Avenue all the way east to the EJ & E Railroad now, why show a section of trail on the 100% plans that does not connect to anything and may need revision to connect to the overall trail. This seems to be a waste of effort. Our 100% comments suggest that maybe the trail from the west side of Cline Avenue to the railroad should be included in the future Recreation Phase II project.

- Many Issues were not addressed in 100% plans.

  - The Corps response seems to imply that many of our comments were addressed in the 100% plans for Stage VI-2. This is not the case. We suggest that you review our 50% and 100% comments.

  - You blame the lack of resolution of Stage VI-2 comments on too much time being taken up talking about Sandalwood and the Cline Avenue crossing by the Local Sponsor representative. This is not true. Notes from the meeting show all agenda items were discussed. You also suggest that the Local Sponsor needs to submit a "position paper." We have already submitted our comments and feel that a "position paper" would be repetetive. What we need are answers from the Corps which we feel are of sufficient detail to make a response. We do not feel that the comments submitted by the Commission are given full consideration either in time or detail of response.

- Important issues answered by the words "discuss" or "discuss with the Corps".

  - The Corps response seems to imply that the LCRBDC is somehow responsible for not receiving responses to their own comments. The fact is that we are still waiting for the Corps to respond to our 50% comments that were answered by the Corps' A/E with the words "discuss" or "discuss with Corps".

- Unresponsiveness results in 100% plans which may need significant revision and added project cost.

  - The Corps response indicates that unresponsiveness does not always add to project cost. How does the LCRBDC know this? For some time the LCRBDC has asked for documentation on design costs, but as of today the LCRBDC has not received any such data.

  - We do note that any issues that are tabled and resolved later are not typically done by the originally A/E. In this case the cost for the follow-up design is an added cost unless you have not paid A/E's their full fee since they did not fully complete their scope of work. Once again we have not been provided with A/E fee data.

FINANCE AND POLICY COMMITTEE
of the
LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION

REPORT TO THE FULL COMMISSION
March 5, 2002

The Committee has agreed *unanimously* to recommend the following:

1. A Revised Travel Policy (see attached).

2. To Reaffirm the Goals of the Officer and Committee Rotation Policy as enacted by the Commission on XXX 1996. MAY 1, 1997

3. The policy of this Commission shall be that the presiding officer, or Chairperson, shall *not* appoint the Nominating Committee. Instead, a Nominating Committee is to be chosen by the full Commission at its November meeting, by secret ballot. Each Commissioner can vote for three candidates (not more than one vote for any candidate) with the top three vote getters (plurality, not majority) from all Commisioner votes becoming the Nominating Committee. The Nominating Committee is to meet and, considering the reaffirmed Goals of Officer and Committee Rotation Policy, report to the full Commission at the December meeting a slate of candidates, with additional nominations available from the floor.

4. The policy of this Commission shall be that the Presiding Officer, or Chairperson, is a non-voting ex-officio member of all Committees. Furthermore, salary per diems for Committee work be allowed *only* for voting member of Committees.

at meetings omitted

5. Committee assignments will be chosen by the Chairperson from the preferences indicated by individual Commissioners.

6. Committee members will choose their own Committee leaders.

LCRBDC TRAVEL POLICY

The following policies shall be used in authorizing travel by Commissioners and staff of the Little Calumet River Basin Development Commission:

It is understood that final approval of all claims related to travel are subject to approval of the full Commission, as are all claims, per the 1980 State Enabling Act as amended authorizing and empowering this Commission.

A. Definitions

1. **Area Business – automobile travel, no overnight stay.**
2. **Indianapolis Business – for pertinent State legislative, executive or regulatory business; overnight stay not required but may be allowed.**
3. **Annual Conferences – as authorized by a majority vote of the Commission at a public meeting.**
4. **Emergency Travel – overnight travel, as needed, to be used only in situations where other authorization scenarios can't apply for reasons of time.**
5. **Special Travel – travel not covered by other categories, as determined by a majority vote of the Commission at a public meeting.**

B. Authorization to Travel

1. **Staff shall be authorized to travel on Area Business as deemed necessary by the Executive Director. Commissioners are authorized to travel on Area Business that is pertinent to their Committee work, as directed by Committee Chairperson.** (not Chairman?)
2. **Staff shall be authorized to travel on Indianapolis Business as deemed necessary by the Executive Director. Commissioners are authorized to travel on Indianapolis Business as pertinent to their Committee work, as directed by Committee Chairperson.** (?)
3. **Staff and Commissioners shall be authorized to travel to Annual Conferences as determined by a majority vote of the Commission at a public meeting.**
4. **Staff and Commissioners shall be authorized for Special Travel as determined by a majority vote of the Commission at a public meeting.**
5. **Staff and Commissioners shall be authorized for overnight Emergency travel as determined through polled approval of at least six Commissioners.**

does staff include Jim + Judy?

C. Authorization for Reimbursement

Reimbursable expenses shall be subject to state law and the following guidelines:

1. **For area business: State law on mileage reimbursement shall apply to Area Travel directed by Executive Director. Commissioners shall be reimbursed pursuant to state law for Area Travel only if related to Committee work as directed by Committee Chairperson.**
2. **For Indianapolis business: State law on mileage shall apply. Other expenses of staff and any Commissioners related to meals, entertainment and/or salary per diem shall be governed by appropriate state law and Commission policy. Overnight stay for staff allowed upon determination by Executive Director.**
3. **For Annual Conferences: State law and Commission policy as enumerated in this policy or subsequent policies.**
4. **For Special trips and Emergencies: As authorized by state law and the Commission as enumerated in this policy or subsequent policies.**

D. Particular Travel-Related Expenses

Other travel related expenses are to be reimbursed in accordance with state law and Commission policy as enumerated in this and subsequent Commission policies.

1. **Registration fees which have not been prepaid by the Commission for attendance at events related to authorized travel shall be reimbursed when supported by receipts. If Staff or Commissioner fails _ without valid reason as determined by a majority of the Commission at a public meeting- to attend an event at which pre-registration fee was paid, that Commissioner or staff shall be liable for any non-refundable portion of the fee.**
2. **Airline, bus, rail or other travel fees for Authorized Travel which have not been prepaid will be reimbursed at prevailing "coach" or "tourist" rate when supported by receipts. If pre-paid travel is cancelled without a valid reason – as determined by a majority vote of the Commission at a public meeting – the staff or Commissioner will be liable for the non-refundable portion o the pre-paid fee.**
3. **Taxi fees, parking, and/or tolls as related to authorized travel will be reimbursed when supported by receipts.**
4. **Automobile travel for authorized travel will be reimbursed at the current state-authorized rate.**

TRAVEL POLICY
p. 3

5. **Rental cars expenses for authorized travel will be reimbursed when supported by receipts upon the approval of a majority of the Commission at a public meeting.**
6. **Lodging expenses at the Single Occupancy rate for authorized travel that are not prepaid will be reimbursed when supported by receipts. Lodging costs shall include room costs, taxes, and reasonable, business-related phone charges.**
7. **Meal expenses when supported by receipts related to authorized travel will be reimbursed at the maximum allowable rate as determined by state law.**
8. **In addition to allowable meal and travel expenses, Commissioners shall receive a salary per diem as enumerated in applicable State Law, as amended.**

don't need receipts – we go by state meal allowance $8 $8 $16 = $32 ma... dai...

lodging receipts shall not exceed hotel conference rate unless approved by majority vote.

RECREATION REPORT

For meeting on Thursday, March 7, 2002

(Information in this report is from February 3, 2002 – February 26, 2002)

GENERAL STATEMENT:

A. At this point in time, the existing construction contracts in the East Reach are almost all completed. The only remaining area of construction is the Betterment Levee – Phase II.

B. Currently, the joint recreation venture with the Army Corps is completed; 90% of the completed east reach levees have stoned trails completed; the remainder of east reach trails are currently being coordinated and should be included in an upcoming recreation contract. The Corps will write us a letter requesting a change in this scheduling. (Still awaiting letter as of November 27th, 2001.)

- It is anticipated that the next recreation contract may be in 2003-2004, and that the construction and real estate costs for this work would be delayed until that contract is ready to let.
- A supplemental contract will be released as part of the Stage III remediation project in the late summer of 2001 that will include the paving of all ramps.
- **In the COE letter dated February 7, 2002, they indicated, under the "remaining east reach recreation features" response, that these remaining features will be incorporated into the next recreation contract.**

RECREATION - PHASE 1.

(This contract included 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.

EAST REACH RECREATION

A. Recreation trail re-alignments will be required in the east reach due to conflicting land use plans with City of Gary, I.U. Northwest, or other regulatory groups. (Refer to general statement.)

1. **Broadway to Harrison Crossing: (Currently on hold until the next recreation contract.)**
   - We received a letter of response from INDOT on October 18 indicating no concerns regarding the crossing at Broadway as long as we coordinate with the locals, and that a right-of-way permit with them would be required.
   - We will be making application with the City of Gary to use the Broadway r/w (the existing sidewalks) on both sides to go South to 33rd Avenue to cross at the light.
   - Upon completion of I.U. Northwest modifications on, and adjacent to, Broadway, we will install a permanent trail crossing south of the river and along the line of flood protection as originally proposed, and the temporary trails on the sidewalks on the Broadway right of way will be abandoned.
2. **Harrison to Grant Street Crossing: (Currently on hold until the next recreation contract.)**
   - We received a letter from the City of Gary on July 11th, 2001, indicating that our proposal East of Gilroy Stadium to 32nd Avenue is the best use location from Harrison to Grant.
3. We submitted a request to Attorney Casale on August 3rd, along with a letter from the EJ&E RR to proceed with an agreement to allow us to install an at-grade recreation trail crossing East of Cline Avenue.
   - We received a letter from the EJ & E on September 1st, 1999, allowing us to proceed along with their requirements. (To Lou at September 10th, 2001 utility coordination meeting.)
   - The scope of this work will be done as part of the Burr Street Phase 2 project instead of Stage VI-2.

WEST REACH RECREATION

A. **Cline Avenue Crossing:**
   1. We had recreation coordination meetings with Highland and Griffith to determine trail re-locations which allow us to cross at Cline Avenue at Highway Avenue
      - A field meeting was held with Griffith on June 27th, 2001 to walk and review potential recreational trail adjustments east of Cline.
      - A meeting was held with Highland on July 5th, 2001, to review the recreation trail location west of Cline Ave. A follow-up meeting was held with the Cline Avenue Baptist Church on July 16th, 2001, to review the possibility of getting an easement across their property adjacent to Cline Ave.
   2. A letter was sent to the COE on July 23rd, 2001 along with sketches showing the proposals and suggesting a meeting to review and discuss these locations.
      - **To date, this was not included in the Stage VI-2 engineering drawings.**

B. **Tri-State recreational trail tie-in for the Highland/Wicker Park/Erie Lackawanna Trail Systems: (Part of Stage V – Phase 2 construction.)**
   1. The COE modified the engineering and real estate drawings and submitted them to us at the Real Estate meeting on July 19th, 2001. It is still the intent to have this recreation trail on the land side. (Refer to Land Acquisition & Engineering Reports).
   2. North Township – Wicker Park recreational trail alignment is being evaluated.
      - It was mentioned to re-locate the trail from between the golf courses to the existing trail along the West and South boundaries.
      - North Township would not have a problem, but are awaiting information from INDOT for impacts to Indianapolis Blvd. R/W which would cause their existing trail to be re-located. (Ongoing)
      - We had a meeting with Highland to discuss Highland/INDOT plans for drainage in this area (See Engineering Report).

C. A letter was sent to the Lake County Highway Dept. on December 28, 2000 requesting permission, and comments, to cantilever a walkway on the east side of the Kennedy Avenue bridge to allow our trail to be contiguous.
   1. It was approved at our February 1st, 2001 Board meeting to contract with R.W. Armstrong to do a feasibility study for the pedestrian walkway and get an agreement at a cost not to exceed $7,000.
      - It is our intent to include this construction as part of the Stage VI – Phase 1 contract.
      - R.W. Armstrong submitted a cost to coordinate and design this walkway in the amount of $26,000. The board deferred doing this work until a later date due to financial constraints. (See Stage VI-I Engineering Report.)

D. **Stage VIII Trails:**
   1. We received a letter from NICTD on October 15th, 2001 (dated October 9th) indicating problems with the location of our trail on their R/W under I-80/94.
      - They feel it is a safety concern and suggested we reroute our trail along their R/W to 173rd Street.
      - LCRBDC is currently contacting NICTD to do a review with the Corps, and SEH (Corps engineer) to discuss their request.

SANDY MORDUS, BUSINESS COORDINATOR
LITTLE CALUMET RIVER BASIN
DEVELOPMENT COMMISSION
6100 SOUTHPORT ROAD
PORTAGE, INDIANA 46368
PHONE (219) 763-0696
FAX (219) 762-1653

bigideas

SANDY'S BIG IDEAS FOR THE DAY....THE DAY IS _____

NICTD mtg. here on the 11th. ✓

Contract amendment status w/ Burke ✓

Pre-Bid Mitigation 18th. ✓

20th - Real Estate mtg.

20th - State Bd Accounts audit exercise

Dan - Imad's email re: John Hart in

Deb L phone call re:

Dan
- Reshkin - find out if we have a role in Stormwater mgmt.

- DRAW - send out Memo w/ Imad's letter
- GARY easement agreements - Call Green
- Burke - Signatures on "
- bottom line figure
- STII remediation cost - 100% COE cost?
- May 2nd mtg - any info, get to Flora.

Rfd. Rules

Little Calumet River Basin Development Commission

WORK STUDY SESSION
ENGINEERING COMMITTEE
MARCH 7, 2002
Bob Huffman, Committee Chairman

1. Report on Engineering Committee meeting held on February 15th
   - Reviewed GSD issues, V.E. cost savings items, and outstanding issues
   - Discussed COE responses from COE letter dated February 7th

2. GSD & O"&M Concerns
   - Sent COE responses to GSD/WREP/Greeley & Hansen (GSD engineering consultant) on February 27th
   - Are currently coordinating a meeting with all parties to discuss, review & resolve issues
   - Our final coordination with GSD will concern O&M responsibilities

3. V.E. Cost Savings Items
   - As per our February 1st coordination meeting, COE is currently investigating alternative cost savings methods

4. Outstanding Issues
   - Sent letter to COE on March 5th pulling out utility coordination concerns as a separate item
   - Remaining items will also require a separate meeting with appropriate personnel

5. INDOT – Tri-State Drainage
   - Received memo from INDOT on February 25th indicating they are not intending to install a pump station
   - They will divert their flow to the 81st Street Pump Station east of Indpls. Blvd.
   - Harrison Overpass on I-80/94 – Construction started March 1, 2002 and will complete this year
   - Hohman Avenue Bridge – Construction started February 11, 2002; project completion is June 1, 2002
   - Georgia Overpass on I-80/94 – Will advertise November 2002; construction start scheduled for spring 2003

Little Calumet River Basin Development Commission

WORK STUDY SESSION
7 MARCH 2002

LAND ACQUISITION / LAND MANAGEMENT
ARLENE COLVIN, CHAIRPERSON

1.) **INCREASED OFFERS (to avoid condemnation):**
DC 752 $680 for easement increased to $ 1700 for fee take – creditable
NO CONDEMNATIONS

2.) **Staff is asking the Commissioners to consider the following:**
For three years the LCRBDC has released bids for those interested in farming the 120 acres of land outside the levees at 35th and Chase Streets. Only one response each year - from the Bult Brothers - has been returned. Would the Commissioners consider a motion to allow the Bult Brothers to farm the land without going through the bid process?

3.) **In-Project Mitigation Right-of-Entry (ROE) Difference:**
Problem: What's permanent and what's temporary?
(difference in the Mitigation Plan and Mitigation Right-of-Entry)

Area	Mitigation Plan	Mitigation ROE request
Black Oak site	36 acres	58 acres
Clark to Chase south	53 acres	98 acres

Solution: The Corps delivered the modified drawings today (3/7/02) which specify the permanent and temporary work easements. Staff is currently reviewing the drawings.

4.) **Problem: Complaints from landowners Mr. & Mrs. Glen Stotts and Mr. David Taborski concerning erosion, standing water, and grass-cutting difficulties with a drainage ditch between Colfax and Calhoun Street in Gary.**

Solution: Commissioner Curt Vosti and staff Jim Pokrajac made a field visit to the drainage ditch between Colfax and Calhoun. *Jim's letter to Corps Project Manager Imad Samara is attached.*

5.) **Coming next month to a Commissioner's meeting near you – a summarization of the income generated from farming, sign, and rental leases. You'll be excited! You'll be entertained as technical reports of numbers and locations thrill your senses. Tune in and don't miss this exciting adventure in accounting.**

Committee Preference Selections
Year 2002

Land Acquisition/Management
Arlene Colvin
Bob Marszalek
Curt Vosti

Project Engineering
Bob Huffman
Emerson Delaney
Mark Reshkin
Marion Williams

Legislative
John Mroczkowski
Arlene Colvin
George Carlson
Curt Vosti

Finance
Curt Vosti
Arlene Colvin
John Mroczkowski
George Carlson

Policy
George Carlson
Arlene Colvin
Steve Davis
Bob Huffman
John Mroczkowski

Environmental
Mark Reshkin
Emerson Delaney
Bob Huffman
Marion Williams

Recreation
Emerson Delaney
Steve Davis
Bob Huffman
Bob Marszalek
Curt Vosti

Marina
Bill Tanke
Emerson Delaney
Marion Williams
Steve Davis

Public Relations
Bob Marszalek
George Carlson

Little Calumet River Basin Development Commission

LITTLE CALUMET RIVER BASIN
DEVELOPMENT COMMISSION

MARINA REVENUE BOND CLAIM
MARCH 7, 2002

Marina Sinking Account #185018027630

001-02	BANK ONE	$ 28,643.84 (Due April 1, 2002)

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
ATTENDANCE ROSTER

NAME OF MEETING: LCRBDC DATE: 3-7-02

LOCATION: 6100 Southport Rd, Portage CHAIRMAN: Bill Taate

PLEASE SIGN IN

	NAME (PLEASE PRINT)	ORGANIZATION, ADDRESS, PHONE NUMBER
1	Sandy O'Brien	Hobart
2	Don Ewoldt	LEL
3	Elizabeth McCloskey	U.S Fish & Wildlife Service
4	Jim Flora	R.W. Armstrong
5	Glenn & Patricia Stotts	2945 Colfax St. Gary, 844-1048
6	MARK LOPEZ	Cong. UISCLOSKY'S Office
7	IMAD SAMARA	US COE
8	DEB LAWRENCE	IDNR
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

THE TIMES

TUESDAY FEBRUARY 19, 2002

Governor slashes budget by millions

Nearly every Indiana agency affected by proposed spending cuts.

BY TERRY BURNS
Times Statehouse Bureau Chief

INDIANAPOLIS – In an effort to close a widening budget gap, Democratic Gov. Frank O'Bannon outlined $109 million in state spending cuts Monday, many of which will affect the most vulnerable Hoosiers – the disabled, the elderly and children.

The cuts involve nearly every state agency, O'Bannon said, and in some cases "painful" choices – including restricting the number of disabled and elderly Hoosiers who can receive home health care and closing certain state park campgrounds and swimming pools.

In addition, the administration is aiming to eliminate 400 state jobs. But in reality, about 90 percent of those positions already are vacant because of a state-imposed hiring freeze or

See BUDGET, Back Page

Budget

Continued from A1

will be cut through attrition. If the cuts were enacted immediately, O'Bannon estimated about 40 state workers actually would lose their jobs. The cost-cutting initiatives, however, won't go into effect until July 1.

The cuts are only the latest effort by the administration to trim $782 million from the state's budget in the face of an anticipated $1.3 billion deficit, the result of a slowing economy and years of overzealous spending.

The administration's budget initiative also calls for slashing millions of dollars in funding to the Indiana Veterans' Home in Lafayette and to state-run schools in Indianapolis serving blind and deaf children.

The only programs and services spared from the budget ax, O'Bannon said, were education, public safety, human resources and government accountability, which eventually could be on the chopping block.

"Hoosiers understand when it comes down to a decision of keeping swimming pools or campgrounds open or cutting classroom education or cutting the time our state troopers can spend on the road, we must put basic needs first, he said.

"Deciding on these cuts has been very difficult because we're cutting into areas that will directly affect Hoosier families. ... These will be permanent cuts, creating permanent change."

But the governor admitted some of the cutbacks could be averted if lawmakers approve some type of balanced-budget deal before the legislative session ends March 14.

O'Bannon warned even more painful and lasting cuts may be imposed if the General Assembly fails to act on his plan to balance the budget and restructure the state's tax system.

The governor's budget and tax plan already has passed the Democratic-led House, but is headed for a major overhaul in the Republican-controlled Senate, which has yet to act on the measure.

O'Bannon's plan, which is contained in House Bill 1004, calls for raising sales, cigarette, gaming the other taxes to plug the budget gap and hold the line on skyrocketing property taxes resulting from a statewide reassessment.

"These cuts are just the tip of the iceberg if the General Assembly does not reach final agreement and help balance the budget," O'Bannon warned. "If our lawmakers do not provide the state with additional revenue, deeper cuts will have to be made."

The lack of a balanced-budget plan, he said, "probably will put us in a position where we cannot avoid cutting education."

Meantime, a top Republican legislative leader said O'Bannon's laundry list of budget cuts offered nothing bold, innovative or surprising.

"There's nothing new. It's the old money he promised in his State of the State speech in January," said state Sen. Lawrence Borst, R-Greenwood, chairman of the Senate Finance Committee. "He certainly would make a lot of Republicans feel better if he really got in there and cut the budget and showed some good faith."

Borst criticized the administration's cost-cutting efforts a day before he was set to publicly unveil a sweeping Republican counter-proposal for restructuring taxes and helping homeowners cope with the sticker shock of reassessment.

The Senate fiscal leader said the GOP plan would significantly cut property taxes for the average Hoosier by sharply reducing existing tax levies and ease the burden on Indiana businesses by eliminating both the inventory and business personal property taxes.

In order to achieve those savings, however, the plan, much like the governor's, calls for raising other taxes, including sales, income, cigarette and gambling taxes.

One thing the Republican plan won't provide, Borst insisted, is the additional money O'Bannon is seeking to balance the budget.

"Our theory is that he has enough money" to balance the budget without additional taxes, Borst said. "They're (the administration) just not seizing the opportunities. They're ignoring them."

Some key budget cuts

The following is a list of some of the more sweeping cuts outlined Monday by Gov. Frank O'Bannon:

Department of Commerce
[redacted] $3 million
Cut Small Business Development Corporation and Economic Development Council budgets; Reduce Skills 2016 program grants; Reduce Capital Access Program loans

Department of Correction
[redacted] $16.5 million
Eliminate positions; Close Westville Transition Unit in LaPorte County and Wishard Detention Unit; Cut administrative costs

Department of Environmental Management
[redacted] $4.89 million
Cut administrative costs

Department of Health
[redacted] $5.28 million
Eliminate vacancies; Eliminate Hoosier State Games; Cut administrative costs

Department of Natural Resources
[redacted] $8.25 million
Eliminate positions; Reduce intermittent work force; Close Wyandotte State Recreation Area swimming pool; Close Bass Lake State Beach, Spring Mill Twin Caves, Potato Creek State Park Horseman's Camp, some campgrounds, picnic areas, shelter houses and boat ramps; Eliminate DNR cultural arts program, special events at state parks and reservoirs; Reduce training.

Family and Social Services Administration
[redacted] $44 million
Eliminate positions; Reduce Step Ahead funding to counties; Reduce Food Stamp program; Transfer funding of Larue Carter Memorial Hospital School to local level; Continue to slow expansion of Developmentally Disabled Client Services waiver program; Continue to slow expansion of Community and Home Options to Institutional Care for the Elderly; Eliminate Client Services for Physically Disabled program; Cut administrative costs

Indiana School for the Blind
[redacted] $780,062
Eliminate positions; Cut administrative costs

Indiana School for the Deaf
[redacted] $1.3 million
Eliminate positions; Cut administrative costs

Indiana State Police
[redacted] $2 million
Cut administrative costs

State Emergency Management
[redacted] $340,452
Eliminate emergency medical services equipment; Incentive Grant program; Cut administrative costs

State Workforce Development
[redacted] $1.74 million
Reduce worker training programs; Reduce Skilled Credential Program; Reduce workplace literacy program

SOURCE: The Governor's Office

THE TIMES

LAND MANAGEMENT REPORT
For meeting on Thursday, March 7, 2002

(Information in this report is from February 3, 2002 – February 26, 2002)

NON-PROJECT LAND MANAGEMENT

A. Handicapped-Accessible Park
   1. The remaining segment of Charles Agnew Park will probably be completed **in 2002** and a dedication ceremony held in the summer.

B. Gleason Park-Driving Range
   1. A meeting was held with Gary Parks and Recreation on June 29th, 2001, to review and discuss scheduling, funding, and scope of work for a driving range North of 30th Ave., West of Broadway.
      - We have received no correspondence about this issue from Gary Parks & Recreation

PROJECT RELATED LAND MANAGEMENT

A. O&M (Project manual review/accepting completed segments)
   1. It is anticipated to start accepting levee segments (after inspections are completed and found acceptable) as early as February, 2002.
   2. The LCRBDC agreed that we would initially inspect and accept the projects on an individual basis to relieve the contractor of his obligations. However, we will require a procedure to mutually sign off with the COE to accept O&M responsibility. (COE currently working on this procedure.)
      - **We sent out requests on February 5th, 2002, to all project communities to update and fill out information requests for flood response plans and points of contact. This will be incorporated into the O&M manuals.**
   3. LCRBDC is currently working on O&M responsibility tables to establish each task and who will do each item.
      - A spreadsheet for Gary has been completed that shows all tasks, frequency of tasks, and locations.
      - We are currently gathering information for costs and who might accept responsibility for each task.

B. Mitigation (entire project area)
   1. **The 29th & Hanley parcel has been removed from the in-project mitigation and CDF, Inc drawings on the other two parcels are being reviewed. (See real estate results under 3.A)**

C. Emergency Management/River Monitoring
   1. It is our understanding that the GSD is currently monitoring river levels as part of the emergency response participation plan.
      - Currently, the LCRBDC has completed review of GSD/WREP concerns that have been addressed **but not resolved** and submitted these to the COE for their input.
      - Refer to Item "E" in this report regarding operations and maintenance.

2. LCRBDC has reviewed COE mapping which shows locations of road closings, sandbagging, and emergency response locations. A plan to coordinate each community flood event response is currently being formulated with information received from the COE in the final O&M Manual received on November 1st, 2001. (Ongoing)
3. We received a script for closure structure video from Gene Kellar on January 9th, 2002 to review and edit.

D. LAMAR Advertising Company
1. LCRBDC received a phone call from Lamar on December 18th, 2001, asking if the LCRBDC would approve them building these signs on our property if they could get Gary approval. **(Ongoing)**

E. Gary Sanitary District (White River Environmental Partners (WREP)) O&M
1. LCRBDC has gathered information from the COE to address both engineering and maintenance questions raised by GSD/WREP. We completed a current status sheet that will be reviewed & forwarded to them for discussion as part of an agenda to turn over O&M to them.
   - **We received a letter from the COE dated February 7th, 2002, addressing the five (5) major GSD concerns that have not been resolved.** 4-7
   - **LCRBDC submitted this to GSD, WREP, and Greeley and Hansen (GSD Engineering Consultant) on February 27, 2002 for their review. We will then have a coordination meeting to resolve these, and some other, issues.** 8

F. The Griffith levee West of the EJ&E RR to Cline Avenue has been completed as well as the Colfax road raise. We will be scheduling a meeting with Griffith to discuss their participation in maintaining and operating these items future no later than mid-December.

G. Portions of West Reach pump stations in Hammond and Highland are being turned over to their respective communities. Representatives of the Hammond and Highland Sanitary Districts are inspecting with the COE and Contractor and signing off as owner.
1. Currently working with Highland (John Bach/Mike Griffin) to put together an agreement whereby the community/LCRBDC/COE can mutually sign off for construction acceptance, but the community assumes O&M responsibility. (Ongoing)
   - Submitted to Attorney Casale on October 5th, 2001

General Items:

1. Crediting – Lands acquired before the 9/26/90 signing date of the Local Cooperation Agreement need to be appraised to that 9/26/90 value. Certified appraisers will be contracted to appraise those lands. Crediting will continue.
2. **We have had some problems with trespassers in areas we own. The only access to our property is along the NIPSCO R/W in many areas. We received an email from NIPSCO on February 12th, 2002, advising that no NIPSCO personnel shall authorize permission without a legitimate purpose.** 9

Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

(219) 763-0696 Fax (219) 762-1653
E-mail: littlecal@nirpc.org

February 5, 2002

Mr. Bill Greco
Public Works Department
Griffith Town Hall
111 N. Broad Street
Griffith, Indiana 46319

Dear Bill:

Enclosed is a copy of outdated information we received from the city of Gary for their flood response organization. Following the same format, will you please provide or facilitate with the town of Griffith, similar information for our use for the emergency response program. We had previously submitted an emergency response plan and need a follow up on that as well. If there is any additional information you feel is pertinent to this request, please include that also.

I am obtaining this information on behalf of the Corps of Engineers for their final emergency response plan that will be included as part of the O&M Manual. If you have any questions regarding this request, please call me at the above number.

Thank you for your attention to this matter.

Sincerely,

James E. Pokrajac

James E. Pokrajac, Agent
Land Management/Engineering

/sjm
encl.
cc: Imad Samara, COE
Leslie Bush, COE

Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

(219) 763-0696 Fax (219) 762-1653
E-mail: littlecal@nirpc.org

February 5, 2002

Mr. Curt Vosti
Hammond Parks Administrator
Hammond Parks & Recreation
Hammond Civic Center
5825 Sohl Avenue
Hammond, Indiana 46320

Dear Curt:

As per our conversation of February 5, I am enclosing a copy of outdated information we received from the city of Gary for their flood response organization. Following the same format, will you please facilitate in the preparation of similar information for the city of Hammond for use in the west reach emergency response program. If there is any additional information you feel is pertinent to this request, please include that as well.

I am obtaining this information on behalf of the Corps of Engineers for their final emergency response plan that will be included as part of the O&M Manual for the west reach. If you have any questions regarding this request, please call me at the above number.

Thank you for your assistance in this matter.

Sincerely,

James E. Pokrajac

James E. Pokrajac, Agent
Land Management/Engineering

/sjm
encl.
cc: Imad Samara, COE
Leslie Bush, COE

Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

(219) 763-0696 Fax (219) 762-1653
E-mail: littlecal@nirpc.org

February 5, 2002

Mr. Tom DeGiulio
Munster Town Manager
Munster Town Hall
1005 Ridge Road
Munster, Indiana 46321

Dear Tom:

Enclosed is an outdated copy of the Emergency Response Plan Development for Munster along with general information that we will need to include in our emergency response plan for each community for the Little Calumet River in the event of a flood. Some of your initial comments and suggested changes to the plan are included. Please let us know if these are still current and accurate. I also enclosed an outdated copy of points of contact for the city of Gary that includes addresses and phone numbers. Would you also provide us this information?

Will you please update this information and send it back to me. If you have any questions regarding this or if there is additional information you feel is pertinent to this request, please include that as well.

Thank you for your attention to this matter.

Sincerely,

James E. Pokrajac

James E. Pokrajac, Agent
Land Management/Engineering

/sjm
encl.
cc: Imad Samara, COE
Leslie Bush, COE

3

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

REPLY TO
ATTENTION OF

February 7, 2002

Planning, Program and Project
Management Branch

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

Dear Mr. Gardner:

As noted in your letters dated September 6, 2001 and November 14, 2001, there are a few outstanding issues relating to requests made by the Gary Sanitary District. Responses to the five issues have been completed and are addressed below.

1. Ironwood Circle Pump Station Concerns. (Item 9)
   - What is the level of interior flooding anticipated for various flood events?

The Ironwood Circle pump station is located downstream of the old Penn Central Railroad Embankment, essentially beyond the limits of the original project authorization. No flood control levees have been constructed east of the Penn Central RR, excluding the Marshalltown Levees, which do not provide any protection to the Ironwood Circle. Consequently, the Ironwood Circle Pump Station, and the surrounding area are subject directly to river stages, not interior stages.

Based on the results of the hydraulic modeling of the Little Calumet River for the East Reach Remediation Report, simulated stages for a range of frequency events at Martin Luther King, Drive, is contained in the following table. These stages are representative of the reach between the downstream side of the Penn Central Culverts and Martin Luther King Jr. Drive, including Ironwood Circle for the full range of frequency events.

Table 1 - Maximum River Stages at RM. 29.128

% Chance Exceedance Event	Frequency Event (years)	Maximum Stage Existing Conditions (ft. NGVD) [1]	Maximum Stage Full Project Conditions (ft. NGVD) [2]
50	2	589.4	589.8
20	5	591.3	591.7
10	10	592.4	592.9
4	25	593.6	594.6
2	50	594.3	595.2
1	100	594.9	595.7
0.5	200	595.3	596.2

[1] Hydrologic and Hydraulic modeling based on pre-construction conditions
Hydrologic and Hydraulic modeling include full project conditions with Marshalltown Levees

◆ Are electrical controls, access road and adjacent homes to the north above this level?

The elevation of the electrical controls are set at 601.0 feet NGVD, according to the Stage II-4 contract drawings. Access to the pump station via the Levee and Railroad embankment is also set at elevation 601 ft. NGVD. Access from Ironwood Circle is approximately at grade. Project aerial mapping shows the elevation of Ironwood Circle at around 594 ft NGVD. The elevation of 24th Avenue is between 596 and 598 ft. NGVD. Access via Ironwood Circle to the pump station may be possible for events up to the 50-year event. Access for less frequent events is available from the levee/railroad embankment.

2. Operations and Maintenance Manual for the Project.

◆ See current status on attached Gary Sanitary District Issues, Updated Status dated 7-19-2001. When will this work be scheduled and completed?

The district is waiting for comments from the sponsor on the second submittal of the O&M Manual. This second submittal, which incorporated comments on the Draft O&M Manual was provided to the Commission. To date, no response has been received. In order to facilitate the completion of the manuals, we would like to schedule a meeting to discuss completion of the sponsor review and the finalization of the manuals. It is essential that we complete an O&M manual for the East Reach, since the construction of that section of the project will be completed next summer. We can schedule a meeting on this topic at your earliest convenience.

3. East Reach Remediation

◆ See comment for Item 12a. Please provide the Corps response to the water tightness of structures issue.

Comment 12: Water Stop Conflict with rebar: To further clarify our original response, it is our policy to provide keyed joints with water stops in structures that are built in the line of protection. Since the East Reach Remediation structures are exposed to relatively low head conditions the full water stoppage capabilities of the water stops are not needed given the presence of the keyway. So in this case we feel the keyed joint and the notched water stop provide adequate protection from water infiltration. In general the water stops are "notched" by slicing the stop up to the level of the rebar and then the stop is slipped over the rebar. I don't feel that slicing the water stop every 6 to 12" along its length decreases its effectiveness by much if any in this situation.

Comment 14: Water Tightness around the CMPs entering the inlet and outlet boxes: This comment was originally addressed with the response "Comment noted. No design change is planned at this time." Primarily the comment was address this way because the comment did not request a specific design change, point to a specific addressable problem, or point out a definite error or omission. It was just a statement that the reviewer thought that water tightness around the CMP would be difficult. So noted. Since the pipe is corrugated I don't believe there will be a problem with water tightness. Again this is a low head structure, plus it does not pass through our constructed line of protection. Next time around I would suggest that the reviewer provide comments that can be tied to

specific outcomes such as "Water tightness around the CMP will be difficult… please provide a hydrophilic water stop at this location" or even a less specific comment "… additional water infiltration protection is needed.". Granted, a seepage path *could* form right at the bottom of the pipe and the top of the base slab, but if it did I doubt it would be a major leak. I don't see any major problems here.

◆ Please provide the basis for sizing interior pump station.

A. Reference. Memorandum for CELRC-PP-PM. Subject: Little Calumet River, East Reach Remediation. Dated 13 July 1999. (enclosure 1)

B. Per the referenced enclosure, the Hydraulic Engineering section performed a Period of Record (POR) analysis of the Marshalltown interior drainage model, as well as synthetic events (10 year and 100 year) in July 1999. The drainage model utilized information provided by Greeley and Hansen (elevation-storage), as well as precipitation and river stage data previously developed for the project modeling. Conservative assumptions were made for the modeling runs. Results of the runs are contained in the following table.

Table 2 - Interior Stages for Marshalltown Levee

Synthetic Event	Scenario Number [1]	Max Interior Elevation (ft NGVD)
10 year	1	589.7
100 year	1	590.1
10 year	2	592.1
100 year	2	593.6

[1] A description of the model parameters utilized in each of the two scenarios is included in enclosure 1.

C. Based on the simulations, even under the highly exaggerated conditions of scenario 2 (no runoff losses, 15 time greater seepage, and higher exterior river stages), the interior elevations do not exceed the critical elevations 593.8 (for the GSD Marshalltown Pump Station) or 594.0 (first floor elevations in Marshalltown). However, because it was anticipated that ponded water in the lateral drainage ditches would be a nuisance, minimal pumping of 1,000 gpm was recommended so that the ditches could be drawn down.

◆ Please provide date when the pump station contract will be let.

The contract for the pump station will be awarded in September 2002.

◆ Regarding comment for Item 12c, would you please provide the LCRBDC with an additional copy of the topographic map with the 200-year flood contour?

The requested mapping is provided.

4. Stage III Remediation: Please provide and updated status and anticipated bid date for:
   - ♦ Field tile pump station and resolution of flooding around gatewell between Chase and Grant Street
   - ♦ New pump station at the I-wall west of Grant Street
   - ♦ Gatewell/I-wall modifications east of Grant Street to accommodate the Johnson Street Pump Station Discharge.

The issues raised in this item were incorporated in the Design and Plans and Specifications for the Stage III Drainage Remediation contract. The Commission has just completed review of the final plans and specifications, and comments have been received. It is anticipated that the contract will be awarded for this work in September 2002.

5. Other Issues
   - ♦ Regarding current status and comment for Item 14b, when will copies of correspondence to/from USEPA/IDEM regarding Gary project be provided?

Correspondence relating to the Little Calumet River Project through the design phases to regulatory agencies was obtained from the Planning Division files. The correspondence includes standard review letters for compliance with NEPA, as well as some correspondence related to permits for construction. See enclosure 2.

   - ♦ Regarding current status and comment 14cc, when will documentation requested be received?

Copies of the Environmental Protection Plans and Notice of Intent (NOI) for each of the construction projects in Gary was duplicated and is provided here. The Environmental Protection Plans (EPP) detailed the measures that contractors stated they would take to minimize impacts on water quality due to soil erosion. The Contractor's Quality Control personnel were responsible for implementing all features of the EPP. See enclosure 3.

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

Sincerely,

Imad Samara
Project Manager

Enclosures

Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

(219) 763-0696 Fax (219) 762-1653
E-mail: littlecal@nirpc.org

TO: Paul Vogel, Greeley and Hansen
Carmen Wilson, Gary Sanitary District
Jim Meyer, Attorney-at-Law, GSD

FROM: Jim Pokrajac, Agent/Land Management/Engineering

SUBJECT: GSD Outstanding Issues

DATE: February 27, 2002

Enclosed is a copy of a letter dated February 7, 2002 from the Army Corps of Engineers that address the five (5) major remaining items that have not been resolved as presented by the GSD over the past several years. We feel that the COE has provided adequate information in order that we could have a meeting to discuss these issues in detail. Would you please review them and contact us when you feel you would be ready for a meeting.

Since that time, another issue has come up regarding the 27th and Chase Street pump station that was addressed in your letter dated January 23, 2002. The COE intends to review and discuss this issue as well but, if you choose, we could discuss this particular issue at a separate meeting. Will you contact me in order that I may facilitate this meeting with appropriate representatives of the LCRBDC and the Army Corps of Engineers.

sjm
encl.
cc: Imad Samara, COE
Sue Davis, COE
Jim Flora, R.W.Armstrong Co.

From: <jdfiegle@NiSource.com>
To: <rmkitchell@NiSource.com>; <rdroach@NiSource.com>; <krpeterson@NiSource.com>
Cc: <jdgraun@NiSource.com>; <jcbugg@NiSource.com>; <djtokoly@NiSource.com>; <jjfitzer@NiSource.com>; <littlecal@nirpc.org>; <JKHayward@NiSource.com>
Sent: Tuesday, February 12, 2002 4:22 PM
Subject: Towerline R/W west of Chase St.

It's been brought to my attention that certain parties are trespassing on our 345kv R/W West of Chase Street near Taney Substation and subsequently trespassing on adjacent property belonging to the Little Calunet River Basin Development Commission. We continue to cooperate with the Commission as they continue their multi-year task of improving the river basin. This includes permiting Commission personnel and their affiliated agencies (DNR, Army Corp, Gary Police Etc) access across our property to manage the river and associated properties. HOWEVER, some trespassing parties have claimed Nipsco approval when confronted by the Commission. They apparently have not been able to produce the name of the Nipsco employee granting permission. Should any of your personnel receive a request to access this area, please confirm that they have ligitimate purpose. If in doubt as to their LCRBDC affiliation, please contract Jim Pokrajac, of that organization, at 219-763-0696.

thanks

LAND ACQUISITION REPORT
For meeting on Thursday, March 7, 2002
(Information in this report is from February 3, 2002 – February 26, 2002)

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

1. Project completed July 10, 1992.

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

1. Project completed December 1, 1993

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

1. Project completed January 13, 1995.

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

1. Project completed September 15, 1998.

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

1. Project complete.
2. Additional land will be required to temporarily extend a recreation trail along both the sidewalks east and west of Broadway to allow recreation trail continuation. (Refer to Recreation Report.)
    - Upon completion of I.U. Northwest modifications on, and adjacent to, Broadway, we will install a permanent trail crossing south of the river and along the line of flood protection, as originally proposed by the COE.

3. In the COE letter dated February 7, 2002, they indicated, under the "remaining east reach recreation features" response, that these remaining features will be incorporated into the next recreation contract.

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

1. Completion and turnover of O&M manuals was done on November 21, 2000.
2. The re-location of the recreation trail would require agreements with the city of Gary to be able to cross Grant St. at the light at 32nd Ave.
    - We will be receiving a letter from the COE requesting that we postpone Broadway and Grant Street recreation trail re-locations, and that they be included in the next recreation contract. (See Recreation Report.)
    - A meeting was held on April 12, 2001, to review our proposals for trails at Broadway & East of Grant. (See Recreation Report)
    - We received a response from the city of Gary on July 11 (From Roland Elvambuena, City Engineer) indicating their concurrence to our proposed re-location. (Refer to Recreation Report).

3. In the COE letter dated February 7, 2002, they indicated, under the "remaining east reach recreation features" response, that these remaining features will be incorporated into the next recreation contract.

STATUS (Stage III) – Chase to Grant:

1. Levee construction completed on May 6, 1994.
2. Final acquisitions for flowage easements east of Chase and north of the river are ongoing (DC209 to DC213). **An updated appraisal is complete and will be reviewed by COE.**
    - A letter was sent to Otho Lyles (DC213) on January 10, 2002 instructing him to clean up all various and sundry materials he illegally dumped prior to our acquisition.
    - A list of these items to be addressed for this process were sent to Attorney Spivak on January 17, 2002.

STATUS (Stage III) – REMEDIATION

Pumping west of Grant Street

1. We received a request for ROE from the COE on January 8, 2002.
2. **An e-mail was sent to the COE on February 14, 2002 with an updated status on getting engineering review and obtaining necessary coordinates to do legal descriptions for easement agreements.**
    - **We received NIPSCO engineering concerns on February 8, 2002 and transmitted it to the COE to address on February 11, 2002.**

/

2

STATUS (Stage IV – Phase 1-North) – Cline to Burr (North of the Norfolk Southern RR):

1. Construction is complete. Final inspection was held on August 30th, 2001, with minor turnover items & "as-built" drawings due to the LCRBDC.

STATUS (Stage IV – Phase 1-South) – Cline to Burr (South of the Norfolk Southern RR):

1. Bids were reviewed and Dyer Construction is the contractor. Work started on May 23rd, 2000 – 450 days to complete project. Project currently 85% complete.

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

1. Construction is complete.

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

1. Construction is complete.

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

1. Project completed September 14, 1995

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

1. Wicker Park appraiser John Snell has received the hydrology information from the COE.
    - Letter was sent 1/31/02 to finish appraisal so LCRBDC can submit for COE review.
2. North Township owns the property west of Hart Ditch to Hawthorne Street. North Township has mentioned a possible relocation of the levee onto this parcel.
    - Meeting was held on 7/19/01 with COE, Munster, and North Township trustee Greg Cvitkovich. COE is reluctant to relocate the levee due to re-design costs.

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

1. Woodmar preliminary figures are in from appraiser Dale Kleszynski. Since Woodmar Construction is 2-3 years in the future, Woodmar acquisition is not a priority.

STATUS (Stage VI-Phase 1) – Cline to Kennedy – North of the river, and Kennedy to Liable – South of the River:

1. **A courtesy letter was sent to Highland officials informing them that offers are going out and calls to the Town Hall can be directed to LCRBDC.** 3-4
2. A letter was sent to Krosan Enterprises on November 28th, 2001, requesting information on how much area they need for traffic flow south of their building. No response to date.
    - **A follow-up letter was sent to Krosan on January 28, 2002 and we have not received a response in writing as of February 28, 2002.** 5

STATUS (Stage VI – Phase 2) Liable to Cline – South of the River:

1. We had a recreation coordination meeting with Highland and Griffith to determine trail re-location which allow us to cross at Cline Avenue at Highway Avenue.(Refer to Recreation Report)
    - A field meeting was held with Griffith on June 27th, 2001, to review possible routes East of Cline. Information will be provided to the COE to review and implement.

STATUS (Stage VII) – Northcote to Columbia:

1. A public meeting for affected landowners was held scheduled for Wednesday, January 30th, 2002, 6:30 pm at the Wicker Park Social Center in Highland. In spite of snowy weather, 81 were in attendance. Times and Post Tribune covered the meeting.

STATUS (Stage VIII – Columbia to State Line (Both Sides of River)

1. Rights-of-entry were mailed on 1/8/02 to the four landowners west of Hohman. The R/E's will allow COE to conduct topography and structural studies to eliminate or floodprooof the houses. All R/E's were returned and sent to COE by 1/24/02.
2. **We received a letter from the COE on February 8, 2002 explaining how the four homes can be removed from the floodplain and eliminated from the flood control project.**
    - **Refer to Engineering Report in the V.E. cost savings items under Item #2**

STATUS (Betterment Levee – Phase 1) E.J. & E. Railroad to, and including, Colfax North of the NIPSCO R/W – Ditch is South of NIPSCO R/W from Arbogast to Colfax.

1. Construction has been completed and the final inspection was held on August 30th, 2001. Minor turnover items and "as-built" drawings are due to the LCRBDC.

STATUS (Betterment Levee – Phase 2) Colfax to Burr Street, then North N.S. RR, then East (North of RR R/2) ½ between Burr and Clark, back over the RR, then South approx. 1,400 feet:

1. Acquisition deadline of October 2001 has been extended to summer of 2002.
2. **Existing offers will be paid, however, no new offers will be sent. Burr Betterment levee is not creditable.**

3. A letter was given to Deb Lawrence on February 7, 2002 asking for her assistance in receiving crediting for three demolitions in the area. Safety is LCRBDC major concern. Ms. Lawrence has asked for a bid to attach to the letter so she can specify an amount. Letter to be provided at next Commission meeting.

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

1. Of eight offers sent to landowners, five have returned their easement offers asking instead for fee purchases. The COE has stated the increased acquisition amount will be creditable.

MITIGATION

1. **Since Shirley Heinze will not be working on mitigation, the IDNR will cooperate with us with the National Lakeshore cooperation on O&M. DNR acquisition sent info to LCRBDC acquisition on February 5, 2002 about Hobart Marsh parcels.**
2. We received a request for ROE for "in project" lands from the COE on 1/8/02. Acreages listed on the ROE maps do not define permanent and temporary work area easements. We have asked the COE to give us those coordinates before we sign the ROE.
    - **An email was sent to the COE on February 14, 2002 with an updated status on getting engineering review and obtaining necessary coordinates to do legal descriptions for easement agreements.** 6
3. **LCRBDC wrote a letter to the COE on February 5, 2002 requesting that the 29th & Hanley site be withdrawn from in-project mitigation.** 7
    - **We received a letter from the COE on February 11, 2002 accepting our request.** 8-9
4. **A letter was sent to the COE on February 18, 2002 by Attorney Casale indicating that the changes in real estate lay onto lands the LCRBDC has an agreement with, the Lake Erie Land Company. The easements need to be revised accordingly.** 10

Sandy Mordus

From: "Sandy Mordus" <smordus@nirpc.org>
To: <Imad.samara@usace.army.mil>
Cc: <Chrystal.L.Spokane@usace.army.mil>; <Khalid.J.Maali@lrc02.usace.army.mil>; <Lcasale@cwblawfirm.com>
Sent: Thursday, February 14, 2002 4:12 PM
Subject: Stage III Remediation R/E

Imad:

I indicated to you in our Real Estate meeting held on Jan. 24, that we may have a problem in getting a R/E for the Stage III Remediation Area due to not having the easement agreement with NIPSCO signed. In contacting NIPSCO after our conversation, I found out that the engineering information had not been provided to NIPSCO to do their review and to comment on the culverts being installed across their R/W. On Jan. 30 I took the engineering drawings to NIPSCO and met with their engineering personnel (Neil Arndt) and the utility coordinator (Jim Fitzer) requesting that they do a review and get back to us with any concerns they would have. On Feb. 8, I received email comments from NIPSCO and sent them to you asking you to address these concerns. I was requested at an earlier date, that you get me the necessary coordinates for the intersection of your work limits with the NIPSCO R/W and to date, I have not received this information. I have been made aware that your engineering department has been working on this and I may be getting that information on Feb. 15. As soon as I receive this information, I can proceed with the legal descriptions and with the easement agreement with NIPSCO that we will incorporate as part of the signing of the R/E for this project. Until I receive these coordinates, we cannot proceed. Attorney Casale has indicated that he will not sign the R/E until we have this signed agreement in hand. If you have any questions regarding this, please let me know.

Jim Pokrajac

From: <nearndt@NiSource.com>
To: <littlecal@nirpc.org>
Cc: <jjfitzer@NiSource.com>; <jfnadolski@NiSource.com>
Sent: Friday, February 08, 2002 11:59 AM
Subject: 30-36 West Of Chase St; West Grant, Army Corp

To Jim Pokrajac: This letter is being forwarded as information only and in the interest of keeping the project moving forward. The official letter and formal agreement will be sent by Mr. Jim Fitzer, Principal Utility Highway Affairs, NIPSCO.

Jim, regarding our meeting with Mr. Pokrajac of last Thurs., I've had a chance to look over the plans of the Army Corps proposed culvert work across NIPSCO's 30-36" R/W at the above locations. The first locations approx. 1400' west of Grant St., doesn't seem to be a problem per their plan. In looking at the depths of our pipelines it just seems like they are shown pretty deep. If this is the accurate depth, there is no problem. They will be well above the gas lines. As always, the pipelines should be located prior to construction and the gas lines should be physically located to verify depths and location.

The other 2 locations, on the west side of Chase St., and the other approx 2200' west of Chase following the 30-36" R/W, the Army Corp is planning on replacing existing culverts and doing some grading. The plans do not show the 30" and 36" pipelines. They must be shown on the plans so the contractor will know they are there. According to Mr. Pokrajac, at these 2 locations existing culverts will be replaced at the same elevation. The culvert right on the west side of Chase St. looks to be a problem. Our 30" gas line is exposed in the bottom of the ditch, so I think it should be taken into account in the engineering plans and avoided. It would be beneficial if the new culverts would extend over our 30" so that it would be buried. A fiberglas shield could be installed between the gas line and the culvert for electrical isloation. Normally we would require a clearance of 12" between NIPSCO's facilities and foreign facilities. I did not get a chance to look at the other location because vehicular travel was blocked by concrete barriers. Again, the pipelines should be located as described above. I did see on the plans under general notes that the utilities are to be physically located.

We would also request that the Gary GM&T Dept be notified at least 5 days prior to any construction at these locations.

In addition, as we discussed, we may want to put something in the easement document specifying that the "Little Calumet River Basin Development Commission" be responsible for repairing any water damage/erosion caused by these culvert installations. Whether it be to the roadway, pipelines, or electric poles.

Roadway is to be repaired to new condition.

Neal Arndt
NIPSCO - Gas Engineering
219-647-4779
nearndt@nisource.com

Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

(219) 763-0696 Fax (219) 762-1653
E-mail: littlecal@nirpc.org

13 February 2002

Mr. Mark Herak, President, Town Council
Town of Highland
3333 Ridge Road
Highland, IN 46322

Dear Mr. Herak,

RE: Recent easement offers mailed to residents from the Little Calumet River Basin Development Commission

My letter today is to inform you of the easement offers that we are now sending to Highland residents along the Little Calumet River from Cline Avenue to Kennedy Avenue. I've enclosed a map of the area affected by the Little Calumet River Flood Control and Recreation Project. The streets affected include:

North Drive,
Glenwood Street,
Duluth Street,
Parrish Avenue,
179th Avenue,
Kennedy Avenue,
and Kennedy Industrial Park Area.

It is possible that the Town Hall may receive telephone calls about the offers or project. We ask that you inform the staff of our mailings and have them refer questions to our offices at 219-763-0696.

If you have questions, please call me at the same number. Thank you.

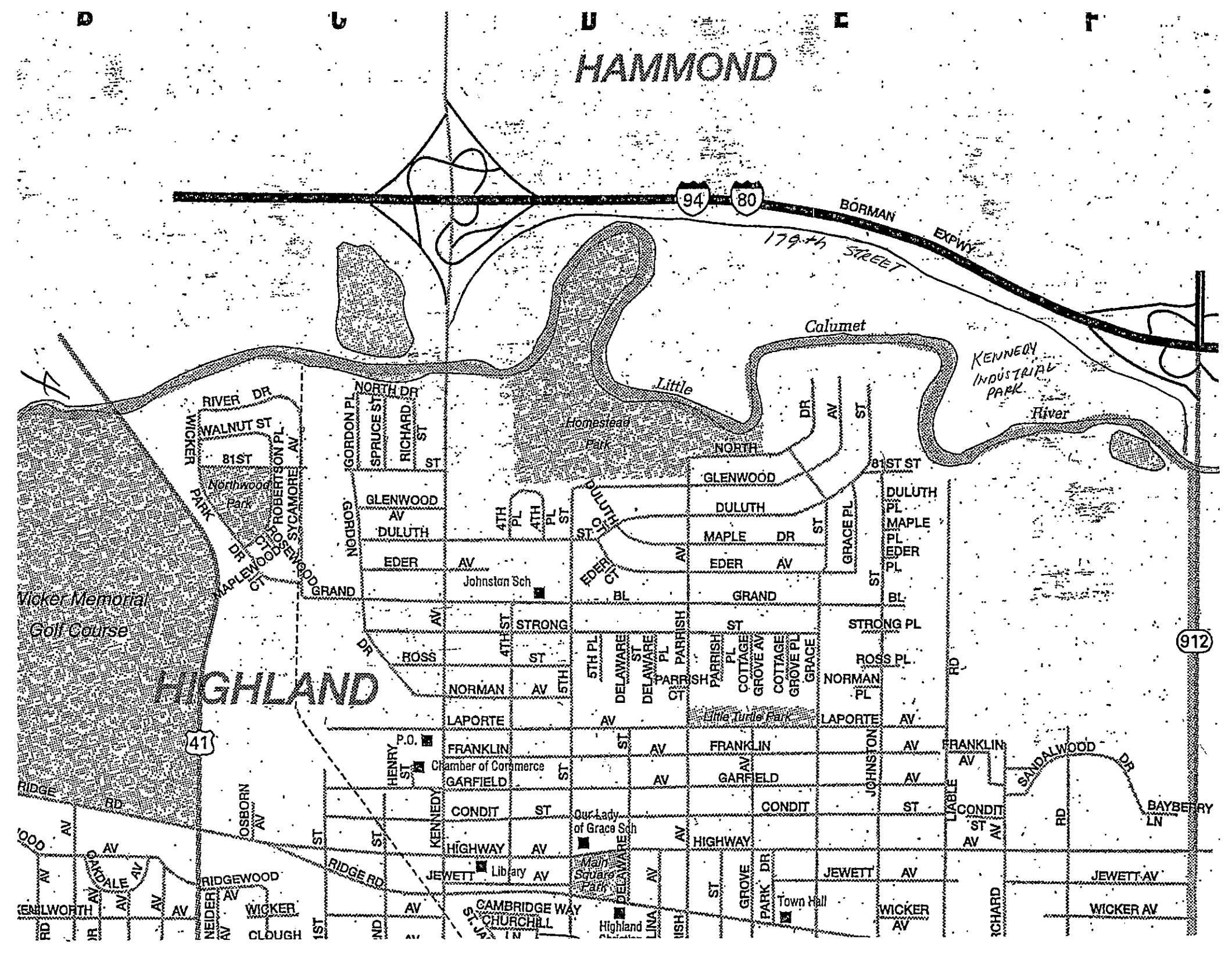
Sincerely,

Dan Gardner, Executive Director,
Little Calumet River Basin Development Commission

Enclosure

cc: Mike Griffin, Clerk-Treasurer, Town of Highland

3


HAMMOND
94
80
BORMAN EXPWY
179th STREET
Calumet
Little
River
KENNEDY INDUSTRIAL PARK
Homestead Park
Northwood Park
Vicker Memorial Golf Course
HIGHLAND
41
912
RIVER DR
WALNUT ST
81ST
WICKER PARK DR
MAPLEWOOD CT
ROBERTSON PL
SYCAMORE AV
NORTH DR
GORDON PL
SPRUCE ST
RICHARD ST
GORDON
GLENWOOD AV
DULUTH
EDER AV
GRAND
Johnston Sch
4TH PL
4TH ST
DULUTH CT
EDER CT
NORTH
81ST ST
GLENWOOD
DULUTH
MAPLE DR
EDER AV
GRACE PL
DULUTH PL
MAPLE PL
EDER PL
ST
BL
STRONG
STRONG PL
ROSS
ROSS PL
NORMAN AV
NORMAN PL
5TH PL
5TH ST
DELAWARE ST
DELAWARE PL
PARRISH CT
PARRISH PL
COTTAGE GROVE AV
COTTAGE GROVE PL
GRACE
LAPORTE AV
Little Turtle Park
P.O.
Chamber of Commerce
FRANKLIN AV
GARFIELD AV
CONDIT ST
HIGHWAY AV
JEWETT AV
Library
Our Lady of Grace Sch
Main Square Park
Town Hall
Highland
CAMBRIDGE WAY
CHURCHILL
HENRY ST
KENNEDY AV
OSBORN AV
RIDGE RD
RIDGEWOOD AV
WICKER AV
CLOUGH
JOHNSTON AV
LABLE RD
SANDALWOOD DR
BAYBERRY LN
GROVE DR
PARK DR
DELAWARE AV

Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

(219) 763-0696 Fax (219) 762-1653
E-mail: littlecal@nirpc.org

January 28, 2002

Mr. D. L. Santacaterina
KROSAN ENTERPRISES
8412 S. Wilmette, Suite D
Darien, Illinois 60561

Dear Mr. Santacaterina:

In response to your letter of January 8, 2002, please forward information regarding how much room you will require south of your existing building to allow adequate traffic flow. This information is needed by the Development Commission and the Army Corps of Engineers to determine whether or not a modification to the Corps project construction adjacent to your property will be economically and technically feasible. Upon completion of our analysis, you will be advised of the results.

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

Sincerely,

James E. Pokrajac

James E. Pokrajac, Agent
Land Management/Engineering

/sjm
cc: Lou Casale, LCRBDC attorney
Imad Samara, COE

Sandy Mordus

From: "Sandy Mordus" <smordus@nirpc.org>
To: <Imad.samara@usace.army.mil>
Cc: <Tprice@CDFinc.com>; <Gregory.moore@lrc02.usace.army.mil>; <Chrystal.L.Spokane@usace.army.mil>; <Lcasale@cwblawfirm.com>
Sent: Thursday, February 14, 2002 3:43 PM
Subject: In-Project Mitigation Reight-of-Entry

Imad:

On February 8, I had a conference call with Greg Moore and CDF engineering coordinator, Tom Price, I mentioned to them that we could not do the legal descriptions for the easements on the NIPSCO R/W until you provide us the necessary coordinates between the work limits and the NIPSCO R/W. I asked Greg to check with your Engineering Dept. to see if you might have the NIPSCO R/W located on any of your disks. Greg later checked and informed me you did not. That afternoon I contacted Great Lakes Engineering (Jeff Yatsko) to do the survey work that was necessary to locate the NIPSCO R/W and to do the necessary legals in order that we could enter into an easement agreement with NIPSCO. On Feb. 11, I met with Great Lakes Engineering, brought your engineering drawings and real estate drawings and asked him to prepare a scope of work which would include whatever survey work would be necessary and to do the legal descriptions. In my conversation with Jeff on Feb. 12, I found out that 1 of the 2 control points shown on your drawings could not be found and we assumed it was destroyed during construction. On Feb. 13 Great Lakes sent an email to Bob Behrns requesting information to give him that other point. On Feb. 14, I found out that Great Lakes had obtained the information from Dyer Construction. We anticipate the field survey to be completed by the end of Feb. 14. The tentative schedule to complete the legal descriptions would be by late afternoon of Feb. 15. We will attach these legal descriptions to the agreement with NIPSCO and make every effort to expedite this in order that we can ultimately sign the R/E. Attorney Casale says he will not sign the R/E for this mitigation project until we have that signed easement agreement in hand. Attorney Casale also indicated that we may need to revise the wording in the R/E.

One complication that has arisen was in having NIPSCO review the engineering drawings to see if they had any concerns. I had a meeting with the NIPSCO utility coordinator (Jim Fitzer) and the NIPSCO Gas Transmission Engineer (Neil Arndt) on Jan. 30. NIPSCO reviewed this and sent me an email on Feb. 8 with their engineering concerns. I immediately emailed their concerns to you, Greg Moore and Tom Price indicating that these items needed to be addressed. At this point in time, I do not know the status of how CDF is addressing any of these concerns. I feel that NIPSCO may be reluctant to sign any NIPSCO agreements until they are aware of what we propose to do to address their concerns.

I have been making every effort to expedite the coordination for engineering review and the necessary R/E coordination in order that we could meet your deadline so you are able to advertise the project as you had previously indicated.

If you have any questions regarding this issue, please let me know.

Jim Pokrajac

Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

(219) 763-0696 Fax (219) 762-1653
E-mail: littlecal@nirpc.org

February 5, 2002

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

Re: "In-Project" Mitigation Land Availability

Dear Imad:

The Little Calumet River Basin Development Commission is formally requesting that the U.S. Army Corps of Engineers withdraw what is referred to as the 29th and Hanley site from the lands for in-corridor project mitigation. The Development Commission is unable to acquire the identified site due to an extremely uncooperative owner; the city of Gary's general desire to use the lands outside the levees for a more urban use with the closure of the Black Oak school, and with the restrictions on the use of State funds to produce the greatest effect – the site has a very low "wetland credit to dollar expanded" ratio, not withstanding its notable natural features.

If you need additional information regarding this request, please feel free to call me.

Sincerely,

Dan Gardner

Dan Gardner
Executive Director

/sjm
cc: Greg Moore, ACOE
Jomary Crary, IDNR
Arlene Colvin, LCRBDC & city of Gary
Lou Casale, LCRBDC attorney

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

REPLY TO
ATTENTION OF

11 February 2002

Planning Branch

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

RE: Response to the enclosed 5 February 2002 letter from Executive Director Dan Gardner discussing the LCRBDC request to drop the proposed 29th and Hanley site from the Little Calumet River flood control project mitigation plans.

Dear Mr. Gardner,

Thank you for your recent letter requesting withdrawal of the 29th and Hanley property from consideration for in-project mitigation. I am disappointed that we will not be able to use this unique property in our mitigation plan. Its great floristic quality and proximity to Lake Etta County Park made it very valuable for such a purpose. I regret, too, that we could not have learned earlier of the unavailability of this parcel. As you know, we are scheduled to advertise this contract in just a few days, and have spent considerable time, money and effort in the design of this area. Still, we accept your request and hereby withdraw the property from the mitigation plan. Any shortfall in mitigation acreage will be accommodated elsewhere.

With respect to our telephone conversation of Thursday, 31 January 2002, we are pleased to hear from you that the Commission is commencing work to formally acquire mitigation lands in the Hobart Marsh area. The award of the project area mitigation contract, together with the acquisition of mitigation lands at Hobart Marsh, will ultimately result in a significant improvement to the natural area heritage of northwestern Indiana. If we can be of any further assistance to you in this important effort, please let us know.

Sincerely,

Philip R. Bernstein
Chief, Planning

Copies Furnished:

John Bacone, IN-DNR
Jomary Crary, IN-DNR
Bill Maudlin, IN-DNR
Marty Maupin, IDEM
Sara Utter, CDF

Enclosure

ATTORNEYS AT LAW

CASALE, WOODWARD & BULS, LLP

9223 BROADWAY - SUITE A • CAMBRIDGE COMMONS • MERRILLVILLE, IN 46410 • TELEPHONE: 219-736-2163 • FAX: 219-736-5025 • E-MAIL: theflrm@cwblawfirm.com

LOUIS M. CASALE
DAVID E. WOODWARD
DAVID A. BULS
JAMES M. SPIVAK
DAVID M. BLASKOVICH*
*LICENSED IN INDIANA & ILLINOIS

LEGAL ASSISTANTS
DEBRA L. KOZLOWSKI
ANGELA M. OGRENTZ
TERESA G. COOK

FINANCIAL COORDINATOR
JULIE MALKOWSKI

February 18, 2002

Jim Pokrajac
Little Calumet River Basin
Development Commission
6100 Southport Road
Portage, IN 46368

Imad Samara
U.S. Army Corps of Engineers
111 North Canal Street
Chicago, IL 60606-7206

VIA FACSIMILE

Dear Jim and Imad:

First of all I would like to thank Jim for his e-mails regarding the rights-of-entries presently being requested. I would like to remind Imad and inform Jim that we previously had a discussion whereby it was agreed that the areas under the Option to License with Lake Erie Land Company would be revised from a permanent easement to a temporary work easement. As such, we will need revisions in the legal descriptions and drawings which may be a part of the right-of-entry. Please make these revisions so that we can expedite the review, revision and signing of the rights-of-entry which have been presented to the Commission.

Please contact me if I could be of assistance or if there are any questions.

Sincerely,

CASALE, WOODWARD & BULS, LLP

Louis M. Casale

LMC/amo

RESULTS OF REAL ESTATE MEETING HELD 21 FEBRUARY 2002
THE ARMY CORPS OF ENGINEERS and
LITTLE CALUMET RIVER FLOOD CONTROL & RECREATION PROJECT

IN ATTENDANCE:

LCRBDC	COE
Dan Gardner	Imad Samara (by phone)
Lou Casale	Chrystal Spokane
Angie Ogrentz	
Sandy Mordus	
Jim Pokrajac	
Judy Vamos	

1. TITLE INSURANCE FOR EASEMENTS

a. Chrystal explained that the Corps can't approve crediting submittals unless LCRBDC obtains title insurance on easements the same as final title insurance is obtained on fee acquisitions. Documentation showing ownership is required for crediting, however, LCRBDC believes that a *recorded easement* should be sufficient. Judy and Lorraine have talked with title companies and the cost would be ($270) for easement insurance in addition to final title insurance ($300). It's not a case of "instead of" but a case of "extra cost." Chrystal will provide the LCRBDC with the Department of Justice Title Standards for 2001. A meeting will be set up to solve this issue before the next real estate meeting so that crediting can be ongoing. (ACTION: Chrystal/COE and Lou, Lorraine, Judy/LCRBDC)

2.) RECAP OF THE STAGE VII PUBLIC MEETING

Sandy reported that 85 landowners attended the public meeting. The Wicker Park meeting room was cold and attendees did not stay long. Landowners seemed to like the sheet-piling technique instead of levee construction. Ms. Melcy Pond, Vice President of Earth-Tech the AE for Stage VII, made an impressive presentation. Judy sent a thank-you to Ms. Pond for her help.

3.) STATUS OF AUTHORIZATION FOR ENTRY

a. Mitigation – Jim reported that the Corps Consultant CDF, Inc. did not show easements, pipelines, and utilities on their drawings. Chrystal reported that the Corps is not pleased with the work either. Jim will coordinate with GLE for new drawings. (ACTION: Jim/LCRBDC)

b. Stage III Remediation – Jim will coordinate with NIPSCo to have them sign the R/E. Drop-dead date to sign the Stage III Right-of-Entry is 3/14/02. (ACTION: Jim/LCRBDC)

4.) STATUS OF SCHEDULED ACQUISITIONS:

a. Stage V (West Reach) – Judy reported that no offers have been mailed. Stage V is not a priority. East Reach clean-up is. Eight (8) easement offers were mailed and seven (7) landowners want fee acquisitions with an increase of $300 to $500. Chrystal said Judy should send in the Administrative Settlements ASAP and she will approve.
(ACTION: Chrystal/COE and Judy/LCRBDC)

b. Stage VI (West Reach) – Judy reported that eight (8) more offers were mailed and six (6) returned signed. Chrystal reported that the Corps is reviewing drawings on the Kennedy Industrial Park which has already been assigned to the appraiser. The appraiser can make changes later.
(ACTION: COE and LCRBDC)

5.) REVIEW THE "BALANCE SHEET" OF CREDITED & NON-CREDITED ITEMS

Dan reported that he had faxed a letter to Imad from the INDOT federal attorney saying that "he had reviewed and approved LCRBDC application to receive credit for the four INDOT bridges construction on the flood project." Imad said the Corps has reviewed the letter and will call Dan later in the day.
(ACTION: Imad/COE and Dan/LCRBDC)

6.) LERRD CREDITING

Chrystal has approved everything on her desk and asked Sandy to resubmit some land acquisition and engineering annual totals. A packet was lost and needs to be redone. Also Lorraine will complete submittals "in suspense" (those tracts needing one or two pieces of documentation) and Chrystal will approve those as well.
(ACTION: Chrystal/COE and Sandy, Lorraine/LCRBDC)

7.) COLFAX TO CALHOUN DITCH PROBLEM

a. Judy reported that landowners Mr. and Mrs. Glen Stotts (DC 443) and David Taborski (DC 448) attended the LCRBDC Commissioners meeting on 7 February. They would like to have the LCRBDC cut the grass or purchase the area between the ditch and the railroad. Corps had originally disapproved any crediting of any solution to their problem. Jim reported that actually the contractor had changed specs while constructing the ditch and that is how the problem of erosion and standing water occurred. Chrystal asked Judy to prepare a letter explaining the problem and Jim will meet with the landowners and LCRBDC commissioner Kurt Vosti to survey the problem.
(ACTION: Chrystal/COE and Kurt, Jim, Judy/LCRBDC)

7.) NEXT MEETING

Next meeting will be Thursday, 21 March 2002, 9:30 am, LCRBDC offices

JV 2/21/02