



# Little Calumet River Basin Development Commission

6100 Southport Road  
Portage, Indiana 46368

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

ARLENE COLVIN, Chairperson  
Mayor of Gary's  
Appointment

EMERSON DELANEY, Vice Chairman  
Governor's Appointment

CURTIS VOST, Treasurer  
Governor's Appointment

ROBERT MARSZALEK, Secretary  
Governor's Appointment

GEORGE CARLSON  
Mayor of Hammond's  
Appointment

STEVE DAVIS  
Dept. of Natural Resources'  
Appointment

ROBERT HUFFMAN  
Governor's Appointment

MARK LOPEZ  
Lake County Commissioners'  
Appointment

JOHN MROCZKOWSKI  
Governor's Appointment

DR. MARK RESHKIN  
Governor's Appointment

CHARLIE RAY  
Porter County Commissioners'  
Appointment

DAN GARDNER  
Executive Director

LOU CASALE  
Attorney

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## MEETING NOTICE

**THERE WILL BE A MEETING OF THE  
LITTLE CALUMET RIVER BASIN  
DEVELOPMENT COMMISSION  
AT 6:00 P.M. WEDNESDAY, MAY 5, 2004  
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 Chairperson Arlene Colvin
2. Pledge of Allegiance
3. Recognition of Visitors and Guests
4. Approval of Minutes of April 7, 2004
5. Chairperson's Report
6. Executive Director's Report
  - Report on Executive Session held April 28
  - Update on Highland Town and Park property – Letter from Town of Highland
  - Letter to Mayor King, Attorney Jim Meyer, and Sanitary District Director Spike Peller regarding donation of Commission surplus property and items to complete project and establish O&M in Gary
  - Update on highway bridge credits - INDOT
7. Outstanding Issues
  - Askew eviction hearing date was April 29 – Demolition scheduled for mid May

1-4

5

MAY 26  
hearing date -  
per hour

6

7

Bill  
Peller  
asked about  
approval of property

8. Standing Committees

**A. Finance Committee – Committee Chairman Mark Lopez**

- Financial status report
- Approval of claims for April 2004 ✓
- Approval of O&M claims ✓
- Action approving transfer of funds from investment CD to administrative account ✓

8  
9-10  
11

**B. Land Acquisition/Management Committee – Arlene Colvin, Chairperson**

**Land Acquisition**

- Appraisals, offers, acquisitions, recommended actions
- Appraisals for VI-2 are completed
- Issues for Discussion

**Land Management**

- Status of 3120 Gerry Street
- Will be obtaining bids for mowing levees
- Issues for Discussion

**C. Operation & Maintenance – Committee Chairman Bob Huffman**

- Preliminary draft comments completed
- Request to fund USGS gage station at Hart Ditch
- O&M committee meeting to be scheduled
- Issues for Discussion

12

**D. Environmental Committee – Committee Chairman Mark Reshkin**

- Mitigation status of Hobart Marsh area
- Conference call with TPL & COE scheduled for April 30
- Notice of NIRPC hosted local land management for watershed protection workshop
- Post Tribune news article regarding environmental issues
- Issues for Discussion

13-14

15

**E. Legislative Committee – Committee Chairman George Carlson**

- Meeting held with Hammond city engineer Stan Dostatni – attending were commissioners George Carlson & Bill Biller
- Issues for Discussion

**F. Project Engineering Committee – Committee Chairman Bob Huffman**

- Upcoming construction contracts scheduled for this fiscal year
- Issues for Discussion

**G. Recreational Development Committee – Committee Chairman**

- Issues for Discussion

**H. Marina Development Committee – Committee Chairman**

- Issues for Discussion

**I. Policy Committee – Committee Chairman George Carlson**

- Issues for Discussion

**J. Public Relations Committee – Committee Chairman Bob Marszalek**

- Issues for Discussion

RT?   
 CR OK

9. Other Issues/New Business

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. WEDNESDAY, April 7, 2004**  
**6100 SOUTHPORT ROAD**  
**PORTAGE, INDIANA**

In Chairperson Arlene Colvin's absence, Vice Chairman Bob Marszalek called the meeting to order at 6:10 p.m. Six (6) Commissioners were present. Pledge of Allegiance was recited. The guests were recognized.

**Development Commissioners:**

Bob Marszalek  
Robert Huffman  
Mark Reshkin  
George Carlson  
Mark Lopez  
Steve Davis  
Bill Biller

**Visitors:**

Dorreen Carey – City of Gary Env. Affairs Dept.  
Kelsee Waggoner – Congressman's Office  
Sandy O'Brien - Hobart  
Imad Samara - COE  
Emerson Delaney - Chesterton

**Staff:**

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

A motion to approve the minutes of the March 3, 2004 meeting was made by Bob Huffman; motion seconded by Mark Reshkin; motion passed.

**Chairperson's Report** – Bob Marszalek referred to Emerson Delaney, who addressed the Board members. Mr. Delaney read his letter of resignation to the members. He is resigning because he has become a member of the Board of Zoning Appeals for the town of Chesterton and the town attorney has advised him that he has to resign from the Development Commission. He will send the letter to the Governor's office informing them of his resignation. Commissioner Marszalek thanked him for his dedicated service that he has shown to the Commission and he will be missed by all.

- Mr. Marszalek introduced our newest member to the Commission, William Biller. Mr. Biller replaces Curt Vosti. He is a Governor's appointment from the city of Hammond and works for the Hammond Sanitary District.
- Mr. Marszalek also informed all members of the re-appointments of Bob Huffman, John Mroczkowski, Mark Reshkin, and himself as Governor's appointments.

**Executive Director's Report** – Mr. Gardner introduced Dorreen Carey from the city of Gary Environmental Affairs Dept. Ms. Carey gave a presentation on the Gary Green Link project, which is a proposed project linking the Little Calumet River corridor, Grand Cal, and Lake Michigan to protect and enhance the corridors to be people friendly, whose goal it is to develop through the public process to connect and enhance the corridors to a green link. The presentation was for information only. Mr. Gardner asked Dorreen to write a memo to the Commission summarizing the project and stating how the Commission could support it. Bob Huffman volunteered to be the liaison from the Commission.

- Mr. Gardner stated that we are continuing discussions with the town of Highland. We are entering into a "friendly condemnation" with the town. This has been mutually agreed upon because the value of the easements offered to Highland were lower than the town felt they are worth. Since the COE regulations restrict us from offering any more than the approved appraisal amount, the only avenue open to them to establish a higher value is through the court process. Attorney Casale is working with the town attorney, Rhett Tauber. They are hoping they can move the process along quickly and all parties are mindful of the schedule needed to award Federal contracts.

- Mr. Gardner informed the Board members that he, Jim Pokrajac, and Imad Samara met with Jim Meyer, attorney representing the city of Gary, to review plans and specs for Burr Street Betterment Phase 2 for levee construction. The COE will be the "construction manager" but the city will let the contract for construction. The city has committed \$1.4 million toward construction.
  - We are still talking with INDOT regarding bridge/highway credits where INDOT has used state dollars to reconstruct bridges. We are waiting for a letter from INDOT listing out the state monies that were spent. It is also anticipated that we would receive about \$700,000 in additional crediting for the Cline Avenue interchange project. The FHWA has written a letter approving the process. Mr. Pokrajac asked Imad Samara to submit copies of their agreements they had with INDOT to show what was paid for by the COE.
- We are also pursuing county bridge credits with Lake County Highway Department.

**Outstanding Issues** – Attorney Casale stated that a hearing date of April 29 has been set to pursue the eviction of Mr. Askew from Commission property. Once we obtain a court order, staff will pursue having the barn demolished. This will eliminate the possibility of anyone trespassing on the property again.

**Finance Committee** – Treasurer Mark Lopez gave the financial report. He proceeded to make a motion to approve the financial status and the claims for March; motion seconded by George Carlson; motion passed unanimously. Mr. Lopez then made a motion approving an O&M claim for \$1,750; seconded by Bob Huffman; motion passed unanimously.

**Land Acquisition/Land Management Committee** – In Committee Chairperson Arlene Colvin's absence, Dan Gardner gave the Land Acquisition report and Jim Pokrajac gave the Land Management report. Attorney Casale reiterated to the Board members that we are entering into a friendly condemnation with the town of Highland in order for the court process to set the value of the easements we are requesting from them. The town is reviewing the offers now and when they have officially rejected them at their public board meeting, Mr. Casale will file them at the court. Bob Marszalek proceeded to make a motion to enter into a friendly condemnation with Highland for easements known as DC 1006, 1007, 1008, 1025, 1031, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, and 1050; motion seconded by Bob Huffman; motion passed unanimously. The easements total about 62 acres in all. The easements include those easements needed by the Park Department also.

- Jim Pokrajac reported that we have received a request from INDOT for a right-of-entry on Commission property for a temporary 12' strip of land. Mr. Pokrajac has been working with INDOT for a clarification of exact legals describing the needed land. He now feels comfortable with the legals provided to him and would ask the Board members for approval to sign the right-of-entry for INDOT. Bob Marszalek made a motion granting approval to INDOT for the needed easement; motion seconded by Bob Huffman; motion passed unanimously.

- Mr. Pokrajac informed the Board members that the renters at 3120 Gerry Street have vacated the house, leaving behind personal belongings and leaving the house in deplorable condition. They also are in arrears of least \$1100 back lease money. Bob Marszalek made a motion authorizing the attorney to pursue legal action to collect back rent and the incurred cost of cleaning up the house; motion seconded by Mark Lopez. After discussion, Bob Huffman amended the motion to say that legal action would only be taken if staff deems legal pursuit is worthwhile and cost effective. If legal costs would be higher than the money collected, it is not worth pursuing. Motion seconded by Bill Biller; motion passed with Mark Reshkin opposing.

- Mr. Pokrajac informed the Board members that we received a request from the town of Griffith to sign a right-of-entry on lands we own to allow construction for the Cady Marsh Ditch project. Bob Marszalek made a motion to approve their request for the right-of-entry contingent upon attorney approval and engineering concurrence; motion seconded by Bob Huffman; motion passed unanimously.

**Operation & Maintenance Committee** – Committee Chairman Bob Huffman talked about the O&M funding meeting that was held on March 24, in which the topic was the discussion of ways of funding. Utilizing the Gary Sanitary District and the Gary Storm Water Management Board will help with the funding issue. The Commission will pursue agreements with other similar parties as the construction moves westward. To wait is not an option as the COE is mandating turnover of the Gary portion for O&M.

- An O&M Committee meeting will be scheduled soon.

**Environmental Committee** – Mark Reshkin reported that the tenants have moved from the 173 acre parcel in Hobart Marsh. Now that this acquisition is completed, TPL is looking at about 121 acres of other properties and will continue to pursue acquisition of additional acreage in the Hobart Marsh area. There is significant funding in place for further acquisition but still not enough to acquire all the acreage needed.

- Mr. Gardner added that with TPL actively pursuing additional property, the timing is right to approach the State Budget Committee in early summer to have the additional \$2 million allocated to the Commission for drawdown. We are continuing to work aggressively with the mitigation purchase. We would also hope that we can get the permit extended to the full west reach and not just for Stage VI.
- Mr. Gardner also added that the mitigation team is looking at the credits that we will obtain with the property purchase. We need to be assured that any land purchased will yield the best ratio of credits needed for our west reach permit.

**Legislative Committee** – Committee Chairman George Carlson stated that he, Dan, Lou, Jim Pokrajac, Judy Vamos, and Bob Huffman met with Mayor McDermott on March 16. Several council members were also present. Mr. Gardner explained why he gave the Mayor a firm's name as a point of contact in regard to getting Hammond out of the floodplain earlier. The firm of Christopher Burke was hired by the town of Highland to work with FEMA to get the Wicker Park Manor sub-division out of the floodplain back in the early 90's. They were able to accomplish this because they convinced FEMA that utilizing the railroad track embankment to serve as a flood protection levee accomplished a complete protection for the sub-division. The COE has stated that Hammond cannot come out of the floodplain until all levee construction is completed. This is unacceptable to the city. If the railroad embankment was utilized as protection for Highland, it should be the same scenario for Hammond, enabling a portion of Hammond to come out of the floodplain once that portion of levee is constructed. Mr. Gardner advised the city of contact Siavash Biek, from Christopher Burke company, and just talk to him to see if he can advise the city how to proceed. Mr. Gardner also talked to Stan Dostatni, city engineer, about this. He was interested and is planning to pursue the conversation with Siavash. Imad is supportive of the idea. A follow-up meeting will be scheduled soon.

Commissioner Reshkin proceeded to make a motion when the time is appropriate, the Commission supports the application of Hammond coming out of the floodplain, as Highland did, utilizing the railroad embankment as flood protection, to bring portions of the community out of the floodplain at an earlier date pending completion of the construction project; motion seconded by George Carlson; motion passed unanimously. It was clarified that funding just needs to be identified and in place, it does not have to actually have construction completed.

**Project Engineering Committee** – Bob Huffman summarized the situation regarding the INDOT Tri-State pump station. The problem is that the line of protection for the river must be completed between Indianapolis Blvd. and Hart Ditch prior to INDOT installing the pump station. INDOT stated that they would pay 85% of the cost (Highland and North Township would pay the other 15%). Our problem is that we probably won't have the money to build this stage, nor the permit for this stage, when INDOT is ready to build. We need to build Stage VI-1&2 first and that is what the west reach permit covers, at this point. Mr. Gardner stated that once some of the court awards come back with the appraised value set for the Stage VI-1S properties, we will have a better idea on how far our current funds will take us.

- Mr. Huffman also reported that plans and specifications for Stage VI-1S have been received on April 6 for 100% review.

**Recreation Committee** – Dorreen Carey has already given a presentation on the Gary Green Link project.

**Marina Committee** – There was no report.

**Policy Committee** – There was no report.

**Public Relations Committee** – There was no report.

**Other Issues** – There were none.

**Statements from the Floor -** There were none.

There being no further business, the next meeting was scheduled for 6:00 p.m. Wednesday, May 5, 2004



# Little Calumet River Basin Development Commission

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Portage, Indiana 46368

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*Governor's Appointment*

CHARLIE RAY  
*Porter County Commissioners'  
Appointment*

DAN GARDNER  
*Executive Director*

LOU CASALE  
*Attorney*

## DEVELOPMENT COMMISSION EXECUTIVE SESSION

*AT 5:30 P.M. WEDNESDAY, APRIL 28, 2004*

*AT THE COMMISSION OFFICE  
6100 SOUTHPORT ROAD  
PORTAGE, IN*

### A G E N D A

*DISCUSSION OF REAL ESTATE NEGOTIATIONS AND  
PENDING AND/OR THREATENED LITIGATION  
IN STAGES VI-1S, VI-1N, VI-2  
AND OTHER ACQUISITIONS  
IN THE WEST REACH PORTION OF THE  
LITTLE CALUMET RIVER FLOOD CONTROL/  
RECREATION PROJECT*

*All members are encouraged to attend.  
Please RSVP to Sandy, 219/763-0696 of your availability to attend.*



# TOWN OF HIGHLAND

Highland Municipal Building • 3333 Ridge Road

Highland, Indiana 46322

219-838-1080 • Fax 219-972-5097



Population 23,546  
Incorporated in 1910

Tuesday, April 13, 2004

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

Re: Response of the Highland Town Council to Offer for Easements related to the Highland Segment of the Little Calumet River Flood Control and Recreation Project.

Dear Dan:

As clerk of the legislative body, I am writing in order to communicate to you that at its meeting of Monday, April 12, 2004, the Highland Town Council, which is also the Works Board of the municipality pursuant to IC 36-1-2-24, formally acknowledged the uniform easement acquisition offers presented by the State of Indiana through its Little Calumet River Basin Development Commission (LCRBDC), one offering the amount of \$34,100 and the other offering the amount of \$3,400.

At that meeting, the Town Council by a unanimous vote, rejected the offers as presented on the basis of the insufficiency of value in the offers. As you know, it is the belief of the Town Council that there is a significant disparity in the values used by the LCRBDC as informed by the Army Corp of Engineers and the values employed during the recent General Reassessment, which is based in part on "market values."

I am encouraged to indicate that by this action, the Highland Town Council does not intend any undue delay to the important and welcome work of the Army Corps to advance the Flood Control and Recreation Project. Town Officials do wish to protect and conserve the value of the contributions that serve as the "match" from the local participating agencies as part of this federally funded project.

This letter is intended to represent a formal communication and evidence of the formal action of the Highland Town Council on this matter. If you have any further questions, or need some addition form of representing this rejection of the offers, please don't hesitate to contact me.

Sincerely,

Michael W. Griffin, IAMC/CMC/CPFA  
Clerk-Treasurer

Pc: Town Council Members  
Town Attorney  
Park and Recreation Superintendent

## TOWN COUNCIL

BERNIE ZEMEN  
1st Ward

MARK A. HERAK  
2nd Ward

ROBERT HELMER  
3rd Ward

JOSEPH A. WSZOLEK  
4th Ward

DANIEL E. DERNULC  
5th Ward

JOHN M. BACH  
Public Works Director

RHETT TAUBER  
Attorney

## CLERK - TREASURER

MICHAEL W. GRIFFIN





INDIANA DEPARTMENT OF TRANSPORTATION

100 North Senate Avenue

Room N755

Indianapolis, Indiana 46204-2249

(317) 232-5533

FAX: (317) 232-0238

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JOSEPH E. KERNAN, Governor  
J. BRYAN NICOL, Commissioner

Writer's Direct Line

April 15, 2004

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

Dear Mr. Samara:

I understand the Indiana Department of Transportation (INDOT) and the U.S. Corps of Engineers (Corps) have reached an agreement regarding INDOT's work at Grant Street and Broadway in Lake County, Indiana, in which the Corps has agreed to pay for the levee construction that is taking place as part of the interchange reconstruction with I-80.

I understand that the levees will be constructed in accordance with the specifications provided the Corps, in which a portion the Broadway embankment will be removed at the point where the levee crosses and replaced with select material. At Grant Street, INDOT will not replace the embankment because of soft base soils, but instead connect the levee with the existing clay liner.

At the completion of the project, the levees will be graded to the prescribed elevations and seeded. We expect the majority of the levees to be constructed in 2005 with the final acceptance expected in May 2006.

While the Corps has agreed to pay for the construction, I would like to request that INDOT pay for this work. We intend to pay for the levee work with 100% state funds, and ask that the full amount of state funds paid on the contract be credited towards the Little Calumet River Basin Development Commission's match requirement for Corps federal funding.

If this contract cannot be used for the Little Calumet credit, or if you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Richard C. Whitney".

Richard C. Whitney  
Deputy Commissioner/Chief Financial Officer

cc: Dan Gardner, Little Calumet River Basin Development Corp.  
Jay Dumontelle, Federal Highway Administration  
Greg Kicinski, Indiana Department of Transportation

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION  
FINANCIAL STATEMENT  
JANUARY 1, 2004 - MARCH 31, 2004

CASH POSITION - JANUARY 1, 2004

CHECKING ACCOUNT	
LAND ACQUISITION	72,756.84
GENERAL FUND	30,420.54
TAX FUND	0.00
INVESTMENTS	958,000.00
SAVINGS	274,854.48
ESCROW ACCOUNT INTEREST	1,384.39
	<hr/>
	1,337,416.25

RECEIPTS - JANUARY 1, 2004 - MARCH 31, 2004

LEASE RENTS	11,628.30
LEL MONIES (SAVINGS)	
INTEREST INCOME(FROM CHECKING & FIRST NATL)	523.59
LAND ACQUISITION	1,457,278.05
ESCROW ACCOUNT INTEREST	171.92
MISC. RECEIPTS	585.00
KRBC REIMBURSEMENT RE: TELEPHONE CHARGE	270.52
TRANSFERRED FROM SAVINGS	4,100.00
PROCEEDS FROM VOIDED CHECKS	
TOTAL RECEIPTS	1,474,557.38

DISBURSEMENTS - JANUARY 1, 2004 - MARCH 31, 2004

ADMINISTRATIVE	
2003 EXPENSES PAID IN 2004	158,800.46
PER DIEM	4,150.00
LEGAL SERVICES	1,383.99
NIRPC	20,984.63
TRAVEL & MILEAGE	539.20
PRINTING & ADVERTISING	0.00
BONDS & INSURANCE	77.00
TELEPHONE EXPENSE	1,477.06
MEETING EXPENSE	2,946.31
LAND ACQUISITION	
LEGAL SERVICES	20,113.62
APPRAISAL SERVICES	36,150.00
ENGINEERING SERVICES	14,017.95
LAND PURCHASE CONTRACTUAL	25,540.00
FACILITIES/PROJECT MAINTENANCE SERVICES	0.00
OPERATIONS SERVICES	0.00
LAND MANGEMENT SERVICES	59,765.09
SURVEYING SERVICES	32,684.00
MISCELLANEOUS EXPENSES	0.00
ECONOMIC/MARKETING SOURCES	0.00
PROPERTY & STRUCTURE COSTS	1,203,677.00
MOVING ALLOCATION	0.00
TAXES	0.00
PROPERTY & STRUCTURES INSURANCE	0.00
UTILITY RELOCATION SERVICES	9,892.59
LAND CAPITAL IMPROVEMENT	0.00
STRUCTURAL CAPITAL IMPROVEMENTS	0.00
BANK CHARGES MERCANTILE	20.40
PASS THROUGH FOR SAVINGS	4,100.00
TOTAL DISBURSEMENTS	1,437,518.84

CASH POSITION - MARCH 31, 2004

CHECKING ACCOUNT	
LAND ACQUISITION	128,779.64
GENERAL FUND	11,264.36
TAX FUND	0.00
TOTAL FUNDS IN CHECKING ACCOUNT	140,044.00
TOTAL INVESTMENTS	958,000.00
FIRST NATIONAL BANK	700,000.00
(BASE CAPITAL INVESTMENT)	4/26/2004
FIRST NATIONAL BANK	258,000.00
(MISC INTEREST/RENTAL INVESTMENT)	4/26/2004
BANK ONE SAVINGS ACCOUNT BALANCE	271,559.73
(LEL MONEY)	136,002.15
(MARINA SAND MONEY)	133,721.49
(STATE DRAW MONIES)	-
(GARY PARKS & REC MONIES)	-
SAVINGS INTEREST	1,836.09
TOTAL INVESTMENTS & SAVINGS	1,229,559.73
ESCROW ACCOUNT INTEREST AVAILABLE	1,556.31
	<hr/>
TOTAL OF ALL ACCOUNTS	1,371,160.04

# LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION

MONTHLY BUDGET REPORT, APRIL 2004

	2004							9 MONTH ALLOCATED	UNALLOCATED BUDGETED
	BUDGET	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	TOTAL	BALANCE
5801 PER DIEM EXPENSES	15,000.00	0.00	100.00	150.00	0.00			250.00	14,750.00
5811 LEGAL EXPENSES	8,500.00	418.33	682.33	587.33	425.83			2,113.82	6,386.18
5812 NIRPC SERVICES	130,000.00	10,336.79	18,439.62	8,783.84	8,443.81			46,004.06	83,995.94
5821 TRAVEL/MILEAGE	10,000.00	35.36	36.72	26.18	14.28			112.54	9,887.46
5822 PRINTING/ADVERTISING	5,000.00	0.00	0.00	0.00	0.00			0.00	5,000.00
5823 BONDS/INSURANCE	8,000.00	0.00	77.00	0.00	0.00			77.00	7,923.00
5824 TELEPHONE EXPENSES	7,000.00	121.98	186.92	549.41	585.17			1,443.48	5,556.52
5825 MEETING EXPENSES	8,000.00	2,926.81	0.00	0.00	0.00			2,926.81	5,073.19
5840 PROFESSIONAL SERVICES	650,000.00	50,657.93	37,970.47	63,862.95	53,605.54			206,096.89	443,903.11
5860 PROJECT LAND PURCHASE EXP.	4,073,177.00	0.00	1,159,250.00	40,000.00	409,238.00			1,608,488.00	2,464,689.00
5881 PROPERTY/STRUCTURE INS.	25,000.00	0.00	0.00	0.00	0.00			0.00	25,000.00
5882 UTILITY RELOCATION EXP.	200,000.00	73.92	0.00	1,387.39	2,202.08			3,663.39	196,336.61
5883 PROJECT LAND CAP. IMPROV.	25,000.00	0.00	0.00	0.00	0.00			0.00	25,000.00
5884 STRUCTURES CAP. IMPROV.	25,000.00	0.00	0.00	0.00	0.00			0.00	25,000.00
<b>5892 PROJECT COSTSHARE/ESC ACCT</b>	<b>400,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>			<b>0.00</b>	<b>400,000.00</b>
	<b>5,189,677.00</b>	<b>64,571.12</b>	<b>1,216,743.06</b>	<b>115,347.10</b>	<b>474,514.71</b>	<b>0.00</b>	<b>0.00</b>	<b>1,871,175.99</b>	<b>3,318,501.01</b>

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	2004							9 MONTH ALLOCATED	UNALLOCATED BUDGETED
	BUDGET	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	TOTAL	BALANCE
5801 PER DIEM EXPENSES	15,000.00							250.00	14,750.00
5811 LEGAL EXPENSES	8,500.00							2,113.82	6,386.18
5812 NIRPC SERVICES	130,000.00							46,004.06	83,995.94
5821 TRAVEL/MILEAGE	10,000.00							112.54	9,887.46
5822 PRINTING/ADVERTISING	5,000.00							0.00	5,000.00
5823 BONDS/INSURANCE	8,000.00							77.00	7,923.00
5824 TELEPHONE EXPENSES	7,000.00							1,443.48	5,556.52
5825 MEETING EXPENSES	8,000.00							2,926.81	5,073.19
5840 PROFESSIONAL SERVICES	650,000.00							206,096.89	443,903.11
5860 PROJECT LAND PURCHASE EXP.	4,073,177.00							1,608,488.00	2,464,689.00
5881 PROPERTY/STRUCTURE INS.	25,000.00							0.00	25,000.00
5882 UTILITY RELOCATION EXP.	200,000.00							3,663.39	196,336.61
5883 PROJECT LAND CAP. IMPROV.	25,000.00							0.00	25,000.00
5884 STRUCTURES CAP. IMPROV.	25,000.00							0.00	25,000.00
<b>5892 PROJECTCOSTSHARE/ESC ACCT</b>	<b>400,000.00</b>								<b>400,000.00</b>
	<b>5,189,677.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>1,871,175.99</b>	<b>3,318,501.01</b>

# CLAIMS PAYABLE FOR APRIL 2004

ACCT	VENDOR NAME	AMOUNT	EXPLANATION OF CLAIM
5811	CASALE, WOODWARD & BULS LLP	283.33	MONTHLY RETAINER FOR MONTH OF APRIL
5811	CASALE, WOODWARD & BULS LLP	142.50	ADDITIONAL LEGAL SERVICE THROUGH 4/25/04
5812	NIRPC	8,443.81	SERVICES PERFORMED MARCH 2004
5821	SANDY MORDUS	14.28	MILEAGE 2/26/04-3/22/04
5824	VERIZON	120.72	BILLING PERIOD 4/16/04-5/16/04(TOTAL BILL 232.51, KRBC 111.79)
5824	AT & T	182.16	BILLING PERIOD 3/13/04-4/12/04(TOTAL BILL 191.87 KRBC 9.71)
5824	AT & T	282.29	CONFERENCE CALLS
5841	ASSOCIATED PROPERTY COUNSELORS LTD	2,500.00	APPRAISAL FEE FOR DC-1009
5841	ASSOCIATED PROPERTY COUNSELORS LTD	2,500.00	APPRAISAL FEE FOR DC-1016
5841	ASSOCIATED PROPERTY COUNSELORS LTD	2,500.00	APPRAISAL FEE FOR DC-1017
5841	ASSOCIATED PROPERTY COUNSELORS LTD	2,500.00	APPRAISAL FEE FOR DC-1030
5842	R. W. ARMSTRONG	5,855.69	PROFESSIONAL SERVICES FOR PERIOD ENDED 4/09/04
5842	GARCIA LE & ASSOCIATES LLC	5,942.50	PROFESSIONAL SERVICES FOR DC-85,92,465,DC69 & DNR40
5843	STEWART TITLE SERVICES OF NORTHWEST	470.00	TITLE WORK FOR DC-357
5843	STEWART TITLE SERVICES OF NORTHWEST	570.00	TITLE WORK FOR DC-69 & DC-584
5843	STEWART TITLE SERVICES OF NORTHWEST	355.00	TITLE WORK FOR DC-744
5843	STEWART TITLE SERVICES OF NORTHWEST	85.00	TITLE WORK FOR DC-1005
5843	STEWART TITLE SERVICES OF NORTHWEST	85.00	TITLE WORK FOR DC-1006
5843	STEWART TITLE SERVICES OF NORTHWEST	85.00	TITLE WORK FOR DC-1007
5843	STEWART TITLE SERVICES OF NORTHWEST	85.00	TITLE WORK FOR DC-1008
5843	STEWART TITLE SERVICES OF NORTHWEST	470.00	TITLE WORK FOR DC-1010E
5843	STEWART TITLE SERVICES OF NORTHWEST	85.00	TITLE WORK FOR DC-1020
5843	STEWART TITLE SERVICES OF NORTHWEST	85.00	TITLE WORK FOR DC-1025
5843	STEWART TITLE SERVICES OF NORTHWEST	85.00	TITLE WORK FOR DC-1042
5843	STEWART TITLE SERVICES OF NORTHWEST	85.00	TITLE WORK FOR DC-1044
5843	STEWART TITLE SERVICES OF NORTHWEST	85.00	TITLE WORK FOR DC-1045
5843	STEWART TITLE SERVICES OF NORTHWEST	85.00	TITLE WORK FOR DC-1047
5843	STEWART TITLE SERVICES OF NORTHWEST	85.00	TITLE WORK FOR DC-1048
5843	TICOR TITLE INSURANCE COMPANY	385.00	TITLE WORK FOR DC-1140
5843	TICOR TITLE INSURANCE COMPANY	385.00	TITLE WORK FOR DC-1141
5843	TICOR TITLE INSURANCE COMPANY	385.00	TITLE WORK FOR DC-1145
5844	JAMES E POKRAJAC	4,317.30	ENGINEERING SERVICES 3/16/04-3/31/04
5844	JAMES E POKRAJAC	184.28	MARCH MILEAGE
5844	JAMES E POKRAJAC	4,050.80	ENGINEERING SERVICES 4/1/04-4/15/04
5844	JUDITH VAMOS	4,199.32	LAND ACQUISITION AGENT SERVICES 3/16/04-3/31/04
5844	JUDITH VAMOS	69.36	MARCH MILEAGE
5844	JUDITH VAMOS	3,278.93	LAND ACQUISITION AGENT SERVICES 4/1/04-4/15/04
5844	LORRAINE KRAY	998.40	CREDITING TECHNICIAN/LAND ACQUISITION ASST 3/16/04-3/31/04
5844	LORRAINE KRAY	1,036.80	CREDITING TECHNICIAN/LAND ACQUISITION ASST 4/01/04-4/15/04
5844	SANDY MORDUS	225.00	CREDITING TECHNICIAN SERVICES 3/22/04-3/31/04
5844	SANDY MORDUS	250.00	CREDITING TECHNICIAN SERVICES 4/5/04-4/14/04
5849	CASALE, WOODWARD & BULS LLP	9,242.16	LAND ACQUISITION/LEGAL SERVICES FOR PERIOD ENDED 4/25/04
5861	KROGAN DEVELOPMENT LLC & IN LLC	343,500.00	PURCHASE PRICE OF DC-1015
5861	TRUST FOR PUBLIC LANDS	815.00	ADD'L COST OF M-12 & 14
5861	B & B PROPERTIES	64,883.00	PURCHASE PRICE OF DC-1011B
5861	LAKE COUNTY RECORDER	40.00	RECORDING FEE FOR DC-1010C & DC-1010G
5882	SEH	1,247.00	UTILITY RELOCATION ASSISTANCE SVI
5882	NIES	955.08	UTILITY RELOCATE ASSISTANCE SVI-11

TOTAL

474,514.71



**O&M CLAIMS FOR MAY, 2004**

\$200.00	<u>Don Powers Insurance Agency</u> – 3 month structure insurance for house at 3120 Gerry Street, Gary
\$5,470.00	<u>USGS</u> – partial cost to operate gaging station at Hart Ditch in Munster for period of October 1, 2002 – September 30, 2003
\$24,542.61	<u>Valparaiso Insurance Professionals</u> – Renewal of commercial general liability insurance for period of April 5, 2004 – April 5, 2005
<hr/>	
\$30,212.61	Total O&M claims

Form DI-1040

IN042

United States  
Department of the Interior  
Geological Survey

Bill No: 4-2412-00025

Bill Date: 04/01/2004

Due Date: 06/05/2004

**BILL FOR COLLECTION**

## Customer Address:

## Attention:

LITTLE CALUMET RIVER BASIN COM IN042

SANDY MORDUS BUSINESS COORDINA

6100 SOUTHPORT RD  
PORTAGE, IN 46368

## Make Remittance Payable

## To:

DOI - USGS

BOX 100706

ATLANTA GA

30384-0706

**Payment must include a copy of this  
bill OR reference the Bill No above.**

Notice: Payments to USGS may be made via VISA or MC credit card,  
either by email to USGS address: srsmith@usgs.gov with a 'cc' copy to  
clbowles@usgs.gov OR by phone (703.648.7632 or 703.648.7611).

Description:	Quantity	Unit Price	Unit Issue	Amount
A program to operate & maintain a streamflow gaging station on Hart Ditch at Munster, for the period of October 1, 2002 to September 30, 2003.	1	\$5,470.00	EA	\$5,470.00

Federal Regulations require Interest at the annual rate of **1% (0.083%/month)** be assessed from the date of this bill if payment is not received by the Due Date. Regulations also require that a Penalty at the rate of 6% (.5% /month) be assessed from the date of the bill if this bill becomes 90 days delinquent. No interest will be charged if payment is made by the due date.

I certify that this bill is correct, in accordance with the terms of the order/signed agreement, and payment has not been received.

*Susan L Ellis*

Prepared by: Susan L Ellis (317) 290-3333 X146

Amount Due This Bill: \$5,470.00

## USGS ACCOUNTING CLASSIFICATION SECTION:

## Reimbursable

Agreement #	BFY	EFY	Cust#	IN042	Amount	Fund	Rev Src	Cost Center
03E4IN2412013	2003				\$5,470.00	SIRAR	ARJF	2412

\$5,470.00 \*Total

## Routing Slip:

Created By: Susan L Ellis

## Supervisor:

OFM Contact: Denis J Sheehan/APS/USGS/DOI 703-648-7611

CC: TIN:351517363

04/01/2004

# Local Land Management for Watershed Protection:

## A Workshop for Local Officials



May 12, 2004

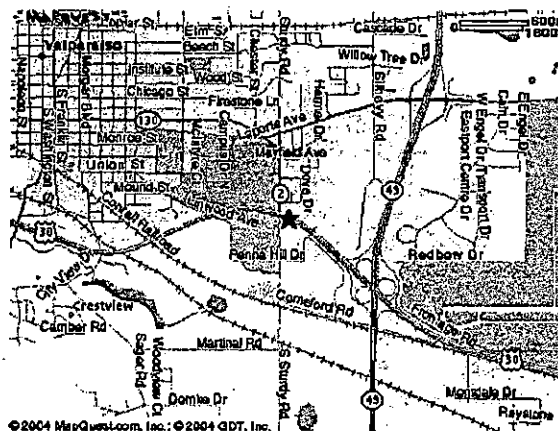
Strongbow Inn  
Valparaiso, Indiana



Hosted by the Northwest Indiana Regional  
Planning Commission



2405 E US 30  
Valparaiso, IN 46383



The Strongbow Inn is located on U.S. Route 30 in  
Valparaiso, Indiana just east of State Route 2.

Registration begins at 7:30 am.

The workshop starts at 8:30 am and  
concludes at 3:45 pm.

For more information, please contact the  
Workshop moderator, Mr. Bill Ward at 312-  
588-1670 or [bward@cadmusgroup.com](mailto:bward@cadmusgroup.com).

## Local Land Management for Watershed Protection: A Workshop for Local Officials

### Registration

Name \_\_\_\_\_

Title \_\_\_\_\_

Organization \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_ Zip Code \_\_\_\_\_

Telephone \_\_\_\_\_

Fax: \_\_\_\_\_

E-Mail \_\_\_\_\_

The registration fee is \$20 and will be collected  
at the workshop registration. Cash is strongly  
encouraged. Checks should be made out to  
the Strongbow Inn.

Mail Registration forms by May 5, 2004 to:  
NIRPC Watershed Academy  
c/o The Cadmus Group  
53 West Jackson Blvd., Suite 402  
Chicago, IL 60604

Or fax this form to: 312-588-1677

After May 5, registration will be on site.

## Local Land Management for Watershed Protection: A Workshop for Local Officials

- 7:30 Continental Breakfast and Registration
- 8:30 Welcome and Introduction
- Tom Skinner, Regional Administrator, U.S. EPA Region 5 (invited)
  - The Honorable Robert Pastrick, Mayor, East Chicago
- 8:45 Lake Michigan LaMP
- Judy Beck, Lake Michigan Coordinator, U.S. EPA
- 9:00 Resource Management Issues Facing the Region
- George Van Til, Surveyor, Lake Co.
  - Kevin Breitzke Surveyor, Porter Co.
  - James Kell, Surveyor, LaPorte Co.
- 9:15 How Did We Get Here? How Development Affected the Regional Environment
- Dr. Mark Reshkin, Professor (Emeritus) Indiana University Northwest
- 9:45 – 10:00 Break
- 10:00 Where Do We Go From Here? The Role of Local Governments in Watershed Protection and Restoration
- The Honorable Chuck Oberlie, Mayor, Michigan City
  - The Honorable John Costas, Mayor, Valparaiso
  - Dan Gardner, Acting Executive Director, NIRPC
- 10:15 Watershed Planning for Protection and Restoration
- What Does a Watershed Plan Look Like and How Is It Implemented? Linda Schmidt, Watershed Section Chief, IDEM
  - Technical Resources to Support Local Watershed Protection. Jim Hebenstreit (invited), IDNR Technical Services Branch

- Linking Watershed Planning to development Patterns. Bob McCormack, Planning with Power, IL/IIN Sea Grant
- Emerging Requirements for Watershed Planning: Stormwater and Coastal Management. Mike Molnar, IDNR
- What Can Happen If You Fail to Plan: TMDLs and Other Headaches. Bill Ward, Principal, The Cadmus Group

12:00 – 1:00 Lunch

Working with Developers to Promote Watershed Protection

- Bob Brownell, President, Biellinski Builders, Waukesha, Wisconsin

1:00 Incentives for Low Impact Development in Northwest Indiana

- The Market for Low Impact Development. Jake Wagner, Wagner Homes
- Financial Incentives for Low Impact Development. John Haugland, U.S. EPA
- Incorporating Biodiversity in Development Planning. Kerry Leigh, Northeastern Illinois Planning Commission/Chicago Wilderness

2:00 Break

2:15 Visions for the Future: Waterfront Development and Redevelopment

- The Marquette Plan. Rep. Peter Visclosky (invited)
- Port of Indiana. Steve Mosher, Director (invited)
- Brownfield Redevelopment. Deborah Orr, U.S. EPA Region 5
- Resources for Redevelopment. Calvin Kelly, Indiana Development Finance Authority
- The Role of Ports in County Development. Will Smith, Jr., Lake County Council President

3:30 Wrap-up

- Reggie Korthals, NIRPC



## The Lake Michigan Watershed Academy

This workshop is one of six Watershed Academy workshops sponsored by the United States Environmental Protection Agency around the Lake Michigan watershed.

The Lake Michigan Watershed Academy provides a "packaging and delivery system" that brings together the tools, data, and expertise of many federal, state, local, and tribal agencies as well as non governmental organizations to explore opportunities for new partnerships, thereby impacting the quality of the land use plans and partners in the Lake Michigan watershed.

Many of the stressors on Lake Michigan are driven or prevented by land use decisions made at the local governmental level and/or private property. The Lake Michigan Lakewide Management Plan highlighted the need to promote a series of dialogues with local decision-makers about the status of these decisions that would provide training leading to plans, possible activities, and partnerships that could benefit both the local and lake-wide ecosystems.





## THE 34TH ANNUAL EARTH DAY

# Environmental issues topic of 3 meetings

Post-Tribune staff report

GARY — Residents will have three chances tonight to attend meetings about environmental issues.

One — a hearing on the proposed Green Link nature trail — was planned to coincide with today being the 34th anniversary of the first Earth Day.

"It's a great way to celebrate Earth Day in Gary," said Doreen Carey, the city's environmental coordinator.

The timing for the others — a meeting on air quality and a forum on storm water management plans — appear to be coincidental.

All are open to the public. Here's more information:

■ The final public hearing on the Green Link master plan will be at 6 p.m. at Hudson-Campbell Sports & Fitness Center, 455 Massachusetts St., Gary.

Green Link is a proposed 30-mile nature corridor and trail around Gary, linking the lake-shore to the Grand Calumet and Little Calumet rivers. It would help protect several natural areas and provide a new recreation outlet for residents.

The city and its consultants conducted four public meetings

on the plan last fall. The final plan identifies a proposed trail route.

■ The Indiana Department of Environmental Management will hold a public meeting on air quality issues starting at 6 p.m. at Ivy Tech State College, 1440 E. 35th Ave., Gary.

The meeting also concerns Bucko Construction Co.'s request for a five-year air permit renewal for its asphalt-making plant at 15th Avenue and Michigan Street.

City Council member Carolyn Rogers asked for the public meeting because residents of the Marshalltown area, south of the Bucko plant, have called her regularly to complain about dust and fumes from the plant.

■ The Gary Storm Water Management District will have its final public forum tonight on a proposed Little Calumet River watershed plan.

The meeting will be from 6 to 7:30 p.m. at the Gary Career Center cafeteria, 1800 E. 35th Ave., Gary.

Two previous forums have focused on drainage problems in Gary neighborhoods that empty storm water into the Little Calumet. Tonight's will deal with proposed solutions.



1A

# Little Calumet River Basin Development Commission

6100 Southport Road  
Portage, Indiana 46368

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

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

April 30, 2004

EMERSON DELANEY, Vice Chairman  
*Governor's Appointment*

CURTIS VOSTI, Treasurer  
*Governor's Appointment*

ROBERT MARSZALEK, Secretary  
*Governor's Appointment*

GEORGE CARLSON  
*Mayor of Hammond's  
Appointment*

STEVE DAVIS  
*Dept. of Natural Resources'  
Appointment*

ROBERT HUFFMAN  
*Governor's Appointment*

MARK LOPEZ  
*Lake County Commissioners'  
Appointment*

JOHN MROCZKOWSKI  
*Governor's Appointment*

DR. MARK RESHKIN  
*Governor's Appointment*

CHARLIE RAY  
*Porter County Commissioners'  
Appointment*

DAN GARDNER  
*Executive Director*

LOU CASALE  
*Attorney*

Honorable Scott King  
Mayor, City of Gary  
Gary City Hall  
401 Broadway  
Gary, Indiana 46402-1236

Dear Mayor King:

I am forwarding to you a map showing land owned by the Little Calumet River Basin Development Commission (state of Indiana) in Gary that will be de-designated from floodplain classification.

The Development Commission commits to work with you to transfer this property to the city for development purposes as part of a comprehensive agreement to: (1) complete the Federal Flood Control/Recreation project construction in Gary; (2) successfully cause FEMA to de-designate Gary from the floodplain as early in 2004 as possible; and (3) put in place a Federally acceptable (FEMA/Corps of Engineers) and funded operation and maintenance plan for the project area to keep from falling back into floodplain designation. Relative to this point is a letter I have recently received from the Corps of Engineers (copy enclosed) regarding FEMA requiring city of Gary commitment prior to FEMA certifying removal from the floodplain.

I will be in contact with your office and Jim Meyer to set up a meeting as soon as possible to address these issues.

Sincerely,

  
Dan Gardner  
Executive Director

/sjm  
encl

cc: Jim Meyer (w/encl)  
Spike Peller (w/encl)  
Arlene Colvin  
David Wright



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

April 14, 2004

Programs and Project  
Management Branch

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

Dear Mr. Gardner:

As you are aware, the Chicago District, acting as an agent for the City of Gary and the Little Calumet River Basin Development Commission, has filed a request for a Conditional Letter of Map Revision (CLOMR). As we discussed during our telephone conference call on March 5, 2004, the City of Gary must provide certification to the Federal Emergency Management Agency (FEMA), that they agree to operate and maintain the line of protection in accordance with the Corps of Engineers' Operation and Maintenance Manual (Chicago District 2004). This certification must be provided by the City of Gary before FEMA will issue the Letter of Map Revision (LOMR). A copy of the revised Operations and Maintenance Manual was provided to your office under separate cover.

As we discussed on March 5, 2004, it is anticipated that the entire remapping process, including the CLOMR and the LOMR will take approximately one year. The CLOMR was initiated the end of 2003. Issuance of the LOMR is dependent on the completion of the ramps at Grant and Broadway, submission of the as-builds, certification of the project level of protection by the Chicago District, and acceptance of O&M responsibilities by the City of Gary. As the acceptance by Gary of the O&M responsibilities is an integral part of the remapping, we would ask that the Commission, as the local sponsor on the flood control project, work with the City of Gary in formulating and submitting the required certification.

Questions regarding the remapping effort should be directed to Mr. Imad Samara, the Project Manager at 312-846-5560, or Mr. Rick Ackerson and Ms. Susanne Davis of the Hydraulic Engineering Section. Mr. Ackerson can be reached at 312-846-5511. Ms. Davis can be reached at 312-846-5510.

Sincerely,

Imad N. Samara  
Project Manager



## Little Calumet River Basin Development Commission

### WORK STUDY SESSION

2 June 2004

### LAND ACQUISITION COMMITTEE

Arlene Colvin, Chairperson

- 1.) We no increased offers or condemnations.
- 2.) Update on Kennedy Industrial Park condemnations (deadline 1/05):
  - a.) Hammond properties - We will be meeting with Hammond officials to explain the condemnation procedure and start the process. Hammond, like Highland, is a "friendly condemnation." Hammond, like Highland, is concerned about the discrepancy between our offer (as presumed to be too low) and Indiana's re-assessment (which is much higher than our offer). We have agreed to let the court make the decision.
  - b.) Highland Properties and Motel 6 - Court appointed appraisers to be sworn in first week of June and return with findings on 7 July.
  - c.) Oak Brook Metro - Condemnation has been filed. We're scheduling initial court hearings.
  - d.) First Krosan - Money for the first Krosan condemnation has been paid into court.
  - e.) Second Krosan - The draft appraisal was sent for Corps Review today.
- 3.) Update on Burr Betterment Levee Phase 2 (deadline 11/04):
  - a.) Tip Top Properties have been filed.
  - b.) I-80/94 Auto Parts has been filed.
  - c.) N. & S. Railroad appraisal will now take approximately 6 weeks to complete.





**WORK STUDY SESSION**  
**LAND MANAGEMENT**

**June 2, 2004**

**Arlene Colvin, Committee Chairperson**

- 
1. 3120 Gerry Street
    - Property cleaned up and disinfected. Staff preparing to advertise for sale.
  2. Levee mowing
    - Only one (1) mowing will be done this year. Landscaping II will be doing herbicide treatments on the levees this fall and in the spring to prepare for seeding in 2005.
    - LCRBDC will advertise for mid-July mowing
  3. Demolition completed on May 28 in East Reach Remediation area. Last demolition now completed.
    - Mr. Askew removed his horses (the final time) on May 25
  4. LCRBDC wrote a letter to Gary (consultant) on May 25 (see attachment #2 in Land Management report) requesting scope of work for project to be in compliance with IDEM water quality measures.
    - COE indicated they will do a contract in their 2005 fiscal year to assure compliance, but need information.
  5. Boy Scout Troop #280 will once again clean debris and repair trails on the levee between Columbia and Northcote. Their activity date is Saturday, June 5. They have requested we provide pizzas for Saturday lunch as we have the last five years. Cost will be about \$150 to \$200. Action requested.





**WORK STUDY SESSION**

**OPERATION AND MAINTENANCE**

**June 2, 2004**

**Bob Huffman, Committee Chairman**

- 
1. O&M for East Reach for Gary, Indiana (Current Status):
    - Refer to Attachments 1 & 2 Burr Street pump station operation (E-mail).
    - Attachment 3 memo to COE familiarizing them with the situation at Burr Street pump station
    - Attachments 4 & 5 LCRBDC position on O&M responsibility (DRAFT)
    - Attachments 6 & 7 LCRBDC position on turnover and inspection.
    - A. General (Refer to Attachments 4, 5, 6, & 7):
      - COE indicates LCRBDC is currently fully responsible to assure O&M of completed east reach
      - Gary currently will do no O&M without agreement – Want compensation
      - Interim period needs to be facilitated
    - B. O&M Committee meeting held on May 25
      - Discussed O&M strategy regarding city of Gary
      - LCRBDC to put together a memo of agreement with city of Gary
      - COE proposing levee inspection(using COE personnel)
    - C. Burr Street Pump Station (north of NSRR & east of Burr Street)(Refer to Attachments 1, 2 & 3)
      - Detention pond has filled halfway to capacity several times in the past two weeks.
      - Pumps are currently not working and only one pump can be operated manually
      - COE & LCRBDC have been working together to operate this pump to keep a large area of Black Oak from flooding
      - Received a memo and cost estimate from Gary to fix the pumps and then to assume O&M

## **Sandy Mordus**

---

**From:** "Sandy Mordus" <smordus@nirpc.org>  
**To:** <sdavis@dnr.in.gov>  
**Sent:** Tuesday, June 01, 2004 2:37 PM  
**Attach:** O&M acceptance.doc; O&M Item.doc; Witowski.doc  
**Subject:** Fw: Burr Street pump station operation

----- Original Message -----

**From:** Sandy Mordus  
**To:** [sdavis@dnr.state.in.gov](mailto:sdavis@dnr.state.in.gov)  
**Sent:** Tuesday, June 01, 2004 2:28 PM  
**Subject:** Fw: Burr Street pump station operation

Steve:

Below is an email we sent to Vic Gervais on May 28 regarding the operation of the Burr Street pump station and the problems we are currently having with high water at this point in time. Imad responded that the Commission is responsible for all O&M in the east reach.

Also attached are three (3) separate "DRAFT" letters that the Commission is currently evaluating to send to the COE stating our status of negotiations with the city of Gary, as well as the position the Commission is taking regarding operation and maintenance of the completed east reach levee segments.

We have not finalized these letters but it is critical at this point in time for us to coordinate with the city of Gary and the COE to assure that emergency response, as well as operation and maintenance of all of these features, is addressed. Imad has also taken the position on behalf of the COE that the Commission is currently responsible for this based upon the Local Cooperation Agreement we signed in August of 1990. Once again, the three letters are just "drafts" and will either be combined or modified pending Commission review. I hope this provides you with some information of the current status of our dilemma in performing what the COE considers our responsibility.

Jim Pokrajac, Agent  
Land Management/Engineering

----- Original Message -----

**From:** Samara, Imad LRC  
**To:** 'Sandy Mordus' ; Gervais, Victor P LRC  
**Cc:** Craib, Robert A LRC  
**Sent:** Friday, May 28, 2004 1:16 PM  
**Subject:** RE: Burr Street pump station operation

Jim as we discussed yesterday we can't just wait until Gary accepts the O&M for the entire east reach. As you know that could take a long time. We need to get this pump station operating normally. As you know the Little Calumet River Basin Commission is the entity that the COE hold responsible for the operation and maintenance of the this project. The LCRBDC needs to find a way of fixing the pump station before something regrettable happens. Please talk to Dan about this and let me know what action will be taken. We can't relay on manually operate the station. I do encourage the area office to help when they can but an immediate fix is very necessary.

Imad Samara  
Project Manager  
111 N Canal Street  
Chicago IL 60606  
(W) 312-846-5560  
(Cel) 312-860-0123

-----Original Message-----

6/2/2004

**From:** Sandy Mordus [mailto:smordus@nirpc.org]  
**Sent:** Friday, May 28, 2004 11:49 AM  
**To:** Gervais, Victor P  
**Cc:** Samara, Imad LRC; Craib, Robert A  
**Subject:** Burr Street pump station operation

Vic:

Thank you again for your cooperation in allowing me to work with Bob Craib in manually operating the pump at our Burr Street pump station located east of Burr Street and north of the river. With all of the recent rains we have had, the level of this retention pond has been at abnormally high elevations. We have a problem that neither of the two pumps will operate and only pump #1 will operate under a manual override. I appreciate your concern with both Bob and I being there together to assume mutual responsibility to assure that adverse conditions will not occur due to the lack of pumping.

We are currently in negotiations with the city of Gary for them to start accepting operation and maintenance responsibilities for all of the completed features and levee segments in the east reach. Negotiations have been ongoing for some time and we are confident that in the near future, we will reach an understanding and initiate an agreement accordingly. I'm hoping in the near future to contact the Gary Sanitary District to see if they have any information as to why these pumps are not working. When I can obtain this information as to the problem, we will then address it with you and the city of Gary.

It is unfortunate that we have this interim period before Gary accepts this responsibility, but as you are aware, it is critical that the water be pumped down in order to allow retention to be held in the event of a major rain event. Thank you again for your cooperation.

Jim Pokrajac, Agent  
Land Management/Engineering



TO: Imad Samara  
FROM: Dan Gardner  
SUBJECT: Status of O&M Item  
DATE: May 3, 2004

Imad:

Recently, Jim Pokrajac has been working and communicating with both the Gary Sanitary District (and representatives of the White River Environmental Group) and the Griffith area office to assure that the high water elevations in the Burr Street retention pond will be addressed. The day that you were out on the Landscaping II field trip, it was noticed that the water elevation, relative to the existing staff gage, was at an elevation of approximately 586 sea level. This elevation was at the approximate bottom of the headwall of the discharge into the pond along the east side of Burr Street. Currently, both WREP and the Griffith office, and Jim Pokrajac, have been out on the site manually operating pump #1 to bring the water level down to a point where additional detention will be available during a major rain event. However, this pump is only operational manually. It is my understanding that a representative from WREP has been going out on the site every Friday to do a field visit to assure that the water level is down to a level that would allow the extra detention; but to do this, that pump has to be turned on and turned off manually.

Bob Craib, from the Griffith office, has gone out on the site to assure that the pump will be operating during a high water level occurrence. It is also my understanding that there are some electric problems that prohibit the use of pump #2 and that also require pump #1 to be operated manually.

Jim Pokrajac informed me that he had talked to Dwayne Bowie who is a supervisor for WREP, who instructed his personnel not to do any more maintenance or operation of this station until his people can be reimbursed for their expenses (it was also my understanding that this was directed from Jim Meyer who is the attorney for the Gary Sanitary District).

We sent you a separate letter regarding other O&M issues in Gary, which explain the status of the Little Calumet River Basin Development Commission efforts to coordinate and turn over the operation and maintenance of all the flood control features in the east reach. This is ongoing and we do not have a date yet established when they will sign an agreement to accept responsibility. This presents a problem during the interim period from now until that agreement is signed as to who will assume responsibility, particularly in emergency situations, to operate these pump stations.

We will be in further contact with you to establish who will have what responsibility and how it will be coordinated until that agreement is signed. If you have any questions, please call me.

May 3, 2004

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

Dear Imad:

In response to your email of Tuesday April 27<sup>th</sup> regarding the missing manhole lid in Stage IV-1S, I feel we need to discuss O&M issues, and reiterate the position of the Little Calumet River Basin Development Commission.

In the past, we sent you miscellaneous correspondence and emails indicating that the Commission does not have money available to do operation and maintenance for any segments that are already completed in Gary. We are currently in the process of working with the city of Gary and their appropriate representatives to finalize their acceptance to assume responsibility for O&M for the flood control features in their city. Our Commissioners have also indicated that before any segments are accepted for operation and maintenance, a preliminary inspection needs to be completed by not only representatives of the Commission but by those parties from Gary who are going to accept these responsibilities. This will assure that there will not be any unanticipated expenses incurred by that party prior to accepting these features.

Although the issue of the manhole cover is minimal, the Commission feels that not only this feature but any others regarding O&M cannot be paid for with State funds because they are not creditable. The Commission has been involved in the inspections of all completed segments of the flood control project, which relieves that respective contractor from any further responsibility as per the plans and specifications. However, it was our understanding that those inspections were only for that purpose, not for the purpose of our accepting O&M responsibilities.

Imad Samara  
May 3, 2004  
Page 2

Once the discussions and reviews have been completed with the city of Gary, we will work with them as well as the COE to turn over all necessary materials, as built drawings, instructionals, or any other items needed for them to accept responsibility for all future O&M.

We are aware that as per our LCA, that the Commission has the responsibility to assure that O&M will be facilitated to assure that the completed flood protection project will serve its intent of design and be functional to protect the landside areas from floods. We are looking forward to working with you to be in compliance with this agreement but feel that, neither we nor the city of Gary are able to accept this product until all IDEM regulations are met regarding water quality, and that the flood protection project does not have any outstanding features that need to be repaired or replaced.

Sincerely,

Dan Gardner  
Executive Director

/sjm  
cc:

Roy Deda, COE  
Vic Gervais, COE  
Arlene Colvin, LCRBDC Chairperson  
Bob Huffman, Steve Davis, Bob Marszalek, LCRBDC O&M Committee  
Lou Casale, LCRBDC attorney  
Jim Flora, R. W. Armstrong Company

May 28, 2004

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

Dear Imad:

Recently, Jim Pokrajac was contacted by Mr. Reric Witowski from the Chicago branch of the Corps of Engineers. He indicated to Mr. Pokrajac that both he and a team from your district office would like to make a final inspection of the completed levee segments. We are not entirely clear on the intent or the purpose of why an inspection is needed to be done at this point in time. As you are aware, the Development Commission is currently in the process of trying to turn over the operation and maintenance of the completed levee segments and features to the city of Gary. Many of Gary's outstanding issues have been or will be addressed in the near future. In the past, the Commission has expressed the concern that Gary would be reluctant to take over the operation and maintenance of a product that is not "like new". For instance, if this inspection is made and it will require \$500,000 to bring these segments up to "like new" condition, Gary would probably not accept those charges. I need to have you clarify this for me.

It is also our intent that prior to Gary taking over these levee segments, representatives of the community will actually make their final inspection with the Development Commission to determine what they feel needs to be done to bring these segments up to par. As you discussed with Jim Pokrajac on May 27<sup>th</sup>, it appears that this would be your final inspection and that both he and representatives of the community would be invited to do this inspection with your COE representatives. Will you please clarify this for me as well. In Jim's conversation with Mr. Witowski, he indicated that he would like to do this inspection as reasonably soon as possible. I would suggest that we wait until the second or third week of July after which we will have mowed and cleared all of the levees.

Mr. Imad Samara  
May 28, 2004  
Page 2

In addition, Mr. Witowski indicated that he anticipates this to be a very thorough investigation that could take as long as two weeks doing full day inspections. As Jim being the only engineering representative for the Commission, it would be very difficult for him to take two weeks away from all of his other duties for the Commission. We would suggest breaking this inspection up into several inspections rather than one long contiguous inspection.

We understand the need for an inspection to be done but we need to gather all the information we can as to the intent of your inspection, who will be involved in these inspections, who will write the minutes of these inspections, and who will pay for any items that need to be repaired and/or restored.

If you would kindly respond to my concern and address these questions as soon as possible, I would appreciate it.

Sincerely,

Dan Gardner  
Executive Director

/s/jm  
cc:

Reric Witowski, COE  
O&M Committee members: Bob Huffman, Arlene Colvin, Steve Davis, Bob Marszalek  
Lou Casale, LCRBDC attorney  
Jim Flora, R. W. Armstrong Company



**WORK STUDY SESSION**  
**ENGINEERING COMMITTEE**

**June 2, 2004**

**Bob Huffman, Committee Chairman**

- A. Letter sent to COE on June 2 regarding current contract with Overstreet Construction for the Pump Station 1A contract. (Refer to attachment)
  - Commissioners' request as to how much Contractor is paying in penalties since July 25, 2003 construction deadline
- B. Meeting held on May 14 with Lake County Highway Department regarding Kennedy Avenue Bridge
  - Engineering information being shared with COE & Lake County to determine scope of work COE will enter into agreement with
  - Appears concrete closure structures on Kennedy, 10' walkway on east side for recreation, all earthwork.
- C. Grant & Broadway I-80/94 interchanges – Crediting (See page 16 of attachments on Engineering report)
  - INDOT will do work at a cost paid 100% by state funds
  - No Federal participation
  - All money would be creditable to LCRBDC
- D. Final inspection for "in-project mitigation" held on May 12
  - Minor items to be completed
  - O&M being done as part of warranty by contractor
- E. A pre-bid meeting will be held on June 3 for the Landscaping II contract



# Little Calumet River Basin Development Commission

6100 Southport Road  
Portage, Indiana 46368

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

ARLENE COLVIN, Chairperson  
Mayor of Gary's  
Appointment

June 2, 2004

ROBERT MARSZALEK, Vice Chairman  
Governor's Appointment

MARK LOPEZ, Treasurer  
Lake County Commissioners'  
Appointment

JOHN MROCZKOWSKI, Secretary  
Governor's Appointment

WILLIAM BILLER  
Governor's Appointment

GEORGE CARLSON  
Mayor of Hammond's  
Appointment

STEVE DAVIS  
Dep't. of Natural Resources  
Appointment

ROBERT HUFFMAN  
Governor's Appointment

CHARLES RAY  
Porter County Commissioners'  
Appointment

DR. MARK RESHKIN  
Governor's Appointment

VACANCY  
Governor's Appointment

DAN GARDNER  
Executive Director

LOU CASALE  
Attorney

Mr. Victor Gervais  
U.S. Army Corps of Engineers  
906 Griffith Blvd.  
Griffith, Indiana 46319

Re: Pump Station 1A Contract Status

Dear Victor:

Over the past couple of years, Overstreet Construction has been doing work on the Pump Station 1A contract. Over this period of time, a number of issues have ensued whereby residents, as well as Development Commissioners, have questioned why this project has been taking so long. More recently, we have had discussions with the COE regarding what could be done in the future to prevent this from occurring again by modifying bid documents and/or specifications prior to soliciting for bids. I have had several Commissioners question me as to what the current completion date is for this project. The most recent date I could give them was July 25, 2003 which was indicated on your Modification #14 to the contract that we received on May 10, 2004. If the COE has been assessing the delay penalty (\$1300 to \$1400 per day), what is the current amount of money they will be penalized to date? Our Commissioners also inquired as to what the current date is that Overstreet has projected to have all four of these pump stations completed, inspected, and accepted to allow that final date of completion.

On behalf of the Development Commission, we are very disappointed in the length of time it has taken them, which we can only assume was due to poor coordination by Overstreet in rehabilitating the pumps and a change of supervision a number of times to assure that all of the work will be completed in a timely manner. I have been asked that we would appreciate a meeting, to be held by our Engineering Committee, to personally ask questions and address some of these concerns directly to the appropriate COE and contractor personnel. Please let me know when you would be available and if you have any questions regarding this ongoing concern, please let me know.

Sincerely,

  
Dan Gardner  
Executive Director

/sjm  
Cc:

Imad Samara, Shamel Abou-El-Seoud, Regina Blair, Sandy Solomon, Dick Albert - COE  
LCRBDC Engineering Committee  
William Biller, LCRBDC  
Jim Pokrajac, LCRBDC  
Lou Casale, LCRBDC attorney  
Jim Flora - R. W. Armstrong Company



**WORK STUDY SESSION  
ENGINEERING COMMITTEE**

**May 5, 2004**

**Bob Huffman, Committee Chairman**

*Make sure we  
have the updated  
"Upcoming const."  
(Bill Wills)*

GENERAL STATEMENT:

A. Following are a list of the upcoming construction contracts currently scheduled for the 2004-05 construction seasons.

- (1) Landscaping II (Completing landscaping for remaining East Reach segments)
- (2) Burr Street II - Gary (Levee and ditch work from Colfax to Burr along NIPSCO R/W)
- (3) Burr Street II - LCRBDC (Levee, ditch, and sheet pile work from Burr Street 1/2 the way to Clark along the Norfolk Southern RR)
- (4) Stage VI - Phase 1 South (Levee, ditch, sheet pile work, and the North Drive pump station from Kennedy Avenue to Liable Road in Highland. Also includes sheet pile work north of the river from Kennedy Avenue eastward approximately 200'.
- (5) Stage VI - Phase 1 North (Levee, ditch, and sheet pile work from east of the sheet piling, east of Kennedy Avenue to Cline Avenue north of the river in Hammond)
- (6) Stage VI - Phase 2 (Levee and ditch work, and sheet piling south of the river along Liable Road to the NIPSCO R/W, then east to Cline, which also includes recreation trail work from Cline to the EJ&E RR.)

B. Staff is currently working with the COE to get contractual cost figures and scheduling for this biennium, which will help with our budgeting and financing.

- (1) A long range plan is being worked on with the COE for the scheduling and funding for the remainder of the project.

*Don  
discuss  
before  
June mtg. - a mtg.  
discuss - June mtg. to  
w/ keep  
finance*

*Mr. Bill expressed  
concern w/ sheet piling -  
Any update? 2 wants  
(5+6) add'l info.  
Don says we will meet  
w/ CUL before  
w.p. const. starts  
per JV - COE  
agreement - take  
pictures of inside  
of houses before  
const. starts  
lengthy discussion*



**Calumet Area Office  
Construction Progress Report  
Thru End of: April 2004**

CONTRACT NO.: DACW27-01-C-0001  
CONTRACTOR: Overstreet Engineering and Construction, Inc.  
DESCRIPTION: Little Calumet River Pump Station Rehabilitation Phase 1A

TS-C-S  
Gervais  
Anderson  
Crab

ORIGINAL CONTRACT AWARD DATE/AMOUNT:		4,638,400.00
NTP DATE./CURRENT CONTRACT AMOUNT: Mods A00012 thru P00017	7-Nov-00	4,869,610.62
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION:	8-Oct-02	700
REVISED CONTRACT COMPLETION DATE/REVISED DURATION:	5-Dec-03	1123
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS:	31-Dec-04	392

**ESTIMATED PROGRESS**

A. Present Earnings as of Pay Est. No.	25	3,980,975.43
B. Estimated Earnings thru end of reporting period		75,000.00
C. Value of work Performed on Directed Mods (Earnings not paid for)		0.00
<b>TOTAL ESTIMATED PROGRESS (A+B+C)</b>		<b>4,055,975.43</b>

D. Work Paid for but not in Place (Materials in Storage)	0.00
----------------------------------------------------------	------

<b>TOTAL VALUE OF PHYSICAL PROGRESS (A+B+C-D)</b>	<b>4,055,975.43</b>
---------------------------------------------------	---------------------

E. Potential Termination Costs (% of Remaining Costs){If Applicable}	0.00
----------------------------------------------------------------------	------

<b>FINANCIAL PROGRESS - (A+B+C+D-E)</b>	<b>4,055,975.43</b>
-----------------------------------------	---------------------

**TOTAL ESTIMATED FINAL CONTRACT AMOUNT**

F. Current Contract Amount thru Mod.	A00012 thru P00017	4,869,610.62
G. Current Value of Overruns/Underruns (+/-)		0.00
H. Directed, Pending Modifications (Thru RFP "SS030)		0.00
<b>TOTAL ESTIMATED FINAL CONTRACT AMOUNT (F+G+H)</b>		<b>4,869,610.62</b>

<b>FUNDS OBLIGATED FOR PAYMENT: thru Modification A00012 thru P00017</b>	<b>4,292,427.59</b>
--------------------------------------------------------------------------	---------------------

<b>ACTUAL PERCENT COMPLETE (A+B+C+D-E)/(F+G+H)</b>	<b>83.29%</b>
----------------------------------------------------	---------------

<b>SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart)</b>	<b>84.00%</b>
---------------------------------------------------------------	---------------

<b>PRESENT EARNINGS</b>	<b>3,980,975.43</b>
-------------------------	---------------------

**PROJECT STATUS/MAJOR ISSUES:**

- Painting is complete at both Baring Ave. and Hohman Ave. pump stations.
- Walnut Ave.
  - Rebuilt pumps w/new motors #1, 2, and 3 have been placed in service.
  - Pump and motor #6 have been removed and are being rebuilt.
  - Pump #4 and #5 have yet to be removed and rebuilt.
- Kennedy Ave.
  - Access to station has been hindered due to construction on Interstate 94
  - Rebuilt pumps w/new motors #4 and #5 have been placed in service.
  - Pump and motor #3 has been removed and the pump is being rebuilt.
  - Pump #1 and #2 have yet to be removed and rebuilt.

**Calumet Area Office  
Construction Progress Report  
Thru End of: April 2004**

TS-C-S  
Gervais  
Smolar

CONTRACT NO.: DACW23-02-C-0011

CONTRACTOR: Renewable Resources

DESCRIPTION: Little Calumet River - Mitigation

ORIGINAL CONTRACT AWARD DATE/AMOUNT:	29-Sep-02	921,102.68
NTP DATE/CURRENT CONTRACT AMOUNT: Mods P00005	7-Nov-02	921,102.68
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION:	11-Jan-04	430
REVISED CONTRACT COMPLETION DATE/REVISED DURATION:	11-Jan-04	430
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS:	20-May-04	130

**ESTIMATED PROGRESS**

A. Present Earnings as of Pay Est. No. 8	921,061.06
B. Estimated Earnings thru end of reporting period	0.00
C. Value of work Performed on Directed Mods (Earnings not paid for)	0.00

TOTAL ESTIMATED PROGRESS (A+B+C) 921,061.06

D. Work Paid for but not in Place (Materials in Storage)	0.00
----------------------------------------------------------	------

TOTAL VALUE OF PHYSICAL PROGRESS (A+B+C-D) 921,061.06

E. Potential Termination Costs (% of Remaining Costs){If Applicable}	0.00
----------------------------------------------------------------------	------

FINANCIAL PROGRESS - (A+B+C+D-E) 921,061.06

**TOTAL ESTIMATED FINAL CONTRACT AMOUNT**

F. Current Contract Amount thru Mod. P00005	921,102.68
G. Current Value of Overruns/Underruns (+/-)	0.00
H. Directed, Pending Modifications	402,028.28

TOTAL ESTIMATED FINAL CONTRACT AMOUNT (F+G+H) 1,323,130.96

FUNDS OBLIGATED FOR PAYMENT: thru Modification P00005	921,102.68
-------------------------------------------------------	------------

ACTUAL PERCENT COMPLETE (A+B+C+D-E)/(F+G+H) 69.61%

SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart) 95.00%

PRESENT EARNINGS 921,061.06

**PROJECT STATUS/MAJOR ISSUES:**

- Modification for overruns for debris and aggregate to be executed.
- Modification for drainage tile removal to be executed.
- Contractor to begin 24 month monitoring period in May.

**Calumet Area Office  
Construction Progress Report  
Thru End of: April 2004**

TS-C-S  
Gervais  
Smolar

CONTRACT NO.: DACW23-02-C-0010  
CONTRACTOR: Dyer Construction Company, Inc.  
DESCRIPTION: Little Calumet River - Stage III Remediation

ORIGINAL CONTRACT AWARD DATE/AMOUNT:	29-Sep-02	1,231,848.50
NTP DATE./CURRENT CONTRACT AMOUNT: Mods A00007 Thru P00005	14-Nov-02	1,408,532.62
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION:	9-Nov-03	360
REVISED CONTRACT COMPLETION DATE/REVISED DURATION:	28-May-04	561
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS:	27-Jul-04	60

**ESTIMATED PROGRESS**

A. Present Earnings as of Pay Est. No. 8	1,323,856.16
B. Estimated Earnings thru end of reporting period	0.00
C. Value of work Performed on Directed Mods (Earnings not paid for)	0.00
<b>TOTAL ESTIMATED PROGRESS (A+B+C)</b>	<b>1,323,856.16</b>

D. Work Paid for but not in Place (Materials in Storage)	0.00
----------------------------------------------------------	------

<b>TOTAL VALUE OF PHYSICAL PROGRESS (A+B+C-D)</b>	<b>1,323,856.16</b>
---------------------------------------------------	---------------------

E. Potential Termination Costs (% of Remaining Costs) {If Applicable}	0.00
-----------------------------------------------------------------------	------

<b>FINANCIAL PROGRESS - (A+B+C+D-E)</b>	<b>1,323,856.16</b>
-----------------------------------------	---------------------

**TOTAL ESTIMATED FINAL CONTRACT AMOUNT**

F. Current Contract Amount thru Mod. A00007 Thru P00005	1,408,532.62
G. Current Value of Overruns/Underruns (+/-)	4,144.25
H. Directed, Pending Modifications	28,000.00
<b>TOTAL ESTIMATED FINAL CONTRACT AMOUNT (F+G+H)</b>	<b>1,440,676.87</b>

FUNDS OBLIGATED FOR PAYMENT: thru Modification A00007 Thru P00005	1,353,500.95
-------------------------------------------------------------------	--------------

ACTUAL PERCENT COMPLETE (A+B+C+D-E)/(F+G+H)	91.89%
---------------------------------------------	--------

SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart)	92.00%
--------------------------------------------------------	--------

<b>PRESENT EARNINGS</b>	<b>1,323,856.16</b>
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**PROJECT STATUS/MAJOR ISSUES:**

- Contract modification pending for electrical upgrades at pump stations.
- Contractor scheduled to return to work on 1 May 2004.
- PM-PM & Mr. Jim Pokrajac's office, NIPSCO and contractor met on 13 May 2004, to address pending electrical changes and electrical hook-up with NIPSCO for pumps.
- Awaiting contractor's proposal.



Little Calumet River Basin Development Commission

**WORK STUDY SESSION**  
**5 May 2004**

**ENVIRONMENTAL COMMITTEE**  
**Dr. Mark Reshkin, Chairperson**

---

- 1.) TPL has an option on 48 acres, is in negotiations for a 25 acre tract and a 60 acre tract. Appraisals are being submitted to the Corps for review.
- 2.) TPL is providing a table showing the remaining properties to be acquired with existing funds. LCRBDC is now looking at mitigation costs and how they fit into the \$2,000,000 the state has appropriated for 04 release.
- 3.) Historic Preservation and Archeology is making plans to visit the landmark house on the Bailey property in Hobart Marsh on 18 May 04.



**Little Calumet River Basin Development Commission**

**WORK STUDY SESSION**

**5 May 2004**

**LAND ACQUISITION COMMITTEE**

**Arlene Colvin, Chairperson**

- per  
Law  
deed restriction  
30 da. extension  
to end of June  
action needed*
- 1.) We have no increased offers or condemnations.
  - 2.) The appraisal procedure for Stage VI-1, especially, the Kennedy Industrial Park in Hammond, has had many problems. To prevent the kinds of problems that we have experienced in the past a new system has been put in place.

*Mr. asked again  
about a bar graph  
w/ costs & timeline  
for next mtg.*

LCRBDC must comply with **49 CFR Part 24 Real Property Acquisition for Federal and Federally Funded Programs**. The regulations require an appraisal on each acquisition to determine fair market value of the land. The appraisal is then submitted to and approved by a Corps **Review Appraiser**. Just Compensation (fair market value) is then given to the landowner based on the Corps approved appraisal.

Our problems have centered around the review procedure. In the past an appraiser would complete the appraisal and submit it for approval to the Corps Reviewer. The Reviewer would then require revisions before an approval could be made. In the waiting period the appraiser may have acquired other clients and could not revise the appraisal immediately. In some instances the Reviewer would require a different format for an appraisal meaning an entire new appraisal had to be written. In some instances the Reviewers were transferred and each new Reviewer interpreted the regulations his/her own way. All this took time. Back-ups and delays plagued the procedure.

Under the new procedure all the information given to the appraiser is also mailed to the Corps Reviewer **before** the appraisal is written. Both LCRBDC appraiser and Corps Reviewer have the same information. They discuss the appraisal format ahead of time so the appraiser knows what is expected on each assignment and no revisions are required. The new procedure works.

*you filed  
it excepting  
to ruling*

From September 2003 to April 2004 LCRBDC Appraiser Dale Kleszynski completed 21 appraisals for the Kennedy Industrial Park. From February to April of 2004 Dale completed 12 appraisals with 8 already Corps approved.

- action  
to satisfy*
- 3.) FYI - The court award we've been waiting on has arrived. Krosan property has been appraised by the court appraiser a significant amount higher than our offer. We are expecting at least 4 more court returns about the same amount.



# LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION ATTENDANCE ROSTER

NAME OF MEETING: HERBDC DATE: 5-5-04

LOCATION: 6100 Southport Rd. CHAIRMAN: Arlene Colvin

Portage

**PLEASE SIGN IN**

	NAME (PLEASE PRINT)	ORGANIZATION, ADDRESS, PHONE NUMBER
1	Kekeee Haggner	Disclosure Office
2	Phil Gratik	R N Armstrong
3	Steve Enger	Citizen
4	Sandy O'Brien	Helvart
5	Spike Peller	GSD/ GSWMD
6	Jonary Cray	DNR
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**WORK STUDY SESSION**  
**LAND MANAGEMENT**

**MAY 5, 2004**

**Arlene Colvin, Committee Chairperson**

1. 3120 Gerry Street *will pursue.*
  - House has currently been cleaned of tenants personal belongings.
  - Staff is arranging to have the house cleaned and disinfected.
  - Staff anticipates advertising this house for sale no later than the June Commission meeting.
2. Griffith request for ROE for easements for Cady Marsh Ditch *Dan*
  - Sample agreements sent to Griffith attorney, which when approved by LCRBDC attorney, will be submitted along with their legals and descriptions for Commission approval.
  - Awaiting COE letter stating there will be no structural or maintenance problems with overlying construction.
  - LCRBDC will donate properties in good faith effort that we will be able to work with the town for future O&M and easement consideration for recreational trail.
3. Letter sent to COE requesting their advice as to what upcoming mowing or clearing & grubbing should be done as part of our ongoing levee maintenance. *Dan talked about levee inspection.*
  - Landscaping Phase II is an upcoming contract that may include some of these items in their scope of work.
4. Eviction hearing for DC739 (Askew encroaching with his horses on Commission property) was held on April 29. Mr. Askew did not attend and the property is vacated. Demolition scheduled for June.

*Make sure we do this asap.*



**WORK STUDY SESSION**

**OPERATION AND MAINTENANCE**

**May 5, 2004**

**Bob Huffman, Committee Chairman**

---

1. O&M for East Reach for Gary, Indiana:

A. The COE wrote a letter to LCRBDC on April 14 indicating that prior to Gary being removed from the floodplain, FEMA requires a certification from the city of Gary agreeing to provide O&M for the line of protection in accordance with the COE O&M Manual.

B. This was submitted to Mayor King from the LCRBDC on April 30 along with a map showing lands owned by the LCRBDC that could be transferred to the city of Gary for future development.

- LCRBDC committed to work with Gary to allow Gary to be removed from the floodplain.
- LCRBDC to complete remaining construction in Gary.
- Establish a final O&M plan to keep the project from falling back into floodplain designation.

*RM wants  
O&M committee  
mtg. before  
June 2*



## Little Calumet River Basin Development Commission

Commission has 2 CD notes:

- (1) Original \$700,000 that we draw interest from for our Administrative budget. This note was reinvested at First National Bank of Valparaiso at 2.07% interest.
- (2) The second CD was originally for \$258,000. We have reinvested \$185,000 with First National Bank of Valparaiso at 2.07% interest. The difference of \$73,000 has been placed in our Administrative budget to cover upcoming expenses that should cover us through the end of the year. Ratification of action is required.



**LAND ACQUISITION REPORT**  
***For meeting on Wednesday, May 5, 2004***  
**(Information in this report is from March 27 – April 27, 2004)**

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**STATUS (Stage III) – Chase to Grant:**

1. Six landowners want to complete their acquisitions. Appraisal has been approved by the COE. These acquisitions are difficult due to breaks in the title chains. (Ongoing)

**STATUS (Stage III) – REMEDIATION**

**Pumping west of Grant Street**

1. Status of Right-of-Entry:
  - ROE was signed by the LCRBDC on April 4<sup>th</sup>, 2002.
  - Contract awarded – Construction started February, 2003.

**STATUS (Stage IV – Phase 1 South) EJ&E RR to Burr St – South Levee:**

1. Construction on the WIND Radio station property has been completed using a right-to-construct. We still need a permanent easement on the property to perform O&M.
2. Appraisal by appraiser Tim Harris was submitted January 7<sup>th</sup>, 2004, for review. COE reviewer is requiring revisions and is asking for follow-up information on septic tank and an underground storage tank located on the property. (ongoing)
3. COE reviewer is also reviewing Mr. Harris appraisal on railroad easements (north of levee). He has asked for location surveys of the tracks and rail bed.
  - **Surveys were delivered on 4/29 and are now being reviewed by Mr. Harris so he can complete the appraisal according to Federal standards.**

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

1. A Proposal to divide V-2 into (2) segments is being considered as follows:
  - Stage V-2A (Kennedy to Indianapolis Blvd.)
  - Stage V-2B (Indianapolis Blvd. to Northcote)
2. On a conference call with INDOT, the COE, and the LCRBDC on March 19<sup>th</sup>, 2004, INDOT indicated that our portion of construction in this area must be completed before they install their pump station. LCRBDC needs to work with the COE to modify our construction and acquisition schedules to accommodate the INDOT project.

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

1. Construction is currently projected to start in the summer of 2006.
2. Woodmar Country Club acquisition is “on hold”.
3. A meeting was held with Woodmar on December 4<sup>th</sup>, 2003. Woodmar and COE are discussing timetables for construction (Ongoing).
  - At this point in time, all of Hammond (Cline to State Line) would come out of the flood plain at one time. All construction needs to be completed in the West Reach North of the river.



**STATUS (Stage VI-Phase 1 South) – Kennedy to Liable - South of the river:**  
**Land Acquisition deadline March 31, 2004**

1. This schedule was modified by the COE as follows: drawings available for review April 2004; design completion scheduled for May 2004; advertise June 2004; and award in late July 2004.
  - Engineering drawings for review were received on April 6 and comments were submitted on April 27. Advertising scheduled for May 2004; award in June 2004.
2. DC 1032, the last reluctant-to-sign landowner, has been eliminated by the COE. The two NISOURCE lots are now included in the project. Nisource signed the Real Estate Agreement on March 24<sup>th</sup>, 2004.
  - Closing is set for May 6 at Chicago Title Insurance.
3. A meeting was held with Highland Town Board and their Parks and Recreation Board with the COE and Commission on February 2<sup>nd</sup>, 2004, to review our request for real estate in VI-1 South.
  - A letter was received from the town of Highland on April 13 acknowledging our offer for their easements, but rejected the offer based upon the insufficiency of value.
  - We will invoke imminent domain as a friendly condemnation. Documents were filed on April 19. Highland has agreed to file no exceptions in order to continue the flood control project. The Town's concern is land value which now the court-appointed appraisers will decide.

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

**Land Acquisition deadline September 31, 2004**

1. Landowners of the Deja-Vu and the old Burger King will be meeting with our attorney to discuss our offer the first or second week of May.
2. Offer on Oak Brook Metro was sent to landowners the week of March 15, 2004.
  - The landowner was reluctant to sign our offer until he received his reassessment figures. He is considering rejection of our offer which results in another condemnation.
3. Krosan (DC 1015) condemnation is proceeding.
  - We have received the court award papers regarding Krosan. They have filed exceptions to the amount and the condemnation will continue. The second Krosan property is being appraised now.
4. Condemnation papers for Motel 6 were filed 4/29/04.

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

**Land Acquisition deadline January 31, 2005**

1. All appraisals have been by Associated Property Counselors, according to the contract. COE reviewer is now reviewing the last four appraisals.
  - Our new procedure of having the appraiser and reviewer discuss the appraisal before it is written is working. We have completed and had the COE approve 12 appraisals in 90 days.



**STATUS (Stage VII) – Northcote to Columbia:**

1. The COE has put Stage VII on hold.

**STATUS (Stage VIII – Columbia to State Line (Both sides of river)**

1. The COE has put Stage VIII on hold.

**STATUS (Betterment Levee – Phase 1 - Gary) Colfax to Burr Street:**

**Land Acquisition is completed.**

1. This portion of construction will be advertised, paid for, and coordinated by the city of Gary. The COE will oversee the construction to assure compliance with Federal specifications.
2. We received a modified schedule from the COE on February 11, 2004 indicating that final engineering drawings would be made available for review on March 17, 2004; design completion May 2004; advertise contract June 2004; and award contract in August 2004.
3. **Mansard Apartments (DC603) is accepting our offer. This will be the last acquisition in Burr Street Phase 1.**

**STATUS (Betterment Levee – Phase 2 North of the NSRR east of Burr Street, and ½ mile east, back South over RR approximately 1400':**

**Land Acquisition deadline is September 31, 2004**

1. This portion of construction will be advertised, coordinated, and facilitated by the COE and Commission as a project cost.
2. **We were informed of the change in schedule on March 9, 2004 as follows: Final engineering drawings for review will be submitted June 2004; design completion October 2004; advertise November 2004; and award January 2005.**
3. **Only two acquisitions are remaining in Burr Street Phase 2. DC-69A (I-80 Auto Parts) and DC582/583 (Tip Top lots) are both in condemnation. DC69/584 is closed.**
4. We received pertinent engineering drawings from the COE on March 9, 2004, regarding impacts to the NSRR. Also COE point of contact.
  - A letter along with the prints and a copy of a previous project agreement with the NSRR was sent to the Norfolk Southern Corporation on March 11<sup>th</sup>, 2004, requesting comments.
  - **A follow-up letter was sent to the NSRR on April 14 indicating the COE, as of the April 13, 2004 Real Estate meeting, indicated that they would now require an easement agreement. A copy of an unexecuted agreement was sent for their review.**

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

1. Nine parcels may be available on commissioners' tax sale. We need only to submit a letter to Rosa at the Lake County Commissioners office to start the property transfer process.
  - **We are waiting for a response to act on any available lots.**

**IN-PROJECT MITIGATION:**

1. Acquisition on in-project mitigation is complete. Construction started March, 2003 and we anticipate completion by May, 2004. (ongoing)
  - Renewable Resources is the contractor.

**CREDITING:**

1. INDOT will send LCRBDC cost information regarding approximately \$700,000 additional credit for their Cline Avenue project.
2. COE to send copies of their agreements with INDOT indicating costs and scopes that they paid for. After LCRBDC review, there may be additional items. **(Ongoing)**

**GENERAL INFORMATION:**

1. An eviction hearing for the horses on DC739 was held April 29. the barn is now vacant and will be demolished.
2. Acquisition in the Hobart Marsh area is continuing.

5



# TOWN OF HIGHLAND

Highland Municipal Building • 3333 Ridge Road

Highland, Indiana 46322

219-838-1080 • Fax 219-972-5097



Population 23,546

Incorporated in 1910

Tuesday, April 13, 2004

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

Re: Response of the Highland Town Council to Offer for Easements related to the Highland Segment of the Little Calumet River Flood Control and Recreation Project.

Dear Dan:

As clerk of the legislative body, I am writing in order to communicate to you that at its meeting of Monday, April 12, 2004, the Highland Town Council, which is also the Works Board of the municipality pursuant to IC 36-1-2-24, formally acknowledged the uniform easement acquisition offers presented by the State of Indiana through its Little Calumet River Basin Development Commission (LCRBDC), one offering the amount of \$34,100 and the other offering the amount of \$3,400.

At that meeting, the Town Council by a unanimous vote, rejected the offers as presented on the basis of the insufficiency of value in the offers. As you know, it is the belief of the Town Council that there is a significant disparity in the values used by the LCRBDC as informed by the Army Corp of Engineers and the values employed during the recent General Reassessment, which is based in part on "market values."

I am encouraged to indicate that by this action, the Highland Town Council does not intend any undue delay to the important and welcome work of the Army Corps to advance the Flood Control and Recreation Project. Town Officials do wish to protect and conserve the value of the contributions that serve as the "match" from the local participating agencies as part of this federally funded project.

This letter is intended to represent a formal communication and evidence of the formal action of the Highland Town Council on this matter. If you have any further questions, or need some addition form of representing this rejection of the offers, please don't hesitate to contact me.

Sincerely,

Michael W. Griffin, IAMC/CMC/CPFA  
Clerk-Treasurer

Pc: Town Council Members  
Town Attorney  
Park and Recreation Superintendent

## TOWN COUNCIL

BERNIE ZEMEN  
1st Ward

MARK A. HERAK  
2nd Ward

ROBERT HELMER  
3rd Ward

JOSEPH A. WSZOLEK  
4th Ward

DANIEL E. DERNULC  
5th Ward

JOHN M. BACH  
Public Works Director

RHETT TAUBER  
Attorney

## CLERK - TREASURER

MICHAEL W. GRIFFIN



# Little Calumet River Basin Development Commission

6100 Southport Road  
Portage, Indiana 46368

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

ARLENE COLVIN, Chairperson  
Mayor of Gary's  
Appointment

23 April 2004

EMERSON DELANEY, Vice Chairman  
Governor's Appointment

CURTIS VOSTI, Treasurer  
Governor's Appointment

ROBERT MARZALEK, Secretary  
Governor's Appointment

GEORGE CARLSON  
Mayor of Hammond's  
Appointment

STEVE DAVIS  
Dept. of Natural Resources  
Appointment

ROBERT HUFFMAN  
Governor's Appointment

MARK LOPEZ  
Lake County Commissioners'  
Appointment

JOHN MROCZKOWSKI  
Governor's Appointment

DR. MARK RESHKIN  
Governor's Appointment

CHARLIE RAY  
Porter County Commissioners'  
Appointment

DAN GARDNER  
Executive Director

LOU CASALE  
Attorney

[REDACTED] Attorney  
4069 Joseph Street Suite B3  
Waukegan, IL 60087

RE: Re-assessment information for easements on the Oak Brook Metro Property to be acquired by the Little Calumet River Basin Development Commission


Dear [REDACTED]

As we discussed on 4/20/04 I visited the Lake County Government Center this morning. The Lake County Assessor's Office provided me the attached re-assessment cards. The clerk there told me this is the correct re-assessment.

When I returned to my office I double-checked the information by calling the North Township Assessor's office (219-933-2810) to verify the numbers. I was told by an employee named Larry that these are the correct figures and if more information is needed please call him. To calculate taxes our local newspaper, The Times, has a website ([www.nwitimes.com](http://www.nwitimes.com)) with a section on "how to figure your taxes." If you have questions please call me and I'll help.

I hope this information is beneficial and I'll be in touch with you again to discuss our offer for easements on the Oak Brook Metro property in Highland, Indiana.

Respectfully

  
Judith (Judy) Vamos  
Land Acquisition Agent

Enclosures:

De  
1022  
1023  
1024

Attorney is landowner.  
Spoke with [REDACTED]  
on 4/26/04. Think  
he'll reject offer.  
Dr.  
4/26/04



# Little Calumet River Basin Development Commission

6100 Southport Road  
Portage, Indiana 46368

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

22 April 2004

STAGE  
VI-2

ARLENE COLVIN, Chairperson  
Mayor of Gary's  
Appointment

EMERSON DELANEY, Vice Chairman  
Governor's Appointment

CURTIS VOSTI, Treasurer  
Governor's Appointment

ROBERT MARSZALEK, Secretary  
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DR. MARK RESHKIN  
Governor's Appointment

CHARLIE RAY  
Porter County Commissioners'  
Appointment

DAN GARDNER  
Executive Director

LOU CASALE  
Attorney

Christopher Borton, Chief of Appraisers  
U.S. Army Corps of Engineers Huntington District  
502 8th Street  
Huntington, WV 25701-2070

RE: Appraisal review of DC 1009, 1016, 1017, 1030  
DELIVERY: In four separate envelopes

Dear Chris,

Over the next few days you'll find four appraisals coming your way in separate envelopes. The appraisals were completed by Appraiser Dale Kleszynski of Associated Property Counselors. The acquisitions are needed for Stage VI-2 which has an acquisition deadline of January 05. We would like to send offers as soon as possible. I will use this same letter in each envelope and highlight the enclosed appraisal.

DC #	OWNER
1009	Francisco & Adelina Montes
1016	IN Dept. of Transportation (INDOT)
1017	Town of Griffith
1030	Northern IN Public Service Co. (NIPSCo)

Please review the enclosed appraisal and let me know your decision. If revisions are needed I ask that you contact appraiser Mr. Kleszynski directly at his office number of 708-895-6767. Please copy any correspondence with him to me for our file. If you have questions about the appraisal or this letter please contact me at 219-763-0696.

Chris, I send my thanks for your cooperation.

Respectfully,

*Judy Vamos*

Judith (Judy) Vamos  
Land Acquisition

Enclosures:

2

DC  
1009

mailed  
all  
four  
appraisals  
Jm.

4/23/04





# Little Calumet River Basin Development Commission

6100 Southport Road  
Portage, Indiana 46368

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

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*Governor's Appointment*

CHARLIE RAY  
*Porter County Commissioners'  
Appointment*

DAN GARDNER  
*Executive Director*

LOU CASALE  
*Attorney*

April 14, 2004

Mr. Dave Orrison  
Norfolk Southern Railway Corporation  
175 Spring Street, SW  
Atlanta, Georgia 30303

Dear Dave:

On March 11, 2004, I sent you a letter enclosing drawings and specifications showing our proposal which impacts the Norfolk Southern railroad in the area between Burr Street and Clark Street in Gary, IN. We also enclosed a copy of a previous agreement with the NSRR, whereby we obtained a Right to Construct. In our Real Estate meeting on April 13 with the COE, it was brought to our attention that a Right to Construct agreement is no longer acceptable to the COE. We need to obtain an easement agreement on those properties that are required for our construction as part of our "Burr Street Betterment Levee".

We would like to start this process as soon as possible in order to obtain an easement agreement with the railroad that is amicable to both the NSRR and the Development Commission. We have enclosed a copy of an unexecuted agreement, which has wording that was approved by both the NSRR and the Commission but never executed nor finalized. To make this current, we need you to facilitate with the appropriate personnel from the NSRR to see if this agreement is still amicable or if any changes need to be made. We will also have our attorney review this agreement for content at the same time.

Our current schedule will require us to complete the design by October of 2004 and complete our necessary real estate acquisition no later than early November 2004. To meet these deadlines, we are hoping that the review of the engineering and easement agreements can be done simultaneously.

If you need any clarification of this letter, please call me at your convenience. I'm hoping an easement agreement can be developed and signed in a time frame that will allow us to sign our right-of-entry to meet the COE deadline date. Thank you for your assistance in facilitating this for us.

Sincerely,

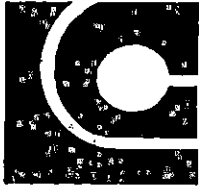
James E. Pokrajac, Agent  
Land Management/Engineering

/end.

Cc: Imad Samara and Erika Wilkins, COE  
Lou Casale and Judy Vamos, LCRBDC

4





# Little Calumet River Basin Development Commission

6100 Southport Road  
Portage, Indiana 46368

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

ARLENE COLVIN, Chairperson  
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21 April 2004

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DAN GARDNER  
Executive Director

LOU CASALE  
Attorney

Ms. Christine Slattery, Director  
Trust for Public Land Chicago Office  
53 West Jackson Boulevard Suite  
Chicago, IL 60604

RE: Information on a property in the Hobart Marsh

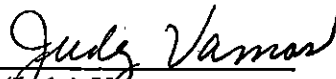
Dear Chris,

Yesterday (4/20/04) I received a call from [REDACTED] heir to a strip of property totaling approximately 18 acres in the Hobart Marsh near the National Lakeshore owned land. [REDACTED] is interested in selling the property to keep it as a conservation area.

When the Little Cal Project was contacting landowners in the Hobart Marsh I found that [REDACTED] and his two siblings are heirs to the land. Their parents were recently deceased and the land was tied up in the estate. I spoke at the time to the sister [REDACTED] who also wanted to sell or donate the land after the estate was settled. In yesterday's conversation with [REDACTED] I explained preliminarily the acquisition procedure and your organization. I informed him that you would probably be contacting him about an option, a land sale or donation.

My mailing today contains information from our file to help you in this acquisition. Please call me with any further requests you have for information. I send my thanks for your help.

Regards,

  
Judith (Judy) Vamos  
Land Acquisition, LCRBDC

Enclosures:

*acquisition  
in  
Hobart Marsh  
continued.  
JG.  
4/21/04*

**LAND MANAGEMENT REPORT**  
**For meeting on Wednesday, May 5, 2004**  
**(Information in this report is from March 27 – April 27, 2004)**

---

**A. NON-PROJECT LAND MANAGEMENT**

Charles Agnew Park sign will be finished. However, the dedication will be rescheduled for spring 2004.

**1. 3120 GERRY STREET (RENTAL HOUSE)**

- A lease agreement was signed by the tenants on June 19 for \$350/month on a month-to-month agreement.
- We will advertise this property for sale after the tenants vacate the house.
- We visited the property on March 30<sup>th</sup>, 2004. Major clean-up will have to take place before the property can be advertised for sale. It appears they have moved from the house several weeks before.
- A final letter was sent to the tenants on April 22 indicating that locks will be changed and all contents will become property of the State. 1-2

**2. CHASE STREET FARM STAND (VILLAGE FARM STAND)**

- A motion was made at the January 7, 2004 Board meeting regarding future rent and back rent due. Rent will remain at \$1,700/month until Grant Street construction is completed to 35<sup>th</sup> Avenue.
- LCRBDC has now, and will be receiving \$1700/month.

**3. FARM LEASES:**

- Modified farm license agreements were sent to both Don Ewen and the Bult brothers on December 30, 2003. These were signed and returned.

**B. PROJECT RELATED LAND MANAGEMENT**

**A. O&M Committee (ongoing issues)**

**1. Funding to complete O&M obligations.**

- A committee meeting was held on March 24<sup>th</sup>, 2004, to discuss O&M funding. 3

**2. A letter was received from the COE on April 14 indicating that FEMA will require that the city of Gary must provide certification that they will provide O&M in compliance with the COE manual prior to FEMA completing their re-mapping of the floodplain.**

**3. Initial draft of comments sent to committee on April 27, requesting committee review. O&M Committee meeting will be scheduled before June Board meeting. (Comments list available upon request).** 4

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

1. The O&M Committee consists of the following members: Bob Huffman (Chairman), Arlene Colvin, Steve Davis, Emerson Delaney, and Bob Marszalek.
2. A meeting was held with representatives from Gary, the COE, and the LCRBDC at the Ironwood Pump Station on January 21 to discuss accessibility & other miscellaneous O&M concerns.



- A letter was sent to the COE on January 26 suggesting a spare pump be provided as a project cost which would be on site during an outage. (This seemed amiable to all parties in lieu of provided access to the station during a flood event) (Ongoing)
- C. A field inspection was held with the O&M committee on August 25<sup>th</sup>, 2003, to review the construction of the South levee between Grant and Harrison. (Stage II-3C)
1. A letter was sent to the COE on September 22<sup>nd</sup>, 2003, requesting a response to the settlement around settlement gage east of Harrison.
  2. LCRBDC received a response from the COE on October 17<sup>th</sup>, 2003, with their findings and recommendations.
    - COE visited the site on October 15<sup>th</sup>, 2003, and found that a 4' diameter area around the settlement gage had subsided about 18".
    - The COE said it may be due to inadequate compaction.
    - COE feels levees are sound and only to fill and compact this area with clay. COE will remove remaining gages 12" below crest, fill with grout, the backfill.
  3. Supplemental request to COE on October 7<sup>th</sup>, 2003, to obtain elevations on gages and levee for record purposes. (Ongoing)
- D. Emergency Management/River Monitoring
1. LCRBDC sent a letter to the COE on September 12<sup>th</sup>, 2003, requesting an updated, current project map showing road closings and sandbagging locations.
    - The COE submitted modified tables from the upcoming O&M manual on November 4. These need to be put in a different format prior to the LCRBDC submitting to the city of Gary (as requested by Spike Peller)
    - GSD provided point of contact to the COE on January 9, 2004.
- E. Portions of West Reach pump stations in Hammond and Highland have been turned over to their respective communities. Representatives of the Hammond and Highland Sanitary Districts have inspected these facilities with the COE and contractor and signed off as completed.
1. LCRBDC received a copy of a letter from Attorney Allegretti on March 12 (dated March 1) with (8) concerns from the HSD before approving.
  2. A letter was sent to the Hammond Sanitary District on January 13, 2004 providing data addressing previous concerns for turnover. We suggested their re-visiting of the Interlocal Agreement.
  3. A follow-up letter was sent to Attorney Allegretti on March 26<sup>th</sup>, 2004, requesting a letter and information regarding a question on station operation.
  4. A letter was sent to SEH Engineering along with (1) copy of the O&M Manual for them to review on behalf of the HSD. 5
  5. LCRBDC received a phone call that the HSD was reluctant to sign the agreement because they were concerned that a sluice gate was being installed at the line of protection which could prohibit their pumping during a flood event. 6-7
    - The COE indicated this is not true in an e-mail on April 20, 2004.



F. LCRBDC received a request from INDOT for a right-of-entry for a 12' strip of land adjacent I-80/94 south right-of-way from Chase Street to MLK Drive on June 27<sup>th</sup>, 2003.

1. **The ROE for INDOT was approved at the April 7 Commission meeting pending engineering & legal concurrence of the agreement.**

- **This was signed and sent to INDOT on April 15, 2004.**

8

G. COE letter received September 8, 2003 requesting hydric soil lands

1. LCRBDC sent a letter to the COE on October 9<sup>th</sup>, 2003, requesting consideration to use lands we own other than the 200 acres between levees between Chase and Grant for hydric soils.

2. A field meeting was held with Marty Maupin (IDEM), Greg Moore (COE) and Jim Pokrajac (LCRBDC) on November 20 to review LCRBDC lands to see if they may be used for mitigation.

- **LCRBDC received a letter from the COE on April 2, 2004 (dated March 26, 2004) indicating COE could add construction of the berm to current "In-project" mitigation contract because it is within existing work limits, but could not install culvert under NIPSCO R/W because it is out of the work limits.**

9-10

H. LCRBDC received a request from the Town of Griffith on March 10<sup>th</sup>, 2004, for easements for their Cady March Ditch project in the vicinity of Arbogast and the NIPSCO R/W.

1. **A letter was sent to the COE on April 26 requesting a letter indicating there are no problems with engineering or design where the permanent easements overlap.**

11

I. Property in the East Reach Remediation area has been occupied by Mr. Joseph Askew as follows:

- He had horses in a barn on our flowage property and had not vacated these premises as directed.
- An affidavit for immediate possession of real estate was submitted to the Superior Court on March 25<sup>th</sup>, 2004, along with a request for a hearing, and a complaint on ejectment.
- **Eviction hearing was held on April 29 in Superior Court. Mr. Askew had vacated the property as of the hearing date; however, the legal procedure was completed to prevent future problems.**
- **The barn on the property will be demolished under an existing contract with Congress Enterprises, who has already demolished three of the four abandoned structures in the area.**



# Little Calumet River Basin Development Commission

6100 Southport Road  
Portage, Indiana 46368

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E-mail: [littlecal@nirpc.org](mailto:littlecal@nirpc.org)

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*Governor's Appointment*

CHARLIE RAY  
*Porter County Commissioners'  
Appointment*

DAN GARDNER  
*Executive Director*

LOU CASALE  
*Attorney*

April 22, 2004

Ms. Joyce Scott  
2942 Calhoun  
Gary, Indiana 46406

Dear Joyce:

It was brought to our attention that both John Robinson and Brandi Goad have vacated the residence at 3120 Gerry Street. I made a field inspection and found the house to be in deplorable condition. Piles of clothing, miscellaneous children's items, dirty dishes in the sink, garbage, rotten food, mouse droppings, etc, along with several apparently operable appliances. As per our agreement with John and Brandi, it was their responsibility to notify us if they were going to vacate the premises. They did not do this.

The only address we have to contact either of them is your current home address. Will you please forward this letter to both John and Brandi? We would appreciate this.

In addition, we have sent several previous correspondences to them at 3120 Gerry Street informing them that they are \$1100 in arrears in their monthly payments. We received a phone call from Brandi, indicating, in earnest, that they would be sure to pay us this money and that after that, they would be moving. We have never received the money nor have either been formally notified of their intention to vacate the house. It will be a Little Calumet River Commission board decision as to whether we prosecute for the back rent money due us.

It has always been our intention, and we made them both aware, that we would be selling the house in the spring of 2004. That time has now come. It is unfortunate that we entered into this agreement as gentlemen, relying on their word that the exterior of the house would be repaired in exchange for savings of monthly rent — this was never done. Instead, some of the paint was scraped, exposing the wood siding to weather, and probably causing additional damage.

In order for us to sell this house, we now have the responsibility of cleaning and disinfecting the entire premises. Obviously, the \$350 deposit

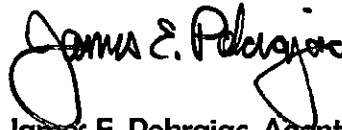
April 22, 2004  
Page 2

will not be refunded and will certainly not be enough to make this property sellable.

We feel that over the period of time John and Brandi have been tenants, we have been more than reasonable in accepting late or partial payments of rent. An additional item of concern is that they have let our property degenerate to the point that it will decrease the value of the property. It is unfortunate that they did not show appreciation or respect, for both the property and the state agency they were leasing from.

Regardless, at this point in time, please consider this letter as the official notice to immediately vacate the premises. From the date of this letter, you have ten (10) days to remove all personal belongings (May 3, 2004). After the ten day period, any personal property left either in the house or outside of the house, will become the property of the State. The doors will be padlocked at that point and the Gary Police Department will be notified of the situation.

Sincerely,

A handwritten signature in black ink, appearing to read "James E. Pokrajac". The signature is stylized with a large, looping initial "J" and a trailing flourish.

James E. Pokrajac, Agent  
Land Management/Engineering

/sjm

cc: Arlene Colvin, LCRBDC Chairperson  
Lou Casale, LCRBDC attorney





DEPARTMENT OF THE ARMY  
CHICAGO DISTRICT, U.S. ARMY CORPS OF ENGINEERS  
111 NORTH CANAL STREET  
CHICAGO IL 60606-7208

April 14, 2004

Programs and Project  
Management Branch

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

Dear Mr. Gardner:

As you are aware, the Chicago District, acting as an agent for the City of Gary and the Little Calumet River Basin Development Commission, has filed a request for a Conditional Letter of Map Revision (CLOMR). As we discussed during our telephone conference call on March 5, 2004, the City of Gary must provide certification to the Federal Emergency Management Agency (FEMA), that they agree to operate and maintain the line of protection in accordance with the Corps of Engineers' Operation and Maintenance Manual (Chicago District 2004). This certification must be provided by the City of Gary before FEMA will issue the Letter of Map Revision (LOMR). A copy of the revised Operations and Maintenance Manual was provided to your office under separate cover.

As we discussed on March 5, 2004, it is anticipated that the entire remapping process, including the CLOMR and the LOMR will take approximately one year. The CLOMR was initiated the end of 2003. Issuance of the LOMR is dependent on the completion of the ramps at Grant and Broadway, submission of the as-builds, certification of the project level of protection by the Chicago District, and acceptance of O&M responsibilities by the City of Gary. As the acceptance by Gary of the O&M responsibilities is an integral part of the remapping, we would ask that the Commission, as the local sponsor on the flood control project, work with the City of Gary in formulating and submitting the required certification.

Questions regarding the remapping effort should be directed to Mr. Imad Samara, the Project Manager at 312-846-5560, or Mr. Rick Ackerson and Ms. Susanne Davis of the Hydraulic Engineering Section. Mr. Ackerson can be reached at 312-846-5511. Ms. Davis can be reached at 312-846-5510.

Sincerely,

Imad N. Samara  
Project Manager

**Sandy Mordus**

---

**From:** "Jim Pokrajac" <jpokrajac@nirpc.org>  
**To:** "Bob Huffman" <huffmun@sbcglobal.net>; "Arlene Colvin" <acolvin@ci.gary.in.us>;  
<davisdnr@netnitco.net>; <rmarsz@earthlink.net>  
**Cc:** <JFlora@rwa.com>; "Phil Gralik" <PGralik@rwa.com>  
**Sent:** Tuesday, April 27, 2004 4:43 PM  
**Attach:** O.M. Comments.doc  
**Subject:** Fw: Draft O/M Comments

Bob Huffman  
Arlene Colvin  
Steve Davis  
Bob Marszalek

As members of the O&M Committee, I am forwarding to you a draft of comments that were prepared by R. W. Armstrong and myself regarding the operation and maintenance manual that we distributed to you at an earlier Board meeting.

We are also working on a table that we will share with you at the next meeting that lists items that will help us to identify tasks and who would be the responsible party to perform that task. Both of these are in the preliminary stages and will need further discussion and review. Will you please review the attachment and forward any comments or suggestions to me in order that we may modify or supplement these lists. It was our intent to have an O&M Committee meeting prior to our next Board meeting, but I feel we all need to review these items prior to having a meeting.

If you have any questions, please let me know.

Jim Pokrajac, Agent  
Land Management/Engineering

----- Original Message -----

**From:** James J. Flora, Jr.  
**To:** Jim Pokrajac  
**Sent:** Monday, April 26, 2004 8:01 PM  
**Subject:** Draft O/M Comments

Jim,

Attached are the very preliminary draft comments on the O/M Manual. Please call me if you have any questions.

Jim



# Little Calumet River Basin Development Commission

6100 Southport Road  
Portage, Indiana 46368

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

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

TO: Mike Hickey, SEH

EMERSON DELANEY, Vice Chairman  
*Governor's Appointment*

FROM: James E. Pokrajac, Agent, Land Management/Engineering

CURTIS VOSTI, Treasurer  
*Governor's Appointment*

SUBJECT: Southeast Hessville Pump Station O&M Manual

ROBERT MARSZALEK, Secretary  
*Governor's Appointment*

DATE: April 15, 2004

GEORGE CARLSON  
*Mayor of Hammond's  
Appointment*

STEVE DAVIS  
*Dept. of Natural Resources'  
Appointment*

ROBERT HUFFMAN  
*Governor's Appointment*

MARK LOPEZ  
*Lake County Commissioners'  
Appointment*

JOHN MROCZKOWSKI  
*Governor's Appointment*

DR. MARK RESHKIN  
*Governor's Appointment*

CHARLIE RAY  
*Porter County Commissioners'  
Appointment*

DAN GARDNER  
*Executive Director*

LOU CASALE  
*Attorney*

As per our conversation of April 12, I am submitting to you one (1) copy of the Operation & Maintenance manual for the Southeast Hessville pump station. We have already distributed the same manual to the Hammond Sanitary District for use on the site. I have three (3) additional manuals, one of which I need to keep for our records and the other two (2) will be made available, along with as-built drawings, for the use of the Hammond Sanitary District. It is our intent that after the Sanitary District signs the Operation & Maintenance agreement to accept all responsibilities to maintain this station, we will make our final submittals at that time. It is also my understanding that prior to the turnover of the station, all necessary training has been completed by representatives of the Army Corps of Engineers to assure that the operators from the Sanitary District are familiar with our new installation.

If you have any questions regarding this submittal or if you need any additional data, please let me know.

/sjm  
encl.

cc: Bill Biller, HSD, LCRBDC  
Imad Samara, ACOE  
Bob Craib, ACOE  
Doug Anderson, ACOE

**Sandy Mordus**

---

**From:** "Davis, Susanne J LRC" <Susanne.J.Davis@lrc02.usace.army.mil>  
**To:** "Sandy Mordus (E-mail)" <smordus@nirpc.org>  
**Sent:** Tuesday, April 20, 2004 3:30 PM  
**Attach:** C14&C15.pdf  
**Subject:** FW: Southeast Hessville Pump Station O&M

Sandy

hope this goes through- Jim asked for it for tonight's meeting with the HSD Board.

S

-----Original Message-----

**From:** Davis, Susanne J LRC  
**Sent:** Tuesday, April 20, 2004 3:25 PM  
**To:** 'Sandy Mordus '  
**Cc:** Samara, Imad LRC; Ackerson, Rick D LRC; Maali, Khalid J LRC; Sampson, Eric LRC  
**Subject:** FW: Southeast Hessville Pump Station O&M

Jim

As we discussed over the phone, there is no gate that has been constructed, or will be constructed at the outlet to the SE Hessville pump station. The Stage VI-1 Plans call for the construction of parallel levees on either side of the existing discharge pipe from the discharge box to the river. The plans do not indicate a gate at the outfall for this station.

There is a stoplog closure at the North Fifth Street station which will be installed at local discretion. The second closure was added to the station to provide a way to close off the river, in the event of a catastrophic failure in the box structure. As we discussed, O&M is a Local Sponsor responsibility. The "Corps" will not install any closures and limit the HSD's ability to operate their stations.

Exerpts from the 6-1 plans are contained on the enclosed files for the SE Hessville Station in a pdf (Adobe Acrobat) file. I'll be at a wake tonight, so not really reachable by cell phone. If you'd like to leave a message, my number is 708-951-0329.

Sue

-----Original Message-----

**From:** Samara, Imad LRC  
**Sent:** Wednesday, April 14, 2004 10:27 AM  
**To:** Davis, Susanne J LRC; Ackerson, Rick D LRC  
**Subject:** FW: Southeast Hessville Pump Station O&M

Guys can you help me out and respond to this question.

Imad Samara  
Project Manager  
111 N Canal Street  
Chicago IL 60606  
(W) 312-846-5560  
(Cel) 312-860-0123

6

4/20/2004

-----Original Message-----

**From:** Sandy Mordus [mailto:smordus@nirpc.org]

**Sent:** Tuesday, April 13, 2004 2:26 PM

**To:** Samara, Imad LRC

**Cc:** jallegretti@netnitco.net; mhickey@sehinc.com; biller@hmdin.com

**Subject:** Southeast Hessville Pump Station O&M

Imad:

In recent conversations with different representatives from the Hammond Sanitary District (HSD), I need to have you explain, in writing, the design intention of the levee construction along the river directly south of the S.E. Hessville pump station. The question has been brought forward as to why we are installing a sluice gate along the line of protection. The concern is that this sluice gate is in line with the discharge pipe from the pump station and if that gate is closed, it could tremendously impact adjacent properties on the landward side of the levee if the water cannot be discharged to the river.

It is very important that you give us this written response in order that the HSD can discuss this at their upcoming Board meeting scheduled for April 20. This issue, as well as several others, needs to be resolved before the HSD will sign off to accept responsibility for the operation and maintenance of this station.

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

Jim Pokrajac, Agent  
Land Management/Engineering





# Little Calumet River Basin Development Commission

6100 Southport Road  
Portage, Indiana 46368

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

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

EMERSON DELANEY, Vice Chairman  
*Governor's Appointment*

CURTIS VOSTI, Treasurer  
*Governor's Appointment*

ROBERT MARSZALEK, Secretary  
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JOHN MROCZKOWSKI  
*Governor's Appointment*

DR. MARK RESHKIN  
*Governor's Appointment*

CHARLIE RAY  
*Porter County Commissioners'  
Appointment*

DAN GARDNER  
*Executive Director*

LOU CASALE  
*Attorney*

April 15, 2004

Mr. Ted Elmore  
Indiana Dept. of Transportation  
100 N. Senate Avenue  
Room N955  
Indianapolis, Indiana 46204

Dear Ted:

Enclosed please find a fully executed, notarized copy of the right-of-entry approved by the Little Calumet River Basin Development Commission at their Board meeting April 7, 2004. This right-of-entry grants a temporary easement on Commission property on lands between Chase Street and Martin Luther King adjacent to and south of the I-80/94 right-of-way line. Attached to the signed right-of-entry agreement is Exhibit A, which includes the legal descriptions for the parcels that are owned in fee by the Development Commission that you have provided as per our request.

We have retained a copy for our files. If you have any questions regarding this agreement, please let us know.

Sincerely,

James E. Pokrajac, Agent  
Land Management/  
Engineering

/sjm  
encl.

cc: Lou Casale, LCRBDC attorney

RECEIVED APR 2 2004



REPLY TO  
ATTENTION OF

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

26 March 2004

Environmental and  
Social Analysis Branch

Mr. Dan Gardner  
Executive Director  
Little Calumet River Basin Development Commission  
6100 Southport Road  
Portage, Indiana 46386

**RE:** Commitment by the Chicago District to perform the work necessary to satisfy a portion of the IDEM mitigation requirement in the Area 5 Field (Attachment Map 1) offered by the LCRBDC for that purpose.

Dear Dan,

As you know, Marty Maupin of IDEM and Greg Moore of the Chicago District met with Jim Pokrajac of your office on 20 November 2003 to evaluate Little Calumet River Project Area tracts of land that you had offered as potential candidates to satisfy the IDEM mitigation requirement. I have attached for your reference the memorandum that Greg wrote describing the findings of that trip.

Of the tracts offered, IDEM has indicated that they will give credit for some or all of the hydric soil portion of tract 5 (Attachment Map 1) upon receipt of an IDEM Mitigation Proposal from your office covering the entire IDEM mitigation obligation. That proposal should include two small items of work in the Area 5 Field.

Those items include 1) replacement of an apparently recently removed 24-inch pipe and flap gate under the NIPSCO right-of-way at the northwest corner of the field, but this time with the flap gate on the south side of the right-of-way in order to hold water on the site rather than drain it as the previous pipe had done, and 2) raise and reinforce a short berm at the northeast corner of the Area 5 field. That berm was recently constructed under the Little Calumet River Project Area Mitigation Contract.

Item 2, the berm, was constructed as a part of the project area mitigation contract and so is clearly within the work limits and scope of that contract. Therefore, we expect to be able to modify the contract for at least that portion of the IDEM mitigation work.

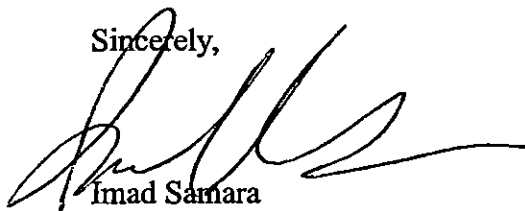
Item 1, on the other hand, although similar in nature to work our project area mitigation contractor has already performed, is outside the work limits and therefore outside the scope of the current project area mitigation contract. For that reason, we may have to include the pipe and flap gate installation under a separate contract.

So whatever the outcome, whether we are able to modify the current Little Calumet River Project Area Mitigation Contract in order to perform the IDEM mitigation work, or whether we need to include the work under a separate contract, this office is committed to assuring that the work takes place and that the IDEM mitigation requirements are satisfied.

As you've seen in the attached 12 January 2003 memorandum we have also sent you previously, the Area 5 field between Clark and Chase does not comprise the entire IDEM mitigation requirement. Some portion of the total requirement will still come from the 200-acre field located between Chase and Grant Streets south of the river.

It is important to address the IDEM mitigation requirement without delay so that we can obtain 401 Water Quality Certification from that agency as soon as possible, since lack of that permit will interrupt west reach construction schedules. I will certainly appreciate your cooperation on this issue Dan, so please call Greg Moore at 312/846-5586 or me at 312/846-5560 if you have questions or if we can help you in any way.

Sincerely,

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

Imad Samara  
Little Calumet River Project Manager

Attachment:

12 January 2004 Memorandum: 20 November 2003 site visit to assess the suitability of east reach Little Calumet River tracts offered as alternatives to the Chase/Grant field by the LCRBDC for IDEM mitigation requirements.



# Little Calumet River Basin Development Commission

6100 Southport Road  
Portage, Indiana 46368

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

April 26, 2004

ARLENE COLVIN, Chairperson  
Mayor of Gary's  
Appointment

EMERSON DELANEY, Vice Chairman  
Governor's Appointment

CURTIS VOSTI, Treasurer  
Governor's Appointment

ROBERT MARSZALEK, Secretary  
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CHARLIE RAY  
Porter County Commissioners'  
Appointment

DAN GARDNER  
Executive Director

LOU CASALE  
Attorney

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

Re: Burr Street Phase 1 Sluice Gate at Arbogast

Dear Imad:

We have recently received a request from the town of Griffith for both a permanent and temporary easement along Arbogast that extends northward through our line of protection to allow the Cady Marsh drainage to flow to the Little Calumet River. I understand this is for the Federal Cady Marsh Ditch diversion which your office designed. Please submit a letter to me stating that the COE has no structural or engineering concerns regarding the installation of this drainage pipe underneath our line of protection.

Secondly, when we were doing the initial Burr Street Phase 1 engineering review, the Development Commission had questioned why we had to pay for a sluice gate in this area. The COE response was that it would be needed to allow additional flowage from the Cady Marsh Ditch project to flow through our line of protection to the Little Calumet River and that our project was being constructed first so we had to pay for it. Obviously, since that time, the design has changed and the sluice gate and/or size of that structure appear not to be needed for the Cady Marsh Ditch project. Due to recent scrutiny by the State, and being that we receive no credit for the betterment levee, we have a concern that State money was unnecessarily spent to install this project feature. Is there some way that the Development Commission could get some type of credit/ reimbursement from the Cady Marsh Ditch project to help us recover some of our loss for the unnecessary installation of this structure because we did our construction in this area first?

If you have any questions, please contact me.

Sincerely,

Dan Gardner  
Executive Director

cc: Roy Deda, ACOE  
Arlene Colvin, LCRBDC Chairperson  
Lou Casale, LCRBDC attorney

11

May 28, 2004

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

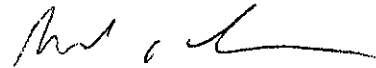
Dear Dan:

I write to extend my sincerest appreciation for the effort of the Little Calumet River Basin Development Commission staff for their tireless professionalism toward constructing the federal flood control project.

Unfortunately, effective immediately, I will be resigning my position on the Board. I am required to submit my resignation due to House of Representatives Ethics Rules. Please know that I will maintain a close interest in the progress of the project, albeit in a different capacity.

Again, I have enjoyed my opportunity to work with the staff on the Little Calumet River Basin Development Commission.

With regards,

A handwritten signature in dark ink, appearing to read 'Mark Lopez', with a stylized flourish extending to the right.

Mark Lopez



# **PROJECT ENGINEERING MONTHLY STATUS REPORT**

**For meeting on Wednesday, May 5, 2004**

**(Information in this report is from March 26 – April 27, 2004)**

---

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

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

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

1. Project completed on December 1<sup>st</sup>, 1993  
Dyer/Ellas Construction – Contract price: \$1,220,386

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

1. Project completed on January 13<sup>th</sup>, 1995  
Ramirez & Marsch Construction – Contract price: \$2,275,023

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

1. Rausch Construction started on November 20<sup>th</sup>, 1995. (Construction is now completed)
  - Current contract amount - \$3,288,101.88
  - Original contract amount - \$3,293,968.00
  - Amount overrun – current contract is under COE estimate.
2. A final inspection with the LCRBDC and the COE was held on December 18<sup>th</sup>, 2002.  
LCRBDC received O&M Manuals & inspection was found to be completed as per plans & specifications.
  - Awaiting “as-built” drawings.Contractor is relieved from any further contractual responsibilities.
3. Refer to monthly contract status report (Handout)

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

1. WEBB Construction was the contractor.
  - Original contract amount - \$3,451,982.36.
  - Current contract amount - \$3,915,178.36
  - Amount overrun - \$463,196 (13%)

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

1. Project completed June 11, 1999  
Dyer Construction – Final contract cost: \$1,292,066

## **Landscaping Contract – Phase II (This contract includes all completed levee segments in the East Reach not landscaped):**

1. Projected date to advertise – May 15, 2004
2. Anticipated award of contract – June 30, 2004
3. Projected construction start – September, 2004
4. Anticipated construction cost \$1,787,000.

4. LCRBDC received 100% plans and specs for review from the COE on February 12<sup>th</sup>, 2004.
  - These were distributed locally by the LCRBDC for review and comments on February 13<sup>th</sup>, 2004.
  - Comments from R. W. Armstrong were submitted on March 5; Lake Co. Parks were submitted on March 9; from the LCRBDC on March 12; and from Spencer Cortwright on March 4, 2004. (Copies of comments are available upon request.)
5. **A review meeting was held on April 26, 2004 to discuss the 100% submittal of plans & specs**
  - **Scope of work, seed mixes, and locations for plantings was modified to improve aesthetics, and reduce long term O&M.**
  - **First seed planting anticipated in fall, 2005, after which the contractor assumes O&M for 5 years.**
  - **First tree plantings anticipated in spring, 2006, after which the contractor assumes O&M for 2 years.**
  - **A field walk-thru was held.**
6. Refer to COE monthly contract status report. (Handout)

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

1. Project completed on January 6, 2003.
  - Rausch Construction Company – Contract price: \$4,186,070.75

**STATUS (Stage III) Chase to Grant Street:**

1. Project completed on May 6<sup>th</sup>, 1994  
Kiewit Construction – Contract price: \$6,564,520

**STAGE III Drainage Remediation Plan:**

1. The bid opening was September 10, 2002
  - A. The contractor is Dyer Construction
    - Contract was awarded on September 30, 2002
    - Construction started February, 2003
    - Anticipated completion February, 2004.
  - B. Project money status:
    - Original contract estimate - \$1,695,822
    - Original contract amount - \$1,231,845
    - Current contract amount - \$1,301,801
  - C. 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 Street. The remainder will be applied 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. Extending the combination sewer, East of Grant St., North to our line of protection.
  - D. Phase indicator system, for generator plug-in at the North Burr St. pump station.
3. A meeting was held on September 16<sup>th</sup>, 2003, with NIPSCO, LCRBDC, COE, Dyer Construction, and their electrical contractor.

- A. NIPSCO completed cost estimates for electrical drops and supply west of Grant and west of Marshalltown (to serve both pump stations.). These were forwarded to the City of Gary on September 18<sup>th</sup>, 2003. (Need Gary to sign off as owner.)
  - Greeley & Hansen (GSD engineering consultant) modified original electrical service requirements to allow for any future additions.
  - **Contracts & agreements with NIPSCO were signed at the April 27, 2004 GSD board meeting.**
4. Refer to COE monthly contract status report (Handout)

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

1. IV-1 (North) The drainage system from Colfax to Burr St. 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. We received “as built” drawings from the COE on March 13<sup>th</sup>, 2002. The only item needed to be completed is to assure turf growth in all areas. (This will be inspected in the spring, 2004)
3. We received a response from the COE on January 7<sup>th</sup>, 2003, addressing vegetation.
  - Current plantings are for erosion control that will give way to native grasses. Native grasses weren’t planned on this contract, **but will be needed to be included in an upcoming contract.**
  - LCRBDC has a concern with sloughing in the concrete ditch bottom between Colfax and Calhoun.

**STATUS (Stage IV Phase 1 – South) EJ&E Railroad to Burr St., South of the Norfolk Southern RR.):**

1. Dyer Construction was low bidder. Given 450 days to complete
  - Current contract amount - \$4,285,345
  - Original contract amount – 3,862,737
  - Amount overrun - \$422,608 (11%)
2. An inspection was held with Dyer Construction/COE/LCRBDC on December 18<sup>th</sup>, 2002.
  - The inspection was found to be satisfactory as per plans and specifications, and the contractor is relieved of any further contractual responsibilities.
  - The LCRBDC received O&M Manuals, “as-built” drawings on the day of inspection.
3. Refer to COE monthly construction status report (Handout)

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

1. Dyer Construction – 100% complete.
  - Current contract amount - \$3,329,463.66
  - Original contract amount - \$2,473,311.50
  - Amount overrun - \$856,152 (34%)
2. The North Burr St. stormwater pumping station has been completed.
  - A. LCRBDC requested phase indicator system for generator plug-in. This is being done as part of the Stage III Remediation contract.
    - Awaiting as-built drawings.

3. The final inspection was held on December 18<sup>th</sup>, 2002, with the COE, Dyer & LCRBDC and found to be satisfactory as per plans and specifications.
  - We received O&M Manuals and the hand held programmer on December 18<sup>th</sup>, 2002
4. Refer to COE monthly contract status report.(Handout)

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

1. Project completed on October 2, 2002.
  - Dyer Construction Company, Inc. - Contract price: \$1,948,053

**STATUS (Betterment Levee – Phase 1) EJ & E RR 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 9<sup>th</sup>, 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 drainage ditch north of the Mansards is having sloughing problems that should be corrected when Burr St. Phase II is completed.

**STATUS (Betterment Levee – Phase 2 – Gary) Colfax to Burr St.**

1. This portion of construction will be advertised, paid for, and coordinated by the City of Gary. The Army Corps will oversee the construction to assure compliance with federal specifications.
  - The city of Gary has agreed to commit \$1.4 million to this project, which will be available by February, 2004. This will allow utility re-locations to begin.
2. We were informed of the change in schedule on March 9, 2004 as follows: Final engineering drawings for review will be submitted June 2004; design completion August 2004; advertise September 2004; and award November 2004.
3. A meeting was held with the COE, LCRBDC, and Jim Meyer (GSD attorney) on March 23<sup>rd</sup>, 2004, to discuss their portion of this project, funding, project management, and coordination.
  - Gary will contribute \$1.4 million toward this portion of construction.
  - The scope of work will be reviewed to reduce COE estimate of \$1.6 million to allow Gary appropriate budget.

**STATUS (Betterment Levee – Phase 2) North of the NSRR, East of Burr St., and ½ mile East, back South over RR approx. 1400**

1. This portion of construction will be advertised, coordinated, and facilitated by the COE and LCRBDC as a project cost.
2. A letter was sent to Wolverine Pipeline on July 18, 2003 requesting coordination for utility re-locates for their two (2) 16" pipelines.
3. We were informed of the change in schedule on March 9, 2004 as follows: Final engineering drawings for review will be submitted June 2004; design completion October 2004; advertise November 2004; and award January 2005.
4. A meeting was held with the City of Gary on March 23<sup>rd</sup>, 2004, to discuss Gary's portion of construction from Colfax to Burr Street. Coordination and responsibilities will be discussed.
5. The COE wrote a letter to the GSD on April 9, 2004 responding to their engineering concerns (dated September 25, 2001) now that the funding issue has been resolved.

1-6

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

1. Project completed on September 14<sup>th</sup>, 1995.  
Dyer construction – Contract price: \$998,630

**STATUS (Stage V Phase 2):**

1. A meeting was held with the LCRBDC and the COE on May 14, 2003 to discuss revised scheduling with the recent appropriation from the State.
  - A. We considered breaking up Stage V-2 into (2) segments as follows:
    - Stage V-2A (Kennedy to Indianapolis Blvd.)
    - Stage V-2B (Indianapolis Blvd. to Northcote)
    - A letter was sent to the COE on June 5 requesting division of V-2 into (2) segments & also hydrology data and recreational tie-in. (Response is ongoing.)  
Dependent on remaining money from VI-1 acquisition.
  2. INDOT drainage issues at Indianapolis Blvd. and the Little Calumet River.
    - A. INDOT had a coordination meeting on August 12<sup>th</sup>, 2003, to review their projects in the Lake County area.
      - INDOT indicated the earliest they could release Phase 1A (Ridge Road to Little Calumet River.) would be in 2005. Lift station couldn't be in use until we complete our levee in that area.
    - B. We received a letter from INDOT on February 9<sup>th</sup>, 2004, agreeing to pay 85% of the maintenance and power costs and Highland and North Township will pay \$314,500 of the \$1,746,950 pump station construction cost.
      - North Township sent a letter to INDOT on March 8<sup>th</sup>, 2004, indicating they support the 15% to be provided locally and that they will pay their fair share.
      - A call with Dan Gardner, John Bach (Town of Highland) and Jim Pokrajac on March 17<sup>th</sup>, 2004, indicated that Highland would also support their fair share.
      - On a conference call with INDOT, the COE, and the LCRBDC on March 19<sup>th</sup>, 2004, INDOT indicated that our portion of construction in this area must be completed before they install their pump station. LCRBDC needs to work with the COE to modify our construction and acquisition schedules to accommodate the INDOT project.
      - LCRBDC received a letter dated April 5, 2004, on behalf of the town of Highland, from NIES Engineering, to American Consulting Engineers which enclosed data regarding the floodplain in this general area.
      - The town of Highland sent a letter to INDOT on April 5, 2004 questioning the cost information previously provided by INDOT.

7  
8-9

**STATUS (Stage V Phase 3) Woodmar Country Club:**

1. Refer to Land Acquisition report for status of appraisal process and revised schedule.
  - The current schedule shows a March 2006 advertising date. The construction sequence due to hydrology will push construction back in the schedule.
2. 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.
3. A meeting with Woodmar was held on December 4, 2003 to discuss current status.



- At this point in time, all of Hammond (Cline to State Line) would come out of the floodplain at one time. All construction needs to be completed north of the river because no tie-backs are currently available.

#### **STATIS Stage VI-1 (South) South of the river – Kennedy to Liable**

1. The final engineering drawings were made available for review on April 6, 2004; design completion scheduled May, 2004; advertise contract June 2004; and award contract in July 2004.
2. Received (6) sets of plans & specs from the COE for Stage VI-1 South review on April 5
  - Comments have been submitted by staff and are available to the Commissioners upon request.

10

#### **STATUS (Stage VI – Phase 1-North) Cline to Kennedy – North of the river**

1. The COE is anticipating to make final engineering drawings available for review on March 17th 2004, complete design by April, 2004, advertise October 2004 (based upon real estate acquisition to sign ROE), and award contract in December, 2004.
2. A coordination meeting was held on August 25<sup>th</sup>, 2003, with the Lake County Highway Dept., LCRBDC, and the Army Corps to discuss the upcoming construction by the county for their bridge and our construction on and adjacent to Kennedy Ave. **The current schedule (as of April 15, 2004) is to complete engineering design in late September 2004; advertise in December 2004; and a tentative construction start in April 2005.**
  - The county is only re-building portions of the existing bridge deck.
  - COE agreed we could accept the cost for the incremental difference for a 10' trail, include the concrete closure slabs, engineering costs, and minor clay work. This will be facilitated after the final COE design is completed and incorporated into their plans for bid.
  - An interlocal agreement will need to be signed between the COE, Lake Co. Hwy., and the LCRBDC.
  - A meeting is being set up with the COE, LCRBDC, and Lake County Highway to discuss this coordination (date not yet determined).

#### **UTILITY COORDINATION**

1. A contract was signed on May 21, 2003 with SEH Engineering to coordinate all Hammond utility re-locations, Water Department, Hammond Sanitary District, etc.
  - Task is completed – Awaiting VI-1 100% drawings to continue with final coordination.
  - LCRBDC received a completed list of all utilities & what required actions will be necessary on March 9<sup>th</sup>, 2004.
2. A contract was signed with NIES Engineering to coordinate all Highland utility re-locations on May 23.
  - Task is completed – Awaiting VI-1 100% drawings to continue with final coordination.
3. A utility coordination meeting was held with NIPSCO on February 20<sup>th</sup>, 2004, to review all re-locations and identify necessary coordination to get agreements.
  - NIPSCO sent a letter to the COE on March 1, 2004 requesting information in order that they could complete their engineering & cost estimates.

#### **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.) (COE anticipates 100% review set will be available in May, 2004.

- The anticipated construction cost for this segment is \$3,650,000.
- 2. We received a modified schedule from the COE on February 11, 2004, indicating that final engineering drawings would be made available for review in **May 2004**; design completion **June 2004**; advertise contract **January 2005**; and award contract in **March 2005**.
  - NIES Engineering has been given the task to do all utility coordination
- 3. A utility coordination meeting was held with NIPSCO on February 20, 2004, to review all relocations and identify necessary coordination to get agreements.

#### **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 21<sup>st</sup>, 1999.
2. The COE anticipates we should be getting the 100% drawings for review and comment no later than the fall of 2004. (ongoing)
  - LCRBDC received Earth Tech comments from the COE on December 9, 2003. The COE will handle the update of the plans when project is reactivated.
3. A letter was sent to the Lake County Highway Dept. on January 22, 2004 requesting they coordinate their design and scope of work with the COE for re-building the deck of the Columbia Avenue bridge.
4. Refer to COE monthly contract status report. (Handout)

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

1. Project currently on hold.
2. Some preliminary design has been completed by SEH. (Contract has been terminated at this point in time.)

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

1. Project cost information
  - Current contract amount - \$1,873,784.68
  - Original contract amount - \$1,657,913.00
  - Amount overrun - \$215,971 (13%)
2. The lift station at the Southwest corner of the existing levee that will handle interior drainage is being done as part of the Stage III remediation project. (See Stage III remediation in this report for details.) Construction started March, 2003. Approximately 95% complete.
  - Awaiting NIPSCO electric power to test pumps.

#### **Mitigation (Construction Portion) for “In Project” Lands:**

1. Bids were opened on September 17<sup>th</sup>, 2002, and Renewable Resources, Inc. (from Barnesville, Georgia) is the successful bidder.
  - The government estimate is \$1,017,082 and the low bid came in at \$921, 103 (this is \$95,979 under the estimate).
  - Construction started in late March, 2003. On site at Chase Street; clearing and grubbing, signage installed, trenching and backfilling.
2. Refer to COE monthly contract status report.(Handout)

#### **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 7<sup>th</sup>, 2000 – 700 work days to complete (Anticipated completion date is December 1, 2004)
  - Current contract amount - \$4,855,320
  - Original contract amount - \$4,638,400
  - Amount overrun – \$216,920 (4.7%)
3. We received the project progress update from the COE on January 26, 2004. For any detailed information regarding construction status, refer to the attached “Project Progress Update Report”.
  - Baring Pump Station  
98% complete
  - Walnut Pump Station  
64% complete
  - S. Kennedy Pump Station  
59% complete
  - Hohman/Munster Pump Station  
98% complete
4. Refer to COE monthly contract status report. (Handout)

**West Reach Pump Stations – Phase 1B:**

1. The two (2) pump stations included in this contract are S.E. Hessville (Hammond), and 81<sup>st</sup> St. (Highland). Overall contract work is completed.
2. Thieneman Construction from Griffith, IN was the successful bidder.
  - Final contract amount - \$2,120,730.12
  - Original contract amount - \$1,963,400.00
  - Amount overrun - \$157,330 (9%)

**North Fifth Avenue Pump Station:**

1. The low bidder was Overstreet Construction
  - Current contract amount - \$2,501,776
  - Original contract amount- \$2,387,500
  - Amount overrun - \$114,276 (4.8%)
  - Project is currently 99% completed
  - Project completion date was scheduled for July 30, 2003
2. We received the Project Progress Update from the COE on January 26, 2004.
3. LCRBDC received a copy of the pre-inspection punch list from Highland on February 2<sup>nd</sup>, 2004. (Dated January 29<sup>th</sup>, 2004.)
  - Additional comments for a punch list were submitted by NIES Engineering to the COE on March 2<sup>nd</sup>, 2004.



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

April 9, 2004

Planning, Programs and Project  
Management Branch

Charles G. Peller, JR., PE  
Director  
Gary Sanitary District  
3600 W 3rd Street  
Gary, IN 46406

Dear Mr. Peller,

This letter is written in response to the Gary Sanitary District letter dated September 25, 2001, regarding the Burr Street Betterment Levee Phase 2. As you know now that the funding issue has been resolved we are gearing up to complete the plans and specifications for the construction contract. The letter mentioned above provided us review comments of the last plans and specification submitted to your office. The following paragraphs are our responses to the comments:

**Comment 2a** - This can be done if acceptable to the railroad. Also the area could be filled and a small culvert added to pass flow through Ramp 2 to Ditch 8.

**Comment 2b** - This area has been filled in by the Burr Street road raise and is sloped to drain to ditch 8

**Comment 2c** - From our mapping this area historically holds water, but a field visit in September 2001 found the ditch to be completely dry. The culvert to the pump station that inlets at an invert elevation of 593.0 is mostly above elevation 592 and lies under the new Burr Street Road raise. A new inlet culvert could possibly be installed along the south side of the NIPSCO Right of Way to the manhole under Burr Street just south of the NIPSCO R/W (invert 587.48) (currently we do not have real estate for this connection).

**Comment 2d** - This detail has been added.

**Comment 3a** - see Corps memo dated 03 March 2004

Comment 3b & 3c - The 36 inch was placed at the invert of the existing ditch to maintain the existing drainage path. The existing ditch has an invert (589) lower than the culverts at Clark and the railroad (estimated 592+). The area between the tieback and Clark Street is outside the line of protection as are the culverts near Clark and the Railroad. No known residential structures are in this area.

Comment 3d - This storm sewer could not currently be added to our model.

Comment 3e - see above.

Comment 3f - Yes there was a study that evaluated three alternatives to tieback the levee to the east. One alternative was to continue along the railroad until we reach a tieback point to the east. Another was to take the levee along the railroad and then go south along Clark Street until we reach a tieback point. And the third is the alternative that is shown on the plans, which was the most cost effective and environmentally acceptable plan. This work was completed during the development of the 1997 General Design Memorandum for the Burr Street Betterment Levee.

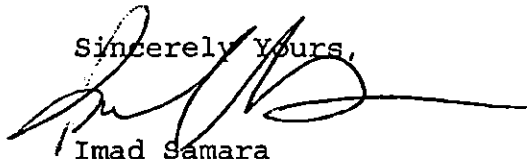
Comment 3g - Meeting 14 April 2004

Comment 4a - See response to comment 2c. Also another option would be to add a gatewell through the levee to take the drainage north of the railroad and south of the levee directly to the river.

Comment 5a - see Corps memo dated 03 March 2004

I have contacted Jay Niec to schedule a meeting to discuss these comments and the responses. The meeting is set for Wednesday April 14 at 10:00 AM. It will be a conference phone meeting I will provide you the information needed to be on the conference call. If you have any questions please feel free to call me at 312-846-5560 or email me at [imad.samara@usace.army.mil](mailto:imad.samara@usace.army.mil).

Sincerely Yours,



Imad Samara  
Project Manager





## Gary Sanitary District

MAYOR CITY OF GARY  
Honorable Mayor Scott I. King

DEPUTY MAYOR  
Suzette Raggs

### BOARD OF COMMISSIONERS

Otho Lyles III, President  
Silas Wilkerson III, Vice President  
Roland Elvambuena, Secretary  
Derrick Earls, Commissioner  
Ophelia Woodson, Commissioner  
Carmen Wilson, Director

September 25, 2001

Mr. Imad N. Samara  
Department of the Army  
Chicago District, Corps of Engineers  
111 North Canal Street  
Chicago, Illinois 60606-7206

Subject: Little Calumet River, Indiana Local Flood Protection Burr Street Betterment Levee  
System Phase 2

Dear Mr. Samara:

We have reviewed the plans for the subject project. The specifications were not submitted for review at this time. The plans provided for review were comprised of the following sheets:

- G-01 – Locality Map and Site Map.
- G-02 – Sheet Index, Standard Symbols, Abbreviations, and General Notes.
- G-03 – Aerial Photos and Utility Contacts
- C-01 – Work Limits and Control Point Data West of Colfax Street
- C-02 – Work Limits and Control Point Data Sta. 32+80 to Sta. 63+50
- C-03 – Work Limits and Control Point Data Sta. 63+50 to Sta. 92+57
- C-04 – Unified Table of Control Points
- C-05 – Plan and Profile – Sta. 29+10 Through 38+00
- C-06 – Plan and Profile – Sta. 38+00 Through 53+00
- C-07 – Plan and Profile – Sta. 53+00 Through 67+20
- C-08 – Plan and Profile – Sta. 67+20 Through 81+00
- C-09 – Plan and Profile – Sta. 81+00 Through 92+57 and Access Ramp 6
- C-10 – Calhoun Street Road Raise – Plan and Profile, Sections and Details
- C-11 – Plan and Profile – Ditch 4
- C-12 – Plan and Profile – Ditch 7 and Ditch 10
- C-12A – Plan and Profile – Culverts East of Burr St.
- C-13 – Standard Levee and Ditch Sections, and Riprap Details
- C-14 – Standard Trial Sections, Turnaround, Field Office, and Temp. Utility Crossing
- C-15 – Preload Embankments and Drainage Wicks
- C-16 – Borrow Site Layout
- C-17 – Haul Routes
- R-01 – Recreation Trail – Sta. 29+10 To Sta. 78+00
- R-02 – Recreation Trail – Sta. 78+00 To End of Access Ramp 6

"Producing Living Water for a Quality Environment"

3

R-03 – Rec. Trail Ramp Crossing at EJ&E Railroad Tracks  
 R-04 – Plan and Profile of Access Ramps 2, 3, 4, and 5  
 R-05 – Signage and Vehicle Barriers  
 R-06 – Bollard Hardware  
 R-07 – A-Frame Gate Elevation and Details  
 M-1 – Sluice Gate Typical Details  
 S-01 – Newlin 36" Gatewell System Dimensions and Elevations  
 S-02 – Newlin 36" Gatewell Dimensions and Reinforcement  
 S-03 – Newlin 36" Gatewell Inlet and Outlet Headwall  
 S-04 – Standard Concrete and Construction Details  
 S-05 – Standard Miscellaneous Metal Details  
 S-06 – West Railroad Cutoff Wall Elevations and Details  
 S-07 – East Railroad Cutoff Wall Elevations and Details  
 S-08 – Burr Street I-Wall Elevations and Details  
 S-09 – Standard I-Wall Details and Pipe Passing #1 Details  
 S-10 – Burr Street I-Wall Pipe Passing #2 Details  
 S-11 – Burr Street I-Wall Pipe Passing #3 Details

Our comments are as follows:

1. Sheet G-03 – Aerial Photos and Utility Contacts:
  - a. Place the following in the Utilities and Contact Section under the Gary Sanitary District: "Mr. Carmen Wilson, Director (219) 944-0595.
  - b. Place the following in the Utilities and Contact Section under a Title Heading of "White River Environmental Partnership": Mr. Dean Button (219) 944-1211; Mr. Cass Villacin (219) 944-1211.
2. Sheet C-07 – Plan and Profile – Sta. 53+00 Through 67+20:
  - a. On the west side of Burr Street immediately south of the RR tracks is a triangular shaped area formed by Burr Street, the Levee I-wall and Ramp 2 that is shown as a low area to be drained east by an existing east/west 36 inch culvert to the ditch that drains to the Burr Street Storm water pumping station. The existing purpose of this culvert is to drain the ditch located on the east side of Burr Street, west to the Little Calumet River. This culvert has an invert on the east side of Burr Street of 592.75 and an invert of 592.5 on the west side of Burr Street and is actually a type of inverted siphon. What precludes filling the triangular shaped low area on the west side of Burr Street and abandoning in place the culvert under Burr Street?
  - b. An existing 12 inch culvert is shown under Ramp 2, parallel to and on the west side of Burr Street. Why was this culvert not directed to the new Ditch 8?
  - c. Based upon the INDOT Burr Street Storm Pump Station Project Drawings, the invert elevation of the entrance of the culvert that is located on the east side of Burr Street and that drains to the Burr Street Lift Station is 593.00. The south invert of the 36 inch steel pipe shown proposed to be jacked under the RR and detailed on sheet C-12A is 590.55. How will the existing ditch on the south side of the tracks be improved and in what direction was the intended drainage pattern? Will the ditch always hold 2.45 feet of water? In what direction is the drainage intended to flow? How do these elevations compare to the invert elevations of the drainage tiles in the existing north-south ditch located immediately south of the culvert shown on sheet C-12A? Is it possible to lower the invert of the culvert draining to the Burr Street Lift Station from 593.00 to 590.00 to facilitate drainage to the lift station as part of this project?
  - d. Where is detail 4/C-11?

3. Sheet C-09 – Plan and Profile – Sta. 81+00 Through 92+57 and Access Ramp 6:
  - a. Levee Profile 2/C-09 shows the proposed 36 inch culvert penetration through the Tie-Back Levee at a south invert elevation of 589.5. In what direction (east or west) is the drainage intended to flow?
  - b. What is the invert elevation of the existing north-south culvert located on the west side of Clark Road that penetrates the RR embankment? How do these elevations compare to those in item a? Will this culvert be improved? Presently, this culvert drains the south side of the RR tracks to the north and eventually to the Little Calumet River, however, during periods of high levels in the LCR, flow will reverse itself and the ditch will flow to the south. How will the Tie-Back Levee prevent flooding of the protected area if the 36 inch penetration is unrestricted? If a flap gate is installed on the east side of the 36 inch culvert penetration, preventing high flows from flowing east, how will the area between Clark Road and the Tie-Back Levee be protected in the event of a high flood stage? How will the area on the east side of Clark Road be protected? Is this an issue?
  - c. What is the invert elevation of the existing east-west culvert located approximately 150 feet south of the RR Tracks under Clark Road? How do the elevations compare to those in items a and b? Was there consideration given to connecting this culvert directly to the culvert that penetrates the RR embankment at Clark Road?
  - d. An existing 18 inch storm sewer installed two years ago on 35<sup>th</sup> street has an inlet invert elevation of 590.00 located at the east end of 35<sup>th</sup> street. This storm sewer drains west and connects to the Burr Street Storm Sewer. Has this storm sewer been considered in the overall plan for the Tie-Back Levee?
  - e. How do the elevations in item d compare to those in items a, b, and c?
  - f. Was there consideration given to constructing the Levee east along the south side of the RR Tracks at the point where the Levee crosses the RR embankment and extending it to Clark Road, rather than using a Tie-Back Levee? Was there consideration given to directly connecting the culvert drainage from the east side of Clark Road (Doughman property) directly to the RR penetration located immediately west and parallel to Clark road?
  - g. Coordination with the City of Gary Public Works Department regarding drainage in this area is advised.
4. Sheet C-12A Plan and Profile – Culverts East of Burr St.:
  - a. Profile 3/C-12A indicates that the invert of the south end of the proposed culvert penetration under the RR is 590.55. What is the intended direction of flow? i.e. to the west, south or east? The ditch immediately south of the culvert penetration under the RR and perpendicular to the RR (the ditch that splits the auto parts property) also contains culverts, the southern culvert has an invert elevation of 593.77. The invert of the 36 inch culvert penetration through the Tie-Back Levee is at 589.5 and the new storm sewer along 35<sup>th</sup> Street has an invert elevation of 590.00, how will drainage in the area ditches be improved? What was the intended drainage pattern?
  - b. Further drainage design information is required as well as possible alternatives to the location of the Tie-Back Levee.
5. Sheet S-01 Newlin 36" Gatewell System Dimensions and Elevations:
  - a. Was the use of a "flap gate" at this location considered as a substitute for the 36 inch gate well? Issues regarding the flow direction need to be resolved.

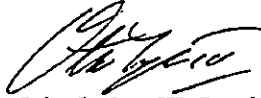
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We would appreciate further discussion with regard to the various issues described above and look forward to your response.

Thank you for the opportunity to review this project.

Yours very truly,

Gary Sanitary District



Otho Lyles, III, President  
Board of Commissioners

Jhn/jhn

c: GSD Board of Commissioners  
Mr. James B. Meyer, GSD Attorney  
Mr. Dean Button, WREP  
Mr. Don Smales, Greeley and Hansen

April 05, 2004

Mr. Craig Forgey  
American Consulting Engineers  
7260 Shadeland Station  
Indianapolis, IN 46256

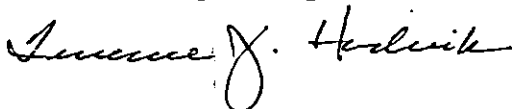
RE: Group Lift Station - North of Petrites Property- West of US Hwy 41  
Drainage Determination for Highland

Dear Mr. Forgey:

With the understanding that American Consulting Engineers has been retained by North Township to review area calculation information relative to the subject lift station, we have enclosed a copy of NIES Engineering, Inc. correspondence dated November 1, 2002, including the USACE information and a GIS topographic map referred to in the second paragraph of the letter. I have also enclosed a copy of a letter from Mr. Ned Grady of United Consulting Engineers & Architects, dated June 18, 2001, providing the 10 year event runoff rate from INDOT road area tributary to the proposed pump station.

Please call if you have any additional questions

Yours very truly,  
NIES Engineering, Inc.



Terrence J. Hodnik, P.E.  
Principal

cc: Highland Board of Sanitary Commissioners wo/encl  
Mr. John Bach wo/encl  
Mr. Dennis Simala, North Township wo/encl  
Mr. Jim Pokrajac wo/encl  
Mr. Imad Samara wo/encl

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# SANITARY DISTRICT OF HIGHLAND

Incorporated in  
1910

Highland Municipal Building

3333 Ridge Road

Highland, Indiana 46322

(219) 972-5069

Fax: (219) 972-5097

April 5, 2004

Mr. John Wright, P.E.  
CPG Manager  
Indiana Department of Transportation  
100 N. Senate Avenue, Room IGCN 601  
Indianapolis, IN 46204-2249

RE: Group Lift Station for US 41 North of Ridge Road  
Written Comments Concerning INDOT Letter Dated January 13, 2004  
Highland Board of Sanitary Commissioners

Dear Mr. Wright:

The Indiana Department of Transportation has proposed to construct a Group Lift Station off US 41 located along the south end of the Bus Terminal and on property owned by Stanley Petrites. INDOT correspondence dated January 13, 2004 outlines revised construction and operation and maintenance (O&M) costs, proposed to be born by the local entities, namely the Town of Highland and North Township Trustee. Revised local share costs proposed by INDOT, included \$314,500 for construction and 15% of \$40,750 for annual O&M. The Town appreciates the proposal by INDOT to assume 85% of the O&M and replacement costs.

As you are aware, the local share of construction costs has increased from the original proposal of \$250,000 to the current amount of \$314,500. Your letter indicates that the \$64,500 increase is a result of having to relocate the force main pipes in front of Cardinal Services instead of behind Cardinal Services. Your letter also indicates that the revised forcemain routing is caused by environmental restrictions preventing INDOT from taking public property if there is another alternative. We also asked Mr. Todd Burch for a breakdown of how the \$64,500 was arrived at and received the following information:

- Additional 430 LF of 12-inch forcemain at \$35/LF = \$15,050
  - Add 715 LF of 48-inch forcemain at \$270/LF = \$193,050
  - Subtract 574 LF of 36-inch forcemain at \$250/LF = -\$143,500
- Additional Cost = \$64,600

Class A  
Wastewater &  
Stormwater Utility



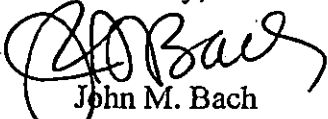
Based on this information, we have a few questions for clarification:

- If both forcemains discharge to the same point, why is an additional 430 LF of 12-inch pipe required, when only an additional 141 LF (715LF – 574LF) of 48-inch pipe is required? The previous estimate provided in correspondence dated 12/04/02, indicated that INDOT had 600 LF of 36-inch forcemain at \$250/LF included in the amount they would pay for. Why not subtract \$150,000 in computing the local share instead of \$143,500? This would reduce the local share increase to \$58,100 from \$64,500.
- When we looked at land ownership behind Cardinal Services several years ago, we found that Cardinal Services, INDOT or Petrites owned the far west ditch land area directly west of Tri-State in different pieces. If this were true, no golf course land takes would be involved to run the forcemains behind Cardinal Services, and there would be no construction cost increase to the local entities. Please recheck land ownership documentation to support the need to move the forcemains in front of Cardinal Services.

The Highland Sanitary Board of Commissioners remains willing to commit to paying the Highland share of construction and O&M Costs, with the share based on volume of storm water accumulated behind the levee from tributary land areas located within Highland. The Town has previously computed its storm water volume share at 9.6% of the cost, as stated in correspondence dated November 1, 2002 forwarded to Mr. Keith Bryant of United Consulting Engineers and Architects. The Highland Sanitary Board is also willing to add the Lift Station facility to the three storm water pumping stations already maintained by Town Public Works Personnel. We propose that a fund be established, with annual contributions by INDOT, Town of Highland and North Township Trustee, to provide for future maintenance and repair costs as well as to pay for operational costs.

Please do not hesitate to call if you have any questions concerning comments by the Highland Sanitary Board of Commissioners.

Sincerely,



John M. Bach

Highland Sanitary District Superintendent

cc: Mr. Greg Cvitkovich  
Mr. Dan Gardner  
Mr. Terry Hodnik  
Mr. Todd Burch  
Mr. Imad Samara



US Army Corps  
of Engineers  
Chicago District

## LETTER OF TRANSMITTAL

To: Jim Pokrajac  
Little Calumet River Basin Development  
Commission

Date 5-Apr-03

Thru:

Project No: Little Calumet River Flood  
Control Project

Re: Stage VI-1 South 95% BCOE Review

Attn:

X

No. of Copies	
6	65% BCOE Comment Responses
6	Half size plans
6	Specifications

Sent to you for the following reason:

For Approval

Review Completed

Revise and Resubmit

For Your Use

Not Reviewed

Returned

X For Review and Comment

Other:

### Remarks:

Please review and comment on the enclosed plans and specifications for the Stage VI-1 S. Please provide your comments in writing by April 23, 2004. Please coordinate these plans and specification with the impacted communities. It is very important that we get the comments no later that close of Business April 23, 2004 so that we can still meet our goal of awarding a contract by end of June.

Copy To: File

Signed: Imad Samara, Project Manager.

U.S. Army Corps of Engineers, Chicago District  
111 North Canal Street, Chicago, Illinois 60606-7206, (312) 353-6400, FAX (312) 353-2158

LRC FORM 1110-1 (RE), June 1997

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