



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

WILLIAM BILLER, Chairman
Governor's Appointment

ROBERT HUFFMAN, Vice Chairman
Governor's Appointment

ARLENE COLVIN, Treasurer
Mayor of Gary's
Appointment

DR. MARK RESHKIN, Secretary
Governor's Appointment

GEORGE CARLSON
Mayor's of Hammond
Appointment

STEVE DAVIS
Dept. of Natural Resources
Appointment

SAM DIMOPOULOS
Lake County Commissioners'
Appointment

ROBERT MARSZALEK
Governor's Appointment

JOHN MROCZKOWSKI
Governor's Appointment

CHARLIE RAY
Porter County Commissioners'
Appointment

VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

MEETING NOTICE

THERE WILL BE A MEETING OF THE
LITTLE CALUMET RIVER BASIN
DEVELOPMENT COMMISSION
AT 6:00 P.M. WEDNESDAY, MAY 4, 2005
AT THE COMMISSION OFFICE
6100 SOUTHPORT ROAD
PORTAGE, IN

WORK STUDY SESSION – 5:00 P.M.

AGENDA

1. Call to order by Chairman Bill Biller
2. Pledge of Allegiance
3. Recognition of Visitors and Guests
4. Approval of Minutes of April 6, 2005
5. Chairman's Report
 - Dedication ceremony for Hobart Marsh scheduled for 1:30 – 3:00 p.m. Saturday May 7 at Robinson Park
6. Executive Director's Report
 - Project schedule response to Congressman Visclosky
 - Relation to State Budget
 - Report on signed ROE for Stage VI-2 (Liable to Kennedy, south of the river)
7. Outstanding Issues

Reminder: I need a ROE for VI-1/2

*Many striped slacks,
many jacket
lime green shirt*

8. Standing Committees

A. Finance Committee – Report by Treasurer Arlene Colvin

- Financial status report
- Approval of claims for April 2005
- Approval of O&M claims for April 2005
- Insurance coverage update
- Issues for discussion

B. Land Acquisition/Land Management Committee – Committee Chair Bob Marszalek **Land Acquisition**

- Appraisals, offers, acquisitions, recommended actions
- Right-of-Entry signed for Stage VI-2; we are ready to sign right-of-entry for Stage VI-1 North; we have started acquisition process for Stage V-2
- Issues for discussion

Land Management

- Phase I environmental ordered from K&S Testing for 3120 Gerry Street
- Draft proposal agreement with VIEW OUTDOOR
- Gary development east of Broadway north of 33th Avenue
- Issues for discussion

C. Project Engineering Committee – Committee Chair Bob Huffman

- Pre-Bid meeting scheduled for May 12 for Stage VI-2
- Commission advertised locally
- Letter sent to the affected residents in VI-1S impacted by sheet piling
- Issues for Discussion

D. Operation & Maintenance – Committee Chair Bob Huffman

- Results of sluice gate inspections held April 14th, 21st
- Gary pump station summarization
- Issues for Discussion

E. Environmental Committee – Committee Chair Mark Reshkin

- Updated Hobart Marsh ownership map
- Issues for Discussion

F. Legislative Committee – Committee Chair George Carlson

- State biennial budget report
- Issues for Discussion

G. Recreational Development Committee – Committee Chair Bob Huffman

- Received EJ&E letter April 6 denying at-grade crossing for rec. trail
- Recreation Phase 2 contract
- Issues for Discussion

H. Marina Development Committee – Committee Chair Charlie Ray

- Update on Commission land transfer to city of Portage
- Issues for Discussion

I. Policy Committee – Committee Chair Bob Marszalek

- Issues for Discussion

9. Other Issues / New Business

10. Statements to the Board from the Floor

11. Set date for next meeting; adjournment

MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
HELD AT 6:00 P.M. WEDNESDAY, APRIL 6, 2005
6100 SOUTHPORT ROAD
PORTAGE, INDIANA

In Chairman William Biller's absence, Vice Chairman Robert Huffman called the meeting to order at 6:10 p.m. ~~Eight~~ ^{Seven} (8) Commissioners were present. Pledge of Allegiance was recited. The guests were recognized.

Development Commissioners:

Charlie Ray
Arlene Colvin
Robert Huffman
Sam Dimopoulos
George Carlson
Steve Davis
Robert Marszalek -

Visitors:

Sandy O'Brien - Hobart
Elizabeth Johnson - Congressman's Office
Jomary Crary, IDNR
Chris Slattery - TPL

Staff:

Dan Gardner
Lou Casale
Sandy Mordus
Jim Pokrajac
Judy Vamos

A motion to approve the March 2, 2005 minutes was made by Arlene Colvin; motion was seconded by Steve Davis; motion passed unanimously.

Chairperson's Report - Vice Chairman Bob Huffman introduced Chris Slattery, Executive Director of Trust for Public Lands, who reported on the completion of the mitigation acquisition in Hobart Marsh.

Ms. Slattery proceeded with the announcement that the properties needed for project mitigation in Hobart Marsh has been completed. Of the potential 12 properties originally looked at, TPL negotiated with 10 of them, and ended up with signed agreements on five of the properties. Those five properties total 446 acres in the Hobart Marsh area (which is nine acres more than IDNR requires to meet permit requirements). The five properties will all be in IDNR's ownership. Ms. Slattery proceeded to thank the Congressman's office, as well as IDNR, our office, attorney Casale, and Sandy O'Brien. She announced that TPL is planning to have a dedication ceremony in Robinson Park, where the Congressman will speak and the news media will cover. She will set a date after talking to the Congressman's office and inform us of the date. Ms. Slattery stated that they will keep in touch with the other landowners in the area but will not actively pursue acquisition because there is no money in place for that purpose. The Army Corps will plan to do restoration in about two years. Discussion was held on whether or not there are any signs posted. Jomary Crary, from IDNR, offered to check and let us know. Commissioner Bob Huffman extended the Commission's thanks to Dr. Mark Reshkin for all his help and expertise in this matter.

Executive Director's Report - Mr. Gardner referred to the Corps letter in the packet regarding information they received from FEMA relative to the completion of floodplain revisions in protected areas of the project. Mr. Gardner stated that FEMA has determined the best that can be achieved until Burr Street levee is built is an A99 designation. This entitles a substantial reduction in flood insurance costs and would apply to areas completed at this point in time. With the mitigation acquisition now completed, we are almost ready to sign a ROE for Stage VI-2 and VI-1N. We then need to focus on completion of Burr Street, then move westward from Kennedy to Northcote. Mr. Gardner has updated the Congressman's office on the status of the summary sheets for the mitigation properties, which will be completed shortly. We are working with INDOT in trying to resolve the last remaining easement acquisitions for Stage VI-2 (Liable to Cline, south of the Little Calumet River).

Commissioner Carlson questioned if we would be constructing both sides of the river with VI-1N and VI-2. Jim Pokrajac answered that construction of both segments would be complete in the summer to fall of 2007.

Environmental Committee – In Committee Chairman Mark Reshkin's absence, Dan Gardner stated that he talked to Jay Niec from Greeley & Hansen, regarding water quality issues relative to the Burr Street Phase 1 levee and that this project could not be advertised until this issue is resolved. Greeley & Hansen was to contact J. F. New to determine what the technical recommendations are for the Corps to consider.

Finance Committee – Treasurer Arlene Colvin presented the financial report and the claim sheet for March. She proceeded to make a motion to approve the claims totaling \$210,133.06; motion seconded by George Carlson; motion passed unanimously. She indicated that we will be using our investment money now as we move west of Kennedy Avenue. .

- Ms. Colvin then proceeded to make a motion to approve the pending O&M claims totaling \$5,865.46; motion seconded by George Carlson; motion passed unanimously.

Land Acquisition/Land Management Committee – Committee Chairman Bob Marszalek gave the report. He reported that there are no condemnations or no increased offers. Mr. Marszalek made a motion to approve the attorney filing exceptions to the recent court awards on DC1010-E, DC617, DC1002, and DC1022-1024. Filing exceptions may take the case to a jury unless a settlement is reached. Motion seconded by Arlene Colvin; motion passed unanimously.

- Bob Marszalek stated that another committee meeting needs to be scheduled to continue the discussion regarding the 30 acres east of Clay Street and north of Burns Ditch in Lake Station. Commissioner Bob Huffman asked to be invited to the committee meeting when scheduled.

Project Engineering Committee – Committee Chairman Bob Huffman reported that the preliminary clearing and grubbing started for Stage VI-1 South (Kennedy to Liable, south of the river)

Operation & Maintenance Committee – Committee Chairman Bob Huffman reported that Austgen Electric completed diagnostics for the four remaining pump stations in Gary. We will get the Corps and GSD's inspection results and complete a final punch list of items to bring the stations up to "as-built" condition. We will then have to decide how to pay for the repairs.

- The Commission is working with the Corps to establish dates to finish the sluice gate inspections. We are trying to coordinate with Gary; we are waiting for a response from them.
- Mr. Huffman reported that the instructional video for the closures on Chase Street is completed. A second drill to do both closure structures simultaneously will be scheduled this summer.

Legislative Committee – Committee Chairman George Carlson referred to a letter in the agenda packet that we sent to the House members thanking them for the inclusion of \$4 million in the House version of the State biennial budget. Since then we have learned that the Senate version has only included \$2 million for project use. Mr. Gardner spoke to several legislators at a meeting last week and although they felt somewhat constrained in what they could do for us, they said they would do what they could. The cities and towns have been supportive and accommodating in doing what they can. We need to explore if there are any other sources of funding which could help us. The communities have their own individual projects within their community they need to fund so it is not probable that they can help out financially. Mr. Gardner stated that it is a tough session and we need all the help we can get. Attorney Casale inquired whether it would be a good idea to go down state and try to meet with the Governor's Office and/or legislators. Mr. Gardner did not think we could do anything more in person down state than we are doing up here.

Recreation Committee – Committee Chairman Bob Huffman reported that a contract has been signed with Dennis Cobb of First Group Engineering to provide services to help in securing an INDOT permit to cross at Cline Avenue and NIPSCO right-of-way for a recreational trail.

- Mr. Huffman reported that a letter has been sent to EJ&E on March 11 requesting current railroad requirements to construct an at-grade crossing east of Cline Avenue.
- Mr. Huffman spoke about the elevation of the trail changing dramatically at the EJ&E trail crossing site. He felt a different alternative needed to be discussed for the area. He asked staff to provide some prints on the Corps plans for that area; staff will get them to him.

Marina Committee – Committee Chairman Charlie Ray give the Marina report. He talked about the city of Portage wanting the marina property transferred to them. The Marina Committee met to discuss the issue. Mr. Gardner showed a map of the marina relative to the property. What Mr. Gardner is asking for is a resolution for the attorney and staff to take the necessary steps transferring Commission-owned land at the marina to the city of Portage for the explicit purpose that would allow the city to finish the marina slip development. A lengthy discussion was held regarding items which included (1) responsibilities to the Federal government regarding the breakwaters, handrails, and the building and operation of the appropriate public marina facilities; (2) transfer of the responsibility of payment of the revenue bond from the Commission directly to the City; (3) the State of Indiana Disposal of Surplus Property Act regarding the transfer of State property to a municipality and the repayment/waiver of State dollars invested in the project; and (4) release from responsibility of the ground lease with NIPSCO as the result of the ownership transfer. All pertinent issues will be addressed to the city regarding the completion of the marina slips. The city would assume responsibility for everything; the Commission would be released from all previous responsibility. A motion was made by Charlie Ray authorizing the staff and attorney to begin the process of transfer to the city of Portage for the explicit purpose for the city to finish the marina slip development; motion seconded by Arlene Colvin; motion passed unanimously. Attorney Casale added that the transfer is not a simple matter. He has prepared a memo for the Attorney General's Office in which he has made an argument that the Commission should not have to follow the IN Disposal of Property Act. He will work with the city of Portage.

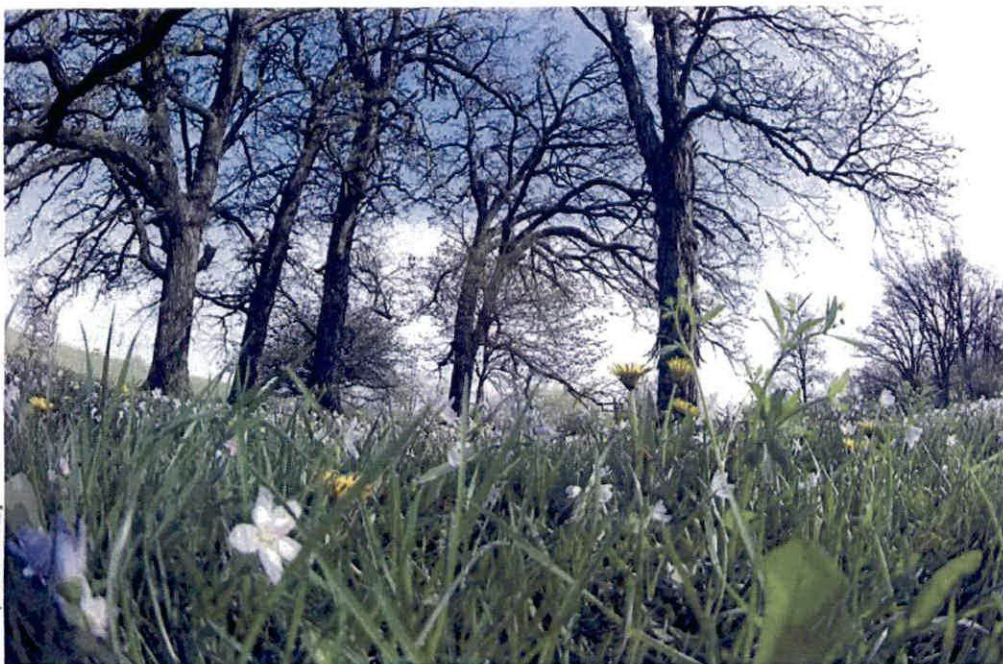
Policy Committee – Committee Chairman Bob Marszalek stating there was no report at this time. He stated that he would be calling a Policy Committee meeting in the near future.

Public Relations Committee – No report.

New Business – None

Statements from the Floor - For the Commission's information, Judy Vamos reported that the completion of the acquisition in Hobart Marsh has yielded 352 acres and we have 94 acres of in-project land for a total of 446 acres (we were only required to purchase 437 acres); entire cost of properties was \$2,437,247; this is an average of \$6,900 per acre in Hobart Marsh. Hobart Marsh properties are currently held in IDNR's name. Discussion was held on whether signs were posted on the properties. Jomary Cray from IDNR will talk to John Bacone about sign posting.

There being no further business, the next meeting was scheduled for 6:00 p.m. Wednesday, May 4, 2005



JOIN US IN A HOBART NATURE CELEBRATION!

COME CELEBRATE RECENT LAND PROTECTION EFFORTS
AND LEARN ABOUT RESTORATION IN HOBART.

SATURDAY, MAY 7,
1:30-3:00 P.M.
ROBINSON LAKE PARK
HOBART, INDIANA

REMARKS BY CONGRESSMAN PETE VISCLOSKY AT 1:45 P.M.

REFRESHMENTS AND A BRIEF WALKING TOUR
ALONG THE OAK SAVANNA TRAIL

DIRECTIONS: EXIT I-65 AT 61ST STREET EAST.
TURN LEFT AT LIVERPOOL RD. AND FOLLOW TO THE PARK.
FOR MORE INFORMATION CALL (312) 427-1979



US Army Corps
of Engineers
Chicago District

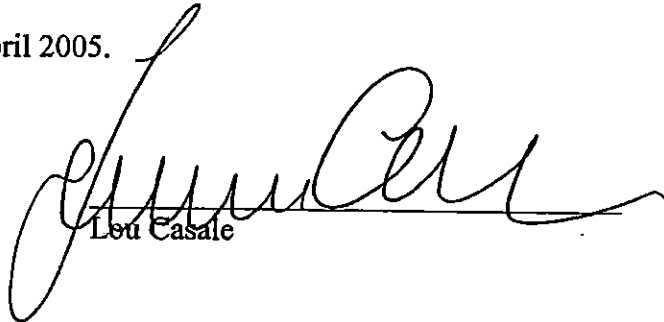


Little Calumet River
Basin Development
Commission

ATTORNEY'S CERTIFICATE OF AUTHORITY

I, Lou Casale, attorney for the Little Calumet River Basin Development Commission, certify that the Little Calumet River Basin Development Commission has the authority to grant the above Authorization for Entry; that said Authorization for Entry for Construction is executed by the proper duly authorized officer; and that the Authorization for Entry for Construction is in sufficient form to grant the authorization therein stated.

Witness my signature as attorney for the Little Calumet River Basin Development Commission this 15th day of April 2005.



Lou Casale

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
FINANCIAL STATEMENT
JANUARY 1, 2005 - MARCH 31, 2005

CASH POSITION - JANUARY 1, 2005

| | |
|-------------------------|--------------|
| CHECKING ACCOUNT | |
| LAND ACQUISITION | 120,883.59 |
| GENERAL FUND | 34,095.43 |
| TAX FUND | 0.00 |
| INVESTMENTS | 885,000.00 |
| SAVINGS | 224,287.94 |
| ESCROW ACCOUNT INTEREST | 1,951.86 |
| | <hr/> |
| | 1,266,218.82 |

RECEIPTS - JANUARY 1, 2005 - MARCH 31, 2005

| | |
|---|--------------|
| LEASE RENTS | 11,548.74 |
| LEL MONIES (SAVINGS) | |
| INTEREST INCOME(FROM CHECKING & FIRST NATL) | 643.50 |
| LAND ACQUISITION | 1,305,105.46 |
| ESCROW ACCOUNT INTEREST | 451.68 |
| MISC. RECEIPTS | 6,852.50 |
| KRBC REIMBURSEMENT RE: TELEPHONE CHARGE | 523.68 |
| TRANSFERRED FROM SAVINGS | 12,092.44 |
| PROCEEDS FROM VOIDED CHECKS | |
| TOTAL RECEIPTS | 1,337,218.00 |

DISBURSEMENTS - JANUARY 1, 2005 - MARCH 31, 2005

| | |
|---|--------------|
| ADMINISTRATIVE | |
| 2004 EXPENSES PAID IN 2005 | 92,289.74 |
| PER DIEM | 3,300.00 |
| LEGAL SERVICES | 906.99 |
| NIRPC | 22,032.40 |
| TRAVEL & MILEAGE | 457.30 |
| PRINTING & ADVERTISING | 687.72 |
| BONDS & INSURANCE | |
| TELEPHONE EXPENSE | 1,588.07 |
| MEETING EXPENSE | |
| LAND ACQUISITION | |
| LEGAL SERVICES | 26,304.24 |
| APPRAISAL SERVICES | 10,500.00 |
| ENGINEERING SERVICES | 5,264.00 |
| LAND PURCHASE CONTRACTUAL | 5,695.00 |
| FACILITIES/PROJECT MAINTENANCE SERVICES | |
| OPERATIONS SERVICES | |
| LAND MANGEMENT SERVICES | 48,800.65 |
| SURVEYING SERVICES | 29,601.88 |
| MISCELLANEOUS EXPENSES | |
| ECONOMIC/MARKETING SOURCES | |
| PROPERTY & STRUCTURE COSTS | 1,201,303.00 |
| MOVING ALLOCATION | |
| TAXES | |
| PROPERTY & STRUCTURES INSURANCE | |
| UTILITY RELOCATION SERVICES | 2,464.14 |
| LAND CAPITAL IMPROVEMENT | |
| STRUCTURAL CAPITAL IMPROVEMENTS | |
| BANK CHARGES MERCANTILE | 40.50 |
| PASS THROUGH FOR SAVINGS | 11,994.90 |
| TOTAL DISBURSEMENTS | 1,370,940.79 |

CASH POSITION - MARCH 31, 2005

| | |
|-----------------------------------|--------------|
| CHECKING ACCOUNT | |
| LAND ACQUISITION | 102,860.71 |
| GENERAL FUND | 17,943.84 |
| TAX FUND | 0.00 |
| TOTAL FUNDS IN CHECKING ACCOUNT | 120,804.55 |
| TOTAL INVESTMENTS | 885,000.00 |
| FIRST NATIONAL BANK | 700,000.00 |
| (BASE CAPITAL INVESTMENT) | 5/3/2005 |
| FIRST NATIONAL BANK | 185,000.00 |
| (MISC INTEREST/RENTAL INVESTMENT) | 5/3/2005 |
| BANK ONE SAVINGS ACCOUNT BALANCE | 213,101.13 |
| (LEL MONEY) | 74,458.93 |
| (MARINA SAND MONEY) | 133,721.49 |
| (STATE DRAW MONIES) | - |
| (GARY PARKS & REC MONIES) | - |
| SAVINGS INTEREST | 4,920.71 |
| TOTAL INVESTMENTS & SAVINGS | 1,098,101.13 |
| ESCROW ACCOUNT INTEREST AVAILABLE | 2,403.54 |
| | <hr/> |

TOTAL OF ALL ACCOUNTS 1,221,309.22

+ 185,000
+ 700,000

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION

MONTHLY BUDGET REPORT, APRIL 2005

| | 2005 | | | | | | | UNALLOCATED |
|--|---------------------|------------------|---------------------|-------------------|------------------|-------------|-------------|-------------------------------------|
| | BUDGET | JANUARY | FEBRUARY | MARCH | APRIL | MAY | JUNE | ALLOCATED BUDGETED TOTAL BALANCE |
| 5801 PER DIEM EXPENSES | 10,000.00 | 0.00 | 0.00 | 0.00 | 0.00 | | | 0.00 10,000.00 |
| 5811 LEGAL EXPENSES | 8,500.00 | 311.83 | 283.33 | 283.33 | 283.33 | | | 1,161.82 7,338.18 |
| 5812 NIRPC SERVICES | 130,000.00 | 10,952.61 | 11,576.93 | 11,185.14 | 11,278.74 | | | 44,993.42 85,006.58 |
| 5821 TRAVEL/MILEAGE | 10,000.00 | 25.84 | 6.12 | 66.43 | 23.12 | | | 121.51 9,878.49 |
| 5822 PRINTING/ADVERTISING | 2,500.00 | 50.00 | 36.15 | 637.72 | 0.00 | | | 723.87 1,776.13 |
| 5823 BONDS/INSURANCE | 8,000.00 | 0.00 | 0.00 | 0.00 | 6,406.25 | | | 6,406.25 1,593.75 |
| 5824 TELEPHONE EXPENSES | 5,000.00 | 0.00 | 389.73 | 804.73 | 422.05 | | | 1,616.51 3,383.49 |
| 5825 MEETING EXPENSES | 6,000.00 | 0.00 | 0.00 | 88.90 | 0.00 | | | 88.90 5,911.10 |
| 5840 PROFESSIONAL SERVICES | 600,000.00 | 60,961.53 | 44,209.31 | 67,649.81 | 47,949.27 | | | 220,769.92 379,230.08 |
| 5860 PROJECT LAND PURCHASE EXP. | 2,337,073.00 | 0.00 | 1,200,841.00 | 127,462.00 | 346.00 | | | 1,328,649.00 1,008,424.00 |
| 5882 UTILITY RELOCATION EXP. | 100,000.00 | 194.46 | 129.64 | 1,955.00 | 0.00 | | | 2,279.10 97,720.90 |
| 5883 PROJECT LAND CAP. IMPROV. | 5,000.00 | 0.00 | 0.00 | 0.00 | 0.00 | | | 0.00 5,000.00 |
| 5884 STRUCTURES CAP. IMPROV. | 5,000.00 | 0.00 | 0.00 | 0.00 | 0.00 | | | 0.00 5,000.00 |
| 5892 PROJECT COSTSHARE/ESC ACCT | 472,500.00 | 0.00 | 0.00 | 0.00 | 0.00 | | | 0.00 472,500.00 |
| | 3,227,073.00 | 72,496.27 | 1,257,472.21 | 210,133.06 | 66,708.76 | 0.00 | 0.00 | 1,606,810.30 1,620,262.70 |

| | 2005 | | | | | | | UNALLOCATED |
|---------------------------------------|---------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------------------------------|
| | BUDGET | JULY | AUGUST | SEPTEMBER | OCTOBER | NOVEMBER | DECEMBER | ALLOCATED BUDGETED TOTAL BALANCE |
| 5801 PER DIEM EXPENSES | 10,000.00 | | | | | | | 0.00 10,000.00 |
| 5811 LEGAL EXPENSES | 8,500.00 | | | | | | | 1,161.82 7,338.18 |
| 5812 NIRPC SERVICES | 130,000.00 | | | | | | | 44,993.42 85,006.58 |
| 5821 TRAVEL/MILEAGE | 10,000.00 | | | | | | | 121.51 9,878.49 |
| 5822 PRINTING/ADVERTISING | 2,500.00 | | | | | | | 723.87 1,776.13 |
| 5823 BONDS/INSURANCE | 8,000.00 | | | | | | | 6,406.25 1,593.75 |
| 5824 TELEPHONE EXPENSES | 5,000.00 | | | | | | | 1,616.51 3,383.49 |
| 5825 MEETING EXPENSES | 6,000.00 | | | | | | | 88.90 5,911.10 |
| 5840 PROFESSIONAL SERVICES | 600,000.00 | | | | | | | 220,769.92 379,230.08 |
| 5860 PROJECT LAND PURCHASE EXP. | 2,337,073.00 | | | | | | | 1,328,649.00 1,008,424.00 |
| 5882 UTILITY RELOCATION EXP. | 100,000.00 | | | | | | | 2,279.10 97,720.90 |
| 5883 PROJECT LAND CAP. IMPROV. | 5,000.00 | | | | | | | 0.00 5,000.00 |
| 5884 STRUCTURES CAP. IMPROV. | 5,000.00 | | | | | | | 0.00 5,000.00 |
| 5892 PROJECTCOSTSHARE/ESC ACCT | 472,500.00 | | | | | | | 0.00 472,500.00 |
| | 3,227,073.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 1,606,810.30 1,620,262.70 |

CLAIMS PAYABLE FOR APRIL 2005

| ACCT | VENDOR NAME | AMOUNT | EXPLANATION OF CLAIM |
|------|-------------------------------------|-----------|---|
| 5811 | CASALE,WOODWARD & BULS LLP | 283.33 | MONTHLY RETAINER FOR MONTH OF MARCH 2005 |
| 5812 | NIRPC | 11,278.74 | SERVICES PERFORMED MARCH 2005. |
| 5821 | SANDY MORDUS | 23.12 | MILEAGE 4/5/05-4/9/05 |
| 5823 | DON POWERS AGENCY | 6,406.25 | RENEWAL POLICY FOR DIRECTORS & OFFICERS |
| 5824 | VERIZON NORTH | 126.25 | BILLING PERIOD 4/16/05-5/15/05(TOTAL BILL 238.61,KRBC 112.36) |
| 5824 | AT & T | 295.80 | BILLING PERIOD 3/15/05-4/13/05(TOTAL BILL 311.15KRBC 15.35) |
| 5841 | PROFESSIONAL APPRAISAL SERVICES LLC | 6,000.00 | APPRAISAL FEE FOR DC-598 & DC-598A . |
| 5842 | R. W. ARMSTRONG | 939.75 | PROFESSIONAL SERVICES FOR PERIOD ENDED 4/15/05 SV-II |
| 5843 | STEWART TITLE SERVICES OF NORTHWEST | 470.00 | TITLE WORK FOR DC-1101 |
| 5843 | STEWART TITLE SERVICES OF NORTHWEST | 360.00 | TITLE WORK FOR DC-1104 |
| 5843 | STEWART TITLE SERVICES OF NORTHWEST | 360.00 | TITLE WORK FOR DC-1107 |
| 5844 | JAMES E POKRAJAC | 3,251.30 | ENGINEERING SERVICES 3/16/05-3/31/05/05 |
| 5844 | JAMES E POKRAJAC | 226.44 | MARCH MILEAGE |
| 5844 | JAMES E POKRAJAC | 5,010.20 | ENGINEERING SERVICES 4/1/05-4/15/05 |
| 5844 | JUDITH VAMOS | 2,646.15 | LAND ACQUISITION AGENT SERVICES 3/16/05-3/31/05 |
| 5844 | JUDITH VAMOS | 25.84 | MARCH MILEAGE |
| 5844 | JUDITH VAMOS | 3,777.48 | LAND ACQUISITION AGENT SERVICES 4/1/05-4/15/05 |
| 5844 | LORRAINE KRAY | 1,046.40 | CREDITING TECHNICIAN/LAND ACQUISITION ASST 3/16/05-3/31/05 |
| 5844 | LORRAINE KRAY | 816.00 | CREDITING TECHNICIAN/LAND ACQUISITION ASST 4/1/05-4/15/05 |
| 5844 | SANDY MORDUS | 400.00 | CREDITING TECHNICIAN SERVICES 3/16/05-3/31/05 |
| 5844 | SANDY MORDUS | 250.00 | CREDITING TECHNICIAN SERVICES 4/1/05-4/15/05 |
| 5847 | GARCIA CONSULTING | 6,395.00 | PROFESSIONAL SERVICES FOR SV-2 |
| 5847 | GARCIA CONSULTING | 3,697.50 | PROFESSIONAL SERVICES FOR SV-2 |
| 5847 | DLZ | 1,496.25 | PROFESSIONAL SERVICES FOR SV-3 |
| 5847 | DLZ | 1,385.00 | PROFESSIONAL SERVICES FOR SV-2 |
| 5847 | DLZ | 1,085.00 | PROFESSIONAL SERVICES FOR SVI-2 |
| 5849 | CASALE.WOODWARD & BULS LLP | 8,310.96 | LAND ACQUISITION/LEGAL SERVICES FOR PERIOD ENDED 4/22/05 |
| 5861 | LAKE COUNTY RECORDER | 280.00 | RECORDINGS FOR DC-1000,1009,1010B,1010D,1019 & 1020A |
| 5861 | LAKE COUNTY RECORDER | 66.00 | RECORDINGS FOR DC-210/211,617,1002,& 1014A & B |

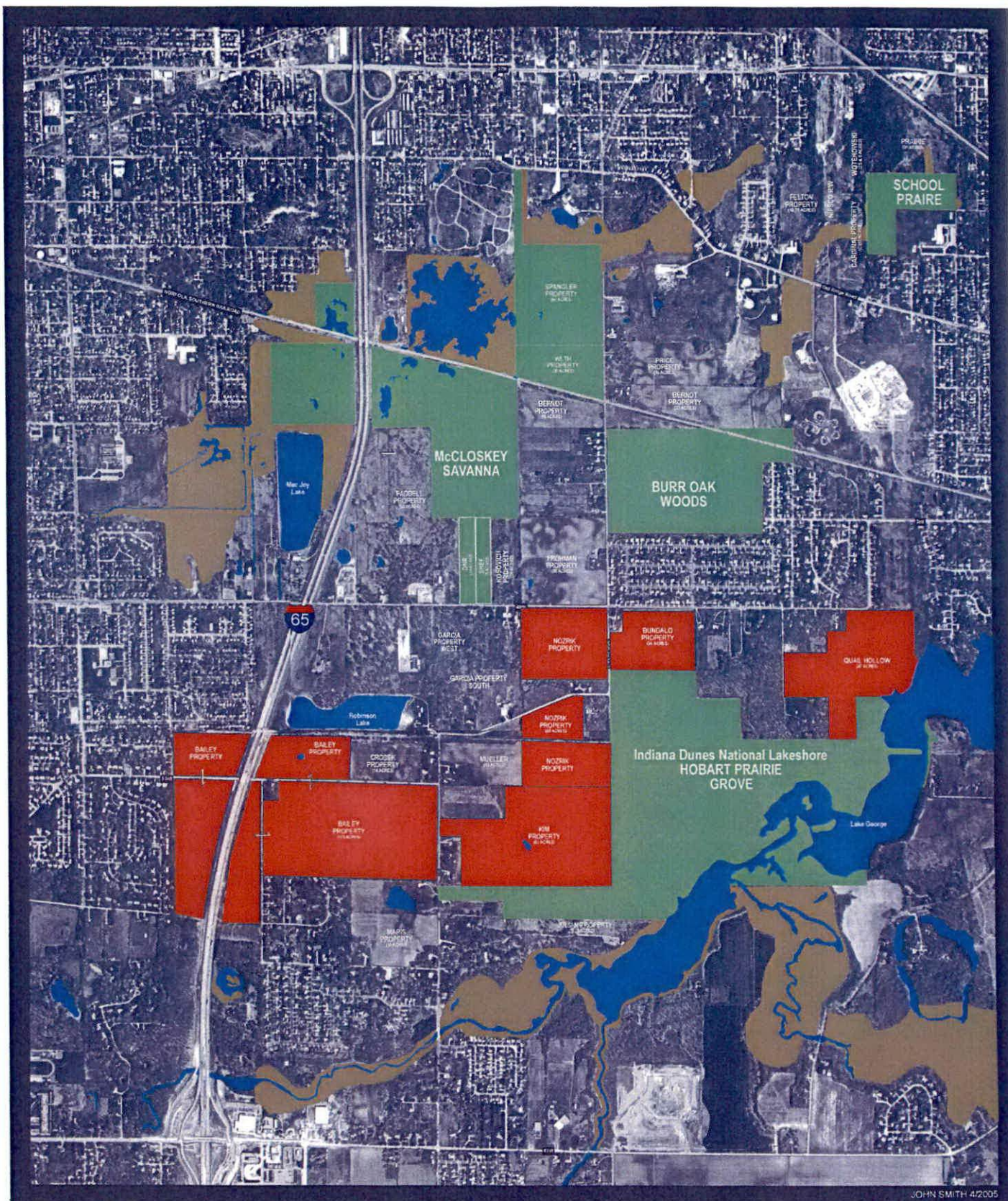
TOTAL 66,708.76

**APPROVAL TO PAY THE FOLLOWING INVOICES
FROM O&M FUND (LEL MONIES)
MAY 4, 2005**

-
- **\$39,778.21 to Valparaiso Insurance Professionals for liability insurance policy renewal**
 - **\$3,897.37 to Austgen's Electric, Inc. for diagnostic testing to determine deficiencies at three pump stations in Gary**
 - **\$75.32 to NIPSCO for costs incurred for elec. & gas at 3120 Gerry Street in Gary**

TOTAL \$ 43,750.90

Balance in O&M account (LEL monies) after paying these invoices will be \$25,212



HOBART MARSH

 Little Calumet River Basin
Development Commission

 EXISTING PRESERVELANDS
 WETLAND / MARSH

 PROPERTY ACQUIRED
 LAKE, RIVER, STREAMS



| | <i>FY 2005-2006</i> | <i>FY 20072008</i> | <i>Biennial</i> |
|----|---|----------------------|----------------------|
| | <i>Appropriation</i> | <i>Appropriation</i> | <i>Appropriation</i> |
| 43 | DEPARTMENT OF NATURAL RESOURCES - GENERAL ADMINISTRATION | | |
| 44 | Preventive Maintenance | | 266,000 |
| 45 | General Admin. - ADA | | 1,000,000 |
| 46 | Repair and Rehabilitation | | 6,500,000 |
| 47 | FISH AND WILDLIFE | | |
| 48 | Preventive Maintenance | | 1,810,863 |
| 49 | F&W - Public Access Land Acq. | | 817,000 |
| 1 | Repair and Rehabilitation | | 2,555,000 |
| 2 | FORESTRY | | |
| 3 | Preventive Maintenance | | 1,756,800 |
| 4 | Repair and Rehabilitation | | 5,119,650 |
| 5 | MUSEUMS AND HISTORIC SITES | | |
| 6 | Preventive Maintenance | | 331,586 |
| 7 | Repair and Rehabilitation | | 3,768,520 |
| 8 | NATURE PRESERVES | | |
| 9 | Preventive Maintenance | | 134,200 |
| 10 | Repair and Rehabilitation | | 1,093,000 |
| 11 | OUTDOOR RECREATION | | |
| 12 | Preventive Maintenance | | 33,306 |
| 13 | Repair and Rehabilitation | | 375,000 |
| 14 | STATE PARKS AND RESERVOIR MANAGEMENT | | |
| 15 | Preventive Maintenance | | 2,945,654 |
| 16 | Parks/Res. - Charlestown | | 3,000,000 |
| 17 | Repair and Rehabilitation | | 17,200,000 |
| 18 | Drinking Water and Wastewater Projects | | 6,000,000 |
| 19 | Cigarette Tax Fund (IC 6-7-1-29.1) | | |
| 20 | Preventive Maintenance | | 3,276,500 |
| 21 | DIVISION OF WATER | | |
| 22 | Preventive Maintenance | | 250,000 |
| 23 | Repair and Rehabilitation | | 925,000 |
| 24 | Dam Repair and Rehabilitation | | 8,000,000 |
| 25 | Shafer-Freeman Lakes Dredging Enhancement Project | | 1,000,000 |
| 26 | ENFORCEMENT | | |
| 27 | Preventive Maintenance | | 207,480 |
| 28 | Repair and Rehabilitation | | 700,000 |
| 29 | STATE MUSEUM | | |
| 30 | Preventive Maintenance | | 650,000 |
| 31 | Repair and Rehabilitation | | 300,000 |
| 32 | OIL AND GAS | | |
| 33 | Oil & Gas - Partnership Program | | 200,000 |
| 34 | ENTOMOLOGY | | |
| 35 | Entomology - Exotic Species Control | | 700,000 |
| 36 | WAR MEMORIALS COMMISSION | | |
| 37 | Preventive Maintenance | | 1,421,494 |
| 38 | Repair and Rehabilitation | | 1,750,000 |
| 39 | MAUMEE RIVER BASIN COMMISSION | | |
| 40 | Repair and Rehabilitation | | 150,000 |
| 41 | LITTLE CALUMET RIVER BASIN COMMISSION | | |
| 42 | Little Calumet River Basin Devlpmnt Comm | | 2,000,000 |
| 43 | | | |

Sandy Mordus

From: "Samara, Imad LRC" <Imad.Samara@lrc02.usace.army.mil>
To: "Little Calument (E-mail)" <littlecal@nirpc.org>
Cc: "Ackerson, Rick D LRC" <Rick.D.Ackerson@lrc02.usace.army.mil>; "Albert, Dick LRC" <Dick.Albert@lrc02.usace.army.mil>; "Anderson, Douglas M LRC" <Douglas.M.Anderson@lrc02.usace.army.mil>; "Blair, Regina G LRC" <Regina.G.Blair@lrc02.usace.army.mil>; "Burnsed, Mary J LRC" <Mary.J.Burnsed@lrc02.usace.army.mil>; "Davis, Susanne J LRC" <Susanne.J.Davis@lrc02.usace.army.mil>; "Fornek, John T LRC" <John.T.Fornek@lrc02.usace.army.mil>; "Go, Ernesto T LRC" <Ernesto.T.Go@lrc02.usace.army.mil>; "Kluza, Witold LRC" <Witold.Kluza@lrc02.usace.army.mil>; "Leggett, Kahla M LRC" <Kahla.M.Leggett@lrc02.usace.army.mil>; "Maali, Khalid J LRC" <Khalid.J.Maali@lrc02.usace.army.mil>; "Montez, Andrew J LRC" <Andrew.J.Montez@lrc02.usace.army.mil>; "Moore, Gregory LRC" <Gregory.Moore@lrc02.usace.army.mil>; "Roach, Nicole L LRC" <Nicole.L.Roach@lrc02.usace.army.mil>; "Sampson, Eric LRC" <Eric.Sampson@lrc02.usace.army.mil>; "Shah, Bharat S LRC" <Bharat.S.Shah@lrc02.usace.army.mil>; "Shinbori, Yuki J LRC" <Yuki.J.Shinbori@lrc02.usace.army.mil>; "Taylor, Elaine R LRC" <Elaine.R.Taylor@lrc02.usace.army.mil>; "Turner, Leon B LRC" <Leon.B.Turner@lrc02.usace.army.mil>
Sent: Wednesday, May 25, 2005 4:39 PM
Subject: FW: House gives region \$20.3 million flood control, environmental package---The Times, 5/25/05

I would like to apologize for the Commissioner comment in this article. I did call Dan Gardner and informed him of my frustration of what was said. He told me that he was not aware of the article. He also informed me that he did not agree with the commissioner's sentiment toward the COE. I really think we work very hard to get this project done on time. The commissioner need to meet with the rest of the team and get informed of the professional way that this COE office conducts itself.

Imad Samara
 Project Manager
 U S Army Corps of Engineers
 Suite 600
 111 N Canal Street
 Chicago IL 60606
 (W) 312-846-5560
 (Cel) 312-860-0123

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

From: Villarreal, Vanessa LRC
Sent: Wednesday, May 25, 2005 8:04 AM
To: DLL-CELRC-NEWS
Subject: House gives region \$20.3 million flood control, environmental package---The Times, 5/25/05

House gives region \$20.3 million flood control, environmental package

ENVIRONMENT: Senate approval still needed for spending measure

BY EDWARD WELSCH
 Medill News Service

This story ran on nwitimes.com on Wednesday, May 25, 2005 12:33 AM CDT

http://www.thetimesonline.com/articles/2005/05/25/news/top_news/71190b9f1f432ae98625700c000f645

WASHINGTON | Northwest Indiana receives \$20.3 million in flood control, environmental and infrastructure projects in a bill passed Tuesday by the U.S. House of Representatives.

The energy and water projects spending bill, which passed the House 415-13 and now goes to the Senate, would earmark \$10.5 million for projects related to the Little Calumet River, \$7.6 million for an environmental waste disposal facility in East Chicago's Indiana Harbor and \$2.2 million for various other projects.

"People are stuck in the flood plain, and the Little Calumet Flood Control project must move ahead faster," said U.S. Rep. Pete Visclosky, D-Ind. "It is my hope that these funds will encourage all parties involved to redouble their efforts and get this project done as soon as possible."

Indeed, the pace of the project, managed by the **U.S. Army Corps of Engineers**, is a source of discontent for local environmentalists.

"The Corps of Engineers is more the tortoise than the hare when it comes to projects, but they are the game that is in town, if you know what I mean," said Mark Reskin, of the Little Calumet River Basin Development Commission.

Gary environmentalist Lee Botts also expressed frustration with the pace of the project and blamed the corps. "I think that it is unfortunate that these projects have to depend upon the Corps of Engineers," Botts said.

"These projects take way too long, and somehow when the Corps of Engineers gets involved, controversy develops," she said.

Chicago District corps spokeswoman Lynne Whalen said the project "was projected to be a very lengthy project." She could not immediately confirm whether the project was on schedule and declined to respond to the environmentalists' criticism.

The Times reported in 1990 that the project would be completed in 1995.

Reskin said the project, which was proposed in 1990 after a severe flood and started in 1993, is about half-done, with work in Gary nearly complete and work in Hammond, Munster, Highland and Griffith yet to come.

Visclosky's spokesman said flooding on the Little Calumet River causes more than \$11 million in damages annually.

However, the lack of recent floods makes it harder to get continued funding for the project, Reskin said. His commission requested \$4 million from the state for the next two years, but was only granted \$2 million.

"You still need to do the project. It is the No. 1 flood hazard in Indiana. It has to be rectified," he said.

Reskin praised Visclosky for getting the federal funding for the project. "We wouldn't be where we are without his help," he said.

Visclosky, who is the ranking member of the Energy and Water Appropriations Subcommittee, has

secured more than \$105.2 million for the Little Calumet project during a 14-year period, his spokesman said.

WORK STUDY SESSION

4 May 2005

LAND ACQUISITION COMMITTEE

Robert Marszalek, Chairman

- 1.) There are no condemnations.
There are no increased offers.

2.) **ACQUISITION UPDATES:**

STAGE VI-2: (Cline Avenue to Liable Road, south of the river) ✓

We have met the land acquisition deadline for Stage VI-2 and signed the Right-of-Entry on 15 April 05.

- Pre-bid meeting on 12 May, bid due date 20 May,
- Contract award on June,
- Construction start in Fall of 05, completion expected Fall 06.

STAGE VI-1 NORTH: (Cline Avenue to Kennedy Avenue, north of the river) ✓

We have met the land acquisition deadline for Stage VI-1 North and are ready to sign the Right-of-Entry. Army Corps will:

- Advertise the contract in May, award in June,
- Start construction in the Fall of 05, completion expected Spring 07.

STAGE V-2 ✓

This is the next stage in the aggressive schedule for project completion as requested by the Congressman. All title work and surveys for 23 parcels in the section between Kennedy Avenue and the Norfolk & Southern Railway. Appraisals will be assigned this month. Title work and surveys (for 20 parcels) will be ordered in June and July for the next section, the N. & S. Railway to Northcote Avenue. This timetable fits in with title companies and survey companies schedule.

3.) **Date to remember:**

Commissioners invited!

Saturday – 7 May 05 – Robinson Park on Liverpool Road in Hobart

Hobart Marsh Dedication – 1:30 to 3:00 pm

Congressman's remarks around 1:45 pm. Walking tour to follow.

LAND ACQUISITION REPORT
For meeting on Wednesday, May 4, 2005
(Information in this report is from March 31 – April 27, 2005)

STATUS (Stage III) – Chase to Grant:

1. A letter from Congressman Peter Visclosky dated March 30, 2005 was forwarded to the Corps requesting that the flood control project be completed by December 2009. To meet the construction schedule of the last two years of the next four year period, our land acquisition would have to be completed by December 2007. In response, we will be working with the Corps to develop a time and financial schedule to meet this deadline. There are five parcels left in this area and 21 parcels (flowage easements) in other areas to complete the entire East Reach.

STATUS (Stage III) – REMEDIATION

Pumping west of Grant Street

1. Status of Right-of-Entry:
 - ROE was signed by the LCRBDC on April 4th, 2002.
 - Contract awarded – Construction started February, 2003.
 - Contract currently 95% complete

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. Appraiser Tim Harris will start the appraisal after the railroad appraisal is approved by Corps reviewer.
2. Ownership of this station has changed. It is now the Salem Communications Corporation. "WIND" is now news only and "WICG" is Christian programming.
 - A letter of introduction was sent to Mr. Dave Dybas who is their prime coordinator on April 25. We indicated we would be pursuing easement agreements in the future.
3. Tim Harris has submitted the N&S RR appraisal. It was mailed to Corps reviewer on April 29, 2005.

1-2

STAGE V-2 is separated into V-2A and V-2B for property identification only:

STATUS (Stage V – Phase 2A) – Kennedy to NSRR – Both N & S levees:

1. A conference call was held with the COE and the LCRBDC on February 16, 2005 to discuss V-2A.
 - If the COE agrees to install a bridge for recreation east of the NIPSCO right-of-way, LCRBDC staff could pursue steps for acquisition.
2. Title work and surveys are now completed. We will assign appraisals around the second week of May when the appraiser is available.

STATUS (Stage V – Phase 2B) – NSRR to Northcote: (Excluding Woodmar Country Club & Wicker Park Manor)

1. On a conference call with INDOT, the COE, and the LCRBDC on March 19th, 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.
2. A preliminary budget of anticipated costs for the entire V-2 Stage has been completed. We are working to have all the Stage V-2 acquisitions under way by June 2005 (title work, surveys, and appraisals). Offers can be made depending on our funding situation.

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

1. We are continuing with acquisition. The appraisal on Woodmar is ongoing. The appraiser will consider the easement as explained in our attorney memorandum. We have not received a written concurrence from the Corps concerning our definition of the 75' easement; however, the Corps has concurred verbally. The Woodmar appraiser needed legal information. He now has it and will finish the appraisal and submit it for review shortly.

3

STATUS (Stage VI-Phase 1 South) – Kennedy to Liable - South of the river:

Land Acquisition deadline July, 2004

1. A letter to residents explaining that construction would be starting was sent on April 6, 2005.

4-5

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

Land Acquisition deadline April 30, 2005

1. Easements for DC1010-B and 1010-D (Deja-Vu and the old Burger King) were recorded on April 11.
2. Easements on DC1014 (Krosan II) were recorded on April 11.
3. We have completed condemnations on Motel 6 and Oakbrook Metro and paid money into court. We have right-of-way on the land; however, both landowners have filed exceptions on the price and we will continue to be in court until a settlement is reached.
4. All Hammond easements were recorded on April 11.
5. Copies of the recorded easement agreements were sent to the Hammond Sanitary District and the Hammond Public Works Department on April 14, 2005.
6. As the Congressman's Office has requested, we continue to send copies of recorded easements.

6-7
8

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

Land Acquisition deadline April 15, 2005

1. The LCRBDC signed the ROE on April 15, 2005 and submitted it to the Corps on April 18, 2005.
 - Easement agreements were signed and executed by INDOT on April 15.
 - Easement agreements with NIPSCO were recorded on April 11
 - Money was paid into Court for DC617 and DC1002 on April 15.
 - Deadline for land acquisition was met.
2. Executed agreements with the town of Highland were recorded and submitted, for record, to Highland on April 14.

9-11

12

STATUS (Stage VII) – Northcote to Columbia:

1. The COE has put Stage VII on hold. We will be reviewing parcels, cost, schedule on Stage VII with the Corps in light of Congressman Visclosky's letter to complete the project by December 2009.

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

1. The COE has put Stage VIII on hold. **We will be reviewing parcels, cost, schedule on Stage VIII with the Corps in light of Congressman's Visclosky's letter to complete the project by December 2009.**

**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. We still need a signed agreement with Gary before we can sign our right-of-entry.
2. Agreement for easements west of Burr and south of the NSRR were submitted to NIPSCO for approval on February 9, 2005. **This agreement was signed on March 28, 2005.**

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 May, 2005

1. At our monthly Corps/LCRBDC Real Estate meeting on March 15, 2005, it was agreed to continue with Burr Street as far as possible. Deadline is August 2005. Corps will possibly know then if they will receive their Burr Street funding.
2. The last private landowner acquisition (DC582/583) is still in condemnation court. Court-appointed appraisers will be sworn in when family attorneys agree to a date.

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

1. **We will be reviewing parcels, cost schedule with the Corps in light of Congressman Visclosky's letter to complete the project by December 2009.**

CREDITING:

1. LCRBDC had a conference call with John Weaver of INDOT on March 16, 2005 requesting incremental cost data at Cline Avenue that would substantiate crediting. Best estimate still is in the range of \$300,000-\$400,000. **(ongoing)**
2. We have submitted from March 1-31, 2005, a total of \$453,279.22 to the Corps for land acquisition crediting. Corps is still reviewing \$54,748.40 from January 2005. **(ongoing)**

GENERAL INFORMATION:

1. **Mitigation is complete. We have acquired 446 acres at a cost of \$2,437,247.**
2. **A dedication ceremony for preserving the lands in the Hobart Marsh will be held Saturday, May 7, 2005 from 1:30 to 3:00 at Robinson Park in Hobart Marsh. Commissioners are invited to attend.**
3. Money paid into court for condemnations but never claimed by the landowner is now being returned to us. We will make an effort to find the owners and forward the court award.
 - **Money for seven condemnations was returned and we found one heir to a landowner. The court award was \$1800 and he came to our office on April 25, 2005 to receive his money.**
4. **A letter was sent to the Congressman's Office (Mark Lopez) on April 1, 2005 providing an update of real estate progress in Hobart Marsh as well as Cline to Kennedy and Stage V-2.**

13

14-15

16-17

5. Scheduling

- A letter was written by Congressman Visclosky on March 30, 2005 indicating he wanted all construction completed by December 2009.
- The Corps submitted notes regarding the Congressman's letter on April 19. They indicated LCRBDC should pursue acquisition from Kennedy Avenue to Columbia. LCRBDC will develop a schedule to the Corps in order that they can develop a design schedule, and Stage VIII acquisition should be completed by March 2006.
- The Colonel wrote a letter to the Congressman on April 22 informing him of the status, and indicated that by May 30, 2005, a design and construction schedule will be provided to him.

18

19

20



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

WILLIAM BILLER, Chairman
Governor's Appointment

ROBERT HUFFMAN, Vice Chairman
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CHARLIE RAY
Porter County Commissioners' Appointment

VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

April 25, 2005



Mr. Dave Dybas, Chief Engineer
WIND-WYLL Radio
Salem Media of Illinois
25 Northwest Point Blvd.
Suite 400
Elk Grove Village, Illinois 60007

Re: Northwest Indiana Radio Tower (formerly WIND Radio)

Dear Mr. Dybas:

In a recent conversation with Paul Easter on April 20, 2005, I was made aware that WIND Radio no longer has ownership of the radio station located in northwest Indiana, south of the NSRR, approximately ½ mile east of Cline Avenue (S.R. 912). Approximately four years ago, the Little Calumet River Basin Development Commission entered into an agreement with WIND Radio which allowed the U.S. Army Corps of Engineers to design and construct a flood protection system along the south end of your property. The construction of this line of protection will ultimately remove this property from the floodplain.

In our Local Cooperation Agreement with the Army Corps of Engineers, it is the Development Commission's responsibility as a State-created Local Sponsor, to assure that we have easement rights on this property that would allow us the right to inspect and maintain these features, as well as to allow us access to flood fight, if required, in this area. In the future, we will be contacting you in order that we may start the process of obtaining the necessary easement agreements that will allow us the aforementioned rights.

The following people will be the points of contact representing the Development Commission:

- Judith Vamos, Land Acquisition representative, LCRBDC
Phone 219/763-0696; e-mail jvamos@nirpc.org
- Lou Casale, LCRBDC attorney
Phone 219/736-9990; e-mail lcasale@cwblawfirm.com
- Jim Pokrajac, Engineering and Land Management representative, LCRBDC; phone 219/763-0696; e-mail jpokrajac@nirpc.org

Mr. Dave Dybas
April 25, 2005
Page 2

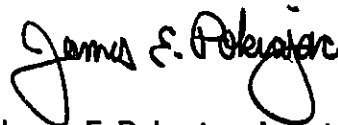
2

We are looking forward to working with you to obtain these easement agreements. I have enclosed, for your information, a project map showing our flood protection alignment and what construction has been completed. I also enclosed some general information regarding our project. I have "as-built" engineering drawings I could make available if you should request. We would be willing to meet with you on the site to familiarize you with this installation.

If you have any immediate questions, please feel free to contact me at any time. If not, we will be contacting you at a later date.

Congratulations on your business purchase of the radio station and we wish to extend our best of luck to you and your company.

Sincerely,



James E. Pokrajac, Agent
Land Management/Engineering

/sjm
encl.
cc:

Paul Easter
Imad Samara, ACOE Project Manager
Lou Casale, LCRBDC Attorney
Judy Vamos, LCRBDC Land Acquisition

DE 1199

Judy Vamos

From: "Dale J. Kleszynski" <dkleszynski@apclimited.com>
To: <lcasale@cwblawfirm.com>
Cc: <jvamos@nirpc.org>
Sent: Thursday, April 14, 2005 9:26 AM
Subject: Woodmar

I spoke to Chris Borton re some issues on the Woodmar case appraisal. He has some issues to work out with the corps re the flowage easement and will be getting back to me after the issues are clarified.

A legal issue has arisen that requires your response.

I am anticipating that there are special benefits to the Woodmar property because of the potential removal of the property from the floodplain after the project is complete in 2009. Chris says that Indiana State Law dictates how special benefits are calculated against compensation.

Please clarify if special benefits offset total compensation or only damages in the State of Indiana.

Please advise ASAP so I can continue with the project.

*Nalin's e-mail
to Lou about
finishing Woodmar
appraisal. Jm-
4/14/05*



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

(219) 763-0696 Fax (219) 762-1653
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CHARLIE RAY
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VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

April 6, 2005

Resident
Highland, IN 46322

RE: Construction of the Little Calumet River Flood Control and Recreation Project (Stage VI-1 South) Liable Road to Kennedy Avenue

Dear Resident,

This letter will inform you that construction of the Little Calumet River Flood Control and Recreation Project from Liable Road to Kennedy Avenue south of the Little Calumet River will begin in early April 2005. The project will include construction of a new flood protection levee, a new pump station at North Drive, and a concrete floodwall in specified areas. This phase of construction is scheduled for completion in December 2006.

The first major step in construction will be tree removal and site clearing. This will start at Liable Road and proceed west toward Kennedy Avenue. Clearing is expected to be completed in June 2005. Construction of the levee and floodwalls will begin around May 2005. The majority of work will be completed in the day, Monday through Friday, with the possibility of the contractor working some evenings and week-ends.

There is additional storm sewer work in the area of Duluth Avenue and 81st Street. This work will require some temporary road closures which will be coordinated with the Town of Highland to minimize impact to residents. Sewer work is expected to be completed in October and November 2005.

Please contact the following if you have questions concerning the project;

*Dave Druzicki, Army Corps of Engineers Field Representative, 219-923-1763
(questions regarding construction impacts in the field)

*Judy Vamos, Land Acquisition Agent, Little Calumet River Project, 219-763-0696
(questions regarding real estate or easement agreements)

*Jim Pokrajac, Engineer, Little Calumet River Project, 219-763-0696
(questions regarding construction impacts to property)

Stage VI-1 South Construction Letter
6 April 2005
page 2

We thank you for your cooperation and patience during construction.

Sincerely,

A handwritten signature in cursive script that reads "Dan Gardner". The signature is written in black ink and is positioned above the printed name and title.

Dan Gardner, Executive Director
Little Calumet River Basin Development Commission



Little Calumet River Basin Development Commission

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Portage, Indiana 46368

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DAN GARDNER
Executive Director

LOU CASALE
Attorney

April 14, 2005

10

Mr. William Biller
Business Manager
Sanitary District of Hammond
5143 Columbia Avenue
Hammond, Indiana 46327-1794

Dear Bill:

For your files, enclosed please find two (2) copies each of the recorded, executed easement agreements for the flood protection levee easement, flowage easement, and temporary work area easement needed for Stage VI-1 North construction (Cline to Kennedy, north of the river). This phase of construction has a contract award date of June 30, 2005, with an anticipated construction completion date in the fall of 2007.

We wish to take this opportunity to thank the Hammond Sanitary District for their contribution to this project. It is not only very much appreciated, but very much needed. As State monies become tighter, and property costs rise higher, the donation of these needed easements from the Hammond Sanitary Board, help us get one step closer to project completion with land available for Federal construction. It is always a pleasure to work with the city of Hammond and the Sanitary District.

Sincerely,

Dan Gardner
Executive Director

/sjm
encl.
cc:

Dr. Michael Unger, HSD
Stan Dostatni, President, HSD
Congressman Visclosky's Office
Lou Casale, LCRBDC attorney
Imad Samara, ACOE project manager



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Attorney

April 14, 2005



Mr. Stan Dostatni
City Engineer
Hammond Public Works Dept.
5925 Calumet Avenue
Hammond, Indiana 46320

Dear Stan:

For your files, enclosed please find two (2) copies each of the recorded, executed easement agreements for the flood protection levee easement and the temporary work area easement needed for Stage VI-1 North construction (cline to Kennedy, north of the river). This phase of construction has a contract award date of June 30, 2005, with an anticipated construction completion date in the fall of 2007.

We wish to take this opportunity to thank the city of Hammond for their contribution to this project. It is not only very much appreciated, but very much needed. As State monies become tighter, and property costs rise higher, the donation of these needed easements from the city of Hammond help us to get one step closer to project completion with land available for Federal construction. It is always a pleasure to work with the city of Hammond.

Sincerely,

Dan Gardner
Executive Director

/sjm
encl.
cc:

Mayor Tom McDermott
Congressman Visclosky's Office
William Biller, LCRBDC Chairman
Lou Casale, LCRBDC attorney
Imad Samara, ACOE project manager



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

WILLIAM BILLER, Chairman
Governor's Appointment

ROBERT HUFFMAN, Vice Chairman 13 April 2005
Governor's Appointment

ARLENE COLVIN, Treasurer
Mayor of Gary's
Appointment

DR. MARK RESHKIN, Secretary
Governor's Appointment

GEORGE CARLSON
Mayor of Hammond
Appointment

STEVE DAVIS
Dept. of Natural Resources
Appointment

SAM DIMOPOULOS
Lake County Commissioners'
Appointment

ROBERT MARSZALEK
Governor's Appointment

JOHN MROCZKOWSKI
Governor's Appointment

CHARLIE RAY
Porter County Commissioners'
Appointment

VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

Ms. Elizabeth Johnson
c/o Representative Peter Visclosky
701 East 83rd Avenue Suite 9
Merrillville, IN 46410

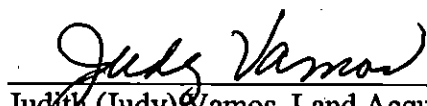
RE: Recorded Easements for the Little Cal Project
Stages VI-1 North and Stage VI-2

Dear Elizabeth,

As you requested I'm mailing you copies of easements I recorded on Monday 11 April 05 at the Lake County Government Center.

Please call me if you have any questions. I'm happy to help.

Respectfully,


Judith (Judy) Varnos, Land Acquisition
Little Calumet River Basin Development Commission

Attachments: 14 easements

*Mailed
14 easement
copies to
Elizabeth
4/13/05
Jm.*

*DE 1000
1009
1010-B
1010-D
1019/102
578-A
1001
1030
1030-1*



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TEVE DAVIS
Dept. of Natural Resources Appointment

AM DIMOPOULOS
Lake County Commissioners' Appointment

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Governor's Appointment

HARLIE RAY
Porter County Commissioners' Appointment

ACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

April 18, 2005

6

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

Dear Imad:

Enclosed please find the Development Commission's signed Right-of-Entry and the Attorney's Certificate of Authority for Stage VI Phase 2 (Liable to Cline, south of the river).

We are happy that all was worked out with INDOT and that we have now received the MOU from them. With that last piece of the puzzle in place, we are able to give you the authorization for entry for this segment of construction.

This fulfills our obligation for acquiring the necessary real estate for construction for Stage VI-2. We look forward to the successful award of a contract.

Sincerely,


Dan Gardner
Executive Director

/sjm
encl.

cc: Mark Lopez, Congressman's Office
Elizabeth Johnson, Congressman's Office
Steve Hughes, ACOE Real Estate
William Biller, LCRBDC Chairman
Lou Casale, LCRBDC attorney

7

**AUTHORIZATION FOR ENTRY FOR CONSTRUCTION
LITTLE CALUMET RIVER FLOOD CONTROL PROJECT
STAGE VI, 2**

I, Dan Gardner, Executive Director for the Little Calumet River Basin Development Commission, do hereby certify that the Little Calumet River Basin Development Commission has acquired the real estate interests required by the Department of the Army for construction of Stage VI, 2 at the Little Calumet River Flood Control Project site in the Town of Highland, Indiana, and otherwise is vested with sufficient title and interest in lands to support construction of the Little Calumet River Flood Control Project that is described in the attached map. Further, I hereby authorize the Department of Army, its agents, employees and contractors to enter upon said lands as identified on the attached map to construct the features as set forth in the plans and specifications held in the U. S. Army Corps of Engineers' Chicago District Office, Chicago, Illinois.

Witness my signature as Executive Director of the Little Calumet River Basin Development Commission this 15th day of April 2005.

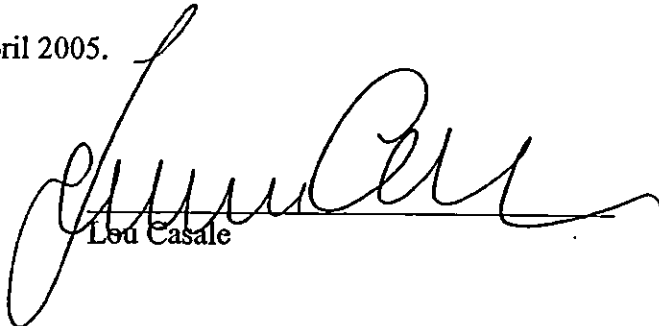
LITTLE CALUMET RIVER BASIN
DEVELOPMENT COMMISSION

BY: Dan Gardner
DAN GARDNER

ATTORNEY'S CERTIFICATE OF AUTHORITY

I, Lou Casale, attorney for the Little Calumet River Basin Development Commission, certify that the Little Calumet River Basin Development Commission has the authority to grant the above Authorization for Entry; that said Authorization for Entry for Construction is executed by the proper duly authorized officer; and that the Authorization for Entry for Construction is in sufficient form to grant the authorization therein stated.

Witness my signature as attorney for the Little Calumet River Basin Development Commission this 15 day of April 2005.


Lou Casale



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

WILLIAM BILLER, Chairman
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Governor's Appointment

CHARLIE RAY
Porter County Commissioners' Appointment

VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

April 14, 2005

9

Mr. Michael W. Griffin
Clerk-Treasurer
Town of Highland
Highland Municipal Building
3333 Ridge Road
Highland, Indiana 46322-2089

Dear Michael:

For your files, enclosed please find two (2) copies each of the recorded, executed easement agreements for the flood protection levee easement and the temporary work area easement needed for Stage VI-2 construction (Liable to Cline, south of the river). This phase of construction has a contract award date of May 2005, with an anticipated construction completion date in the fall of 2007.

We wish to take this opportunity to thank the town of Highland for their contribution to this project. It is not only very much appreciated, but very much needed. As State monies become tighter, and property costs rise higher, the donation of needed Highland easements from the Town Council members, help us get one step closer to project completion with land available for Federal construction. It is always a pleasure to work with the Highland town officials.

Sincerely,

Dan Gardner
Executive Director

/sjm
encl.
cc:

Mark Herak, Town Council President
Congressman Visclosky's Office
William Biller, LCRBDC Chairman
Lou Casale, LCRBDC attorney
Imad Samara, ACOE project manager

Judy Vamos

From: "Chris Slattery" <Chris.Slattery@tpl.org>
To: <jbacone@dnr.state.in.us>; <Gregory.Moore@lrc02.usace.army.mil>; <dgardner@nirpc.org>; <jvamos@nirpc.org>
Sent: Tuesday, April 26, 2005 9:10 AM
Attach: Hobart Invite.pdf
Subject: May 7th Hobart Nature Celebration Invitation

Congressman Visclosky is confirmed to speak at 1:45 p.m. We hope you can be there and say a few words as well.

After the remarks, we'll do a brief walking tour of the Bailey site close by and have some refreshments.

Dan Gardner, could you please circulate the invitation to your board?

I am also asking Shirley Heinze, Save the Dunes and NIRPC's Environmental Committee to circulate to their members.

Thank you in advance for joining us in this celebration!

Chris

Chris Slattery
Director, Chicago Office
The Trust for Public Land
53 W. Jackson Blvd., Suite 815
Chicago, IL 60604
tel.: (312) 427-1979
fax: (312) 408-1733
Email: chris.slattery@tpl.org
Website: <http://www.tpl.org>

The Trust for Public Land - publisher of Land&People magazine. Available by free subscription at www.tpl.org/freemag

*info on
the 5/7/05
Dedication in
Hobart made.
for
5/26/05*



MEMO

TO: Judy Penn, Accountant, LCRBDC
FROM: Judith (Judy) Vamos, Land Acquisition *JV*
DATE: 25 April 05
SUBJ: Dispersing Unclaimed Monies from Condemnations

In the late 1990's LCRBDC condemned several properties and paid the monies into court. Attached you'll find a list of DC numbers and court awards.

The landowners we condemn are required by state law to follow certain steps to withdraw their monies from the court. For unknown reasons some landowners did not follow-up and left their monies in the court's treasury. Indiana Code requires the court after five years to send unclaimed monies to the Indiana Unclaimed Holdings Department which in turn returns the monies to the plaintiff in the court condemnation action, in this case the LCRBDC.

When we received the news from the Unclaimed Holdings Department that condemnation court monies were being returned to us, Lorraine and I searched to find the previous landowners to give them their court awards. We succeeded in finding the heir to only one landowner, DC 185 for the court award of \$1,800. The heir had been named in the condemnation and he visited our office on Thursday 21 April 05 to receive the court award. We found no other landowners or heirs.

My MEMO today will be filed in each appropriate DC number to explain the situation of returned monies from the Unclaimed Holdings Department. Please process the remaining monies and contact me if you have questions about this MEMO. Thanks.

*file in DC #***Judy Vamos**

From: "Angela M. Ogrentz" <aogrentz@cwblawfirm.com>
To: "Judy Vamos" <jvamos@nirpc.org>
Sent: Tuesday, September 21, 2004 2:55 PM
Subject: Unclaimed Property

UNCLAIMED PROPERTY

| CAUSE NO. | AMT. PD. INTO COURT | DC # | PREVIOUS OWNER |
|---------------------|------------------------|--------|-------------------|
| 45D03-9701-CP-00228 | \$430 | DC-560 | FORD |
| 45D03-9701-CP-00229 | \$468 | DC-284 | BELL |
| 45D03-9702-CP-00500 | \$1800 | DC-185 | DEAN |
| 45D03-9610-CP-02996 | \$1405 | DC-256 | McGEE |
| 45D03-9610-CP-02997 | \$500 | DC-561 | WILLIS |
| 45D03-9607-CP-02124 | \$450 | DC-383 | BAKER |
| 45D03-9701-CP-00227 | \$540 | DC-272 | CARR |

15

9/21/04



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

WILLIAM BILLER, Chairman
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CHARLIE RAY
Porter County Commissioners' Appointment

VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

April 1, 2005

12

Mr. Mark Lopez
Congressman Visclosky's Office
701 East 83rd Avenue, Suite 9
Merrillville, Indiana 46410

Re: Update on LCRBDC Real Estate Progress

Dear Mark:

I wish to confirm relative to the phone message I left you that the Commission has closed on the mitigation properties. We closed on March 24th on the Bundalo tract (20.9 acres) and we closed on March 30 on the Kim tract (61.027 acres) and the Brinson tract (52.1 acres). This brings our acreage at Hobart Marsh to 446 acres, of which 437 acres was required by our IDNR permit. We will begin working with IDNR to extend the permit to the end of the project.

The Commission has also worked diligently to finalize the remaining acquisitions in the stretch between Cline Avenue and Kennedy Avenue (Stage VI-1 North and Stage VI-2). We have acquired all of the required properties within the time frame identified in the Corps schedule and are conveying to them the certified right-of-entry to allow Federal construction advertisement on schedule.

As I had mentioned previously, we were very concerned about obtaining on time the court-ordered awards that had gone to condemnation, both in time frame and within available funds. I am pleased to report that the two condemnation awards on undeveloped properties in Highland came back within reason and have been drawn from the State and will be paid into court shortly. The greatest success was in the negotiated settlement in the Hammond Light Industrial Park area with Krosan Development, where a slight modification of the engineering design for construction yielded a settlement and saved over \$400,000 of cost. With this closed, we can now apply those monies that we legally had to reserve to the Stage V-2 section for acquisition and any remaining obligations on the Burr Street segment. All told, about \$1 million in negotiated settlements and municipal donations of easements have been achieved.

Mr. Mark Lopez
April 1, 2005
Page 2

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Toward that end, the Commission is now breaking the first investment to utilize for Stage V-2 purposes, which had to await final resolution of the condemnations to assure sufficient coverage. The State available funding is now virtually depleted and we will be spending from investment funds.

Relative to Stage V-2 (west of Kennedy Avenue) we are currently, as requested, waiting for surveys and title work on 25 out of 38 properties. This is in the area up to the Norfolk Southern RR. We are in active discussions with the city of Hammond on major parcels west of that, i.e. the currently-vacant Inter-State Plaza parcels and the Woodmar Country Club. We are seeking an engineering concurrence in a couple of areas, which will allow us to do survey and title work on the Inter-State Plaza parcels and Tri-State Bus facility. At the Woodmar Country Club, we are working with the Mayor's Office on an updated appraisal to attempt to move the club's disposition of property along as a positive to the project as opposed to a potential contentious and expensive condemnation with "damage" needing to be paid to the Club.

The staff is updating the real estate work sheets for you and Elizabeth on the segments both in Highland and Hammond over to Stage VI-1, VI-2, V-2, and V-3 showing dollars spent and saved. This will be available by Wednesday. We are committed to letting the full V-2 contract as a single construction contract. Currently, the city of Hammond has been very interested in the first segment over from Kennedy and the railroad, which affords the only tieback opportunity existing in the West Reach to begin removing people from the floodplain once the levee construction has reached that location.

Lastly, we are working with the city of Gary and the Army Corps to identify getting the Burr Street construction (both city and Commission) under way so as to permit continued west reach construction. Item 11 of our IDNR permit requires concurrent construction of Burr Street and Stage V.

I offer, once you have received our updated spread sheets, to meet with you and/or Elizabeth and Imad Samara to discuss in detail these issues.

Sincerely,


Dan Gardner
Executive Director

/sjm
cc: Elizabeth Johnson
Imad Samara

PETER J. VISCLOSKY
1ST DISTRICT, INDIANA

COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEES
DEFENSE
ENERGY AND WATER DEVELOPMENT
CONGRESSIONAL STEEL CAUCUS
VICE-CHAIRMAN
U.S. HOUSE LAW ENFORCEMENT
CAUCUS

Congress of the United States
House of Representatives
Washington, DC 20515-1401

WASHINGTON, DC 20515-1401
202 225-2461
401 EAST 82ND AVENUE, SUITE 9
MERRILLVILLE, IN 46710
317 785-1044
Call Toll Free
1 800 453 7478
1 800 453 7383
eMail: pjvis@house.gov
<http://peterjvis.house.gov/pjvis/v>

March 30, 2005

Mr. Imad Samara
Project Manager
U.S. Army Corps Of Engineers
Chicago District Office
111 North Canal Street
Chicago, Illinois 60606

Dear Imad:

I write this letter in regard to the Little Calumet River Flood Control and Recreation Project.

In 1991, actual construction for this federally funded flood control project, in which a twenty-two mile levee system is to be constructed and completed in coordination with the United States Army Corps of Engineers (USACE) and the Little Calumet River Basin Development Commission (LCRBDC), was initiated. This project serves the best interest of residents in Northwest Indiana who live along the river, and whose homes are located in the flood plain. One complete, this project will alleviate the obligation to pay flood insurance for these residents and will improve their quality of life, as they will be able to enjoy both the recreational opportunities offered by an improved river system and flood protection.

To date, I have secured \$98.7 Million in federal funding to support the activities of this project. Unfortunately, the Little Calumet River Flood Control and Recreation Project is not yet complete. The USACE, acting as the Federal Sponsor, and the LCRBDC, acting as the Local Sponsor, must establish a reasonable end date of construction that reflects a sense of urgency.

I respectfully request that the USACE submit to my office a design and construction schedule for this project that will reflect completion of the levee system within four years, or a targeted end date of December 2009. This schedule will not only ensure monitored progress in the West Reach, but will assist in my efforts to secure additional federal funding for this project during the federal appropriations cycle. Once this schedule has been submitted, I know the USACE, in coordination with the local sponsor, the LCRBDC, will work expeditiously and aggressively to ensure the levee system reaches the Illinois-Indiana State Line by the targeted date.

Thank you for your immediate attention to this matter. If you are in need of any additional information, please do not hesitate to contact me, or Elizabeth Johnson, Director of Projects and Grants in my Merrillville Office at 219-705-1844.

Sincerely,

Peter J. Visclosky
Member of Congress

PJV:ej

Sandy Mordus

From: "Samara, Imad LRC" <Imad.Samara@lrc02.usace.army.mil>
To: "Little Calument (E-mail)" <littlecal@nirpc.org>
Sent: Tuesday, April 19, 2005 11:56 AM
Attach: Notes regarding congr.doc
Subject: Notes regarding the Congressman's letter

4

Dan/Jim/Sandy/Judy

Please review my comments that I shared with my team today.
<<Notes regarding congr.doc>>

Imad Samara
Project Manager
U S Army Corps of Engineers
Suite 600
111 N Canal Street
Chicago IL 60606
(W) 312-846-5560
(Cel) 312-860-0123

Notes regarding congressman's letter

- o The Local Sponsor (LS) should be directed by the COE to pursue the acquisition of all real estate in stages V-2, V-3 and VII based on final real state drawing provided to them by the COE.
- o The LS should develop a schedule and a timeline of the acquisition process for the stages mentioned above and provide that to the COE. The COE will develop a design and construction schedule based on the LS acquisition schedule.
- o To complete the construction of the levee system by Dec. 2009 Stage VIII (last stage to be constructed) construction would have to be completed by Dec 2009. Stage VIII is a two yeas construction so a contract will have to be awarded by Dec 2007. Real estate acquisition of Stage VIII would have to be completed by September 2007. The acquisition process takes 18 month so final real estate plans for Stage VIII have to be provided to the LS by March 2006.
- o For Stages V-2, V-3 and VII design changes permitted only for the following reasons
 - o Design changes are necessary due to past experience
 - o To avoid a condemnation proceedings



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

April 22, 2005

REPLY TO
ATTENTION OF

Planning, Programs & Project Management Division
Project Management Branch

Honorable Peter J. Visclosky
Representative in Congress
701 East 83rd Avenue, Suite 9
Merrillville, Indiana 46410


Dear Rep. Visclosky:

I am writing in reply to your letter of March 30, 2005 concerning the Little Calumet River Flood Control and Recreation Project. As soon as we received your letter we met with the Little Calumet River Basin Development Commission (LCRBDC) to discuss the schedule and an action plan. We are working with them to establish a real estate acquisition schedule that allows us to complete the construction by December 2009 as you have requested. Past experience has shown us that the critical activities are real estate acquisition and the non-Federal funding. The schedule will assume that LCRBDC will effect timely completion of real estate acquisition and provide the non-federal funding according to the schedule.

By May 30, 2005 we will provide you with a design and construction schedule that shows a completion date of December 2009.

If I can assist you further, please contact me at (312) 846-5300, or contact Mr. Roy Deda at (312) 846-5302.

Sincerely,


Gary E. Johnston
Colonel, U.S. Army
District Engineer

Copy Furnished:
Dan Gardner, LCRBDC



PROJECT ENGINEERING MONTHLY STATUS REPORT

**For meeting on Wednesday, May 4 2005
(Information in this report is from March 31 – April 27, 2005)**

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 1st, 1993
Dyer/Ellas Construction – Contract price: \$1,220,386
 - Discussions ongoing as to whether a pump station is needed between Grant and Broadway along I-80/94 to address potential flooding of interstate when the gates are closed.

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

1. Project completed on January 13th, 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 20th, 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 18th, 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.

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

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 (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%)

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

1. Contract award date – June 30, 2004
2. Notice to proceed – July 29, 2004 (430 days to complete)
3. Anticipated construction cost \$1,787,000.- Low bid at \$648,995.25
4. Bids were opened on June 30 and the low bidder was ECO SYSTEMS, INC. (who estimated approximately 56% of the government estimate).
 - 104 acres included in bid – 100 to be herbicided, remaining 4 acres are ditches.
 - First seeding will probably be done in the Fall of 2005.
5. Received construction status report from the COE on April 25, 2005.
 - **Environmental protection plan approved, with minor changes, storm water pollution prevention plan approved by DNR, reviewing tree planting before herbiciding.**

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 6th, 1994
Kiewit Construction – Contract price: \$6,564,520

STAGE III Drainage Remediation:

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 July 9, 2004
 - Pending scheduled completion date/pending time extensions – June 15, 2005
 - B. Project money status:
 - Original contract estimate - \$1,695,822
 - Original contract amount - \$1,231,845
 - Current contract amount - \$1,625,057
 - Amount overrun - \$70,765 (4%)
 - C. Received construction status report from the COE on April 25, 2005.
2. The scope of this project includes the following:
 - A. Lift station West of Grant to remediate drainage problems due to Stage III construction. (Completed)
 - B. East Reach Remediation lift station for interior drainage. (Completed)

- C. Extending the combination sewer, East of Grant St., North to our line of protection.(Completed)
- D. Phase indicator system, for generator plug-in at the North Burr St. pump station. (Completed)
- 3. The pump station start-up for Grant Street was done on July 20th, 2004. This pump station is now functional.
 - A punch list will be completed by the COE and the turnover will be done after the Marshalltown Station is completed.
 - The COE and their contractor will schedule training and turn over spare parts in the near future.
- 4. **Both concrete outfalls have been constructed. Construction of ramp started April 25th, 2005.**

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 13th, 2002. The only item needed to be completed is to assure turf growth in all areas. (This will be inspected in the spring, 2004)
 - This will be part of the final inspection with the COE. If the turf grass has not established itself, the COE will be responsible to remediate.
3. We received a response from the COE on January 7th, 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.
 - As part of the upcoming “project inspection” with the COE and Gary, we are anticipating this to be a punch list item that needs to be reviewed for remediation responsibility. (It was not included, at this point in time, as part of the inspections completed to date.)

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.

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 9th, 2000
 - The low bidder was Dyer Construction.
 - Final 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(Gary) 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.
2. We were informed of the change in schedule on October 27, 2004 indicating that a schedule has not yet been established and that a coordination meeting with Gary needs to be arranged to discuss design. (Ongoing)
 - A. COE is awaiting a letter from Gary indicating all of their concerns regarding water quality that they feel are necessary for the project to address. (Ongoing) Project engineering cannot be finalized for advertisement until the COE gets Gary input.
 - A coordination meeting was held with the COE, Gary, and LCRBDC on January 14, 2005 to discuss the impact of water quality and who has what responsibilities to treat this.
 - Discussed where treatment of water should be handled. Information will be exchanged. (This has not been done as of April 26th, 2005).
3. A meeting was held with the COE, LCRBDC, and Jim Meyer (GSD attorney) on March 23rd, 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 by the COE to reduce their estimate of \$1.8 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. We were informed of the change in schedule on October 27, 2004 as follows: Final engineering drawings for review will be submitted April 2005; design completion June 2005; advertise July 2005; and award September 2005. (One year to complete construction)
3. A letter was sent to the NSRR (Dave Orrison) on November 12, 2004 along with the current cross-sectional and plan view drawings of our impacts to the railroad. A field meeting will be scheduled to review and discuss.
 - A follow-up letter was submitted to the NSRR on April 4th, 2005, informing them of our current schedule and the importance of completing his review.

3-4

STATUS (Stage V Phase 1) Wicker Park Manor:

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

STATUS (Stage V Phase 2) Kennedy Avenue to the Norfolk Southern RR:

- A. A conference call was held with the COE and the LCRBDC on February 16, 2005 to discuss Stage V-2A.
 - B. LCRBDC received an e-mail from Siavash Beik to the COE dated January 4, 2005 regarding the Scheduling of our upcoming West Reach projects, and LCBDC commitment to obtaining necessary real estate.
 - LCRBDC received a letter from Christopher Burke (Siavash Beik) sent to Hammond on January 21, 2005 indicating that Hammond could come out of the floodplain east of the NSRR when all construction is completed to Cline Avenue.
 - LCRBDC has begun acquisition process (Refer to Land Acquisition Report). It is projected that construction in this segment could be completed in late summer of 2007 which would coincide with Cline/Kennedy completion.
 - C. Pipeline corridor east of the NSRR
 - LCRBDC met with the COE on March 9 to discuss coordination and design for construction.
 - D. LCRBDC sent an e-mail to the COE on March 28 requesting plan and profile information for our construction on the NIPSCO R/W for the pipelines in order to start coordination for utility re-locates and to get cost information.
 - LCRBDC sent the COE a follow-up email on April 8th, 2005 in response to initial design comments. We will start our coordination process upon receipt of the COE design (for comments).
 - E. A letter was sent to the NSRR on April 4th, 2005, requesting a letter on what their position is regarding an "at-grade" crossing over their tracks West of Kennedy Avenue.
- 1. INDOT drainage issues at Indianapolis Blvd. and the Little Calumet River.
 - INDOT indicated the earliest they could release Phase 1A (Ridge Road to Little Calumet River.) would be in summer of 2005. Lift station couldn't be in use until we complete our levee in that area.

5-6
(3-4)

STATUS (Stage V Phase 2) Norfolk Southern RR to Northcote:

- 1. Army COE would like to complete all of the original V-2 as one contract.
 - LCRBDC compiled cost estimates for acquisition and utility re-locates and projected time frames and submitted these to the COE for consideration.

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 September 2006 acquisition deadline. The construction sequence due to hydrology will push construction back in the schedule.
 - We received a modified schedule from the COE on October 27, 2004 indicating a contract award date of November 2006, with one (1) year to complete construction.
- 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. In June 2004, it was discussed with the COE, Woodmar, and LCRBDC that Woodmar might be able to come out of the floodplain if they provided their own tie back levees along

Indianapolis Blvd. on the east and Northcote on the west, northward to tie into the I-80/94 embankment.

STATUS Stage VI-1 (South) South of the river – Kennedy to Liable

1. Illinois Constructors Corporation was awarded the contract on September 30, 2004.
 - COE estimate (without profit) - \$6,141,815.00
 - Low bid (awarded amount) - \$6,503,093.70 (Awarded September 30, 2004)
 - 700 days to complete from contractor receiving his "Notice to Proceed" (November 4, 2004)
2. A pre-construction meeting was held on December 2, 2004 at the Griffith COE office with the contractor, municipalities, and utilities to answer questions, establish points of contact, discuss scheduling, and review construction.
3. Received a construction status report from the COE on **April 25th, 2005.**
 - **Clearing and grubbing 70% complete.**
 - **I-walls @ Kennedy Avenue to start April 26th, 2005.**
 - **Letter to residents adjacent to sheet pile driving sent out on April 27th, 2005.**

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

1. We received a modified schedule from the COE on **March 8, 2005** indicating a contract award date of **June 30, 2005**, with a one and one half (1-1/2) year to complete construction.
 - Comments from the LCRBDC, Hammond, and NIPSCO were submitted to the COE on January 26, 2005. (These are on the 95% submittals – One final review will be done). Copies of comments available to Commissioners upon request.
2. A coordination meeting was held on August 25th, 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 county is only re-building the existing bridge deck.
 - COE agreed we could accept the cost for the incremental difference for a 10' cantilevered recreational 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. (Needs to be facilitated.)
 - LCRBDC received an e-mail from Lake Co. Highway on December 21st, 2004, with their schedule for construction. Let bid in January 2006, start construction in April, 2006.
3. The COE sent the LCRBDC a letter on March 9 indicating that they would modify the line of flood protection from a levee to sheet piling behind Krosan to accommodate a request from Krosan, eliminate condemnation proceedings, and saving the project money. (**Refer to Land Acq. Report.**)

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

1. Rani Engineering was awarded the A/E contract by the COE in January 2000. They are out of St. Paul, Minnesota.)
2. **The ROE was signed on April 15th, 2005. This project will be advertised in May, awarded in June, with an anticipated construction start in the Fall, 2005. It should be completed in the Fall of 2006.**

- A pre-bid meeting is scheduled for May 12th, 2005, at 10:00 am at the LCRBDC office. (LCRBDC notifying local contractors & posting in local newspapers.
- 3. LCRBDC contacted INDOT on March 17 to get input for the Corps regarding fencing west of Cline Avenue (No response as of April 23)
- 4. NIPSCO submitted a cost estimate to the LCRBDC in the amount of \$75,000 to provide sleeves for their three pipelines.
 - LCRBDC sent a letter to the COE to review on March 17. (COE concurrence assures LCRBDC credit). **Ongoing.**
 - LCRBDC sent a letter to the COE on April 27 requesting a cost substantiation review for \$19,773 to install a pole and down guys west of the Cline Avenue frontage road.
- 5. Received view solicitation from the Corps on April 25. This information can be used for LCRBDC to inform local contractors and advertise in the newspapers.
 - Pre-bid meeting scheduled on May 12 at 10:00 a.m. at LCRBDC office.

STATUS (Stage VII) Northcote to Columbia:

1. The final contract with Earth Tech to do the A/E work for this stage/phase of construction was signed and submitted by the COE on December 21st, 1999.
2. We received a modified schedule from the COE on October 27, 2004 indicating a contract award date of January 2007, with one and one half (1-1/2) years to complete construction.

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.)
3. We received a modified schedule from the COE on October 27, 2004 indicating a contract award date of January 2008, with two and one half (2-1/2) years to complete construction.

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 has been completed as part of the Stage III remediation project. (See Stage III remediation in this report for details.) Anticipated pump station final inspection is scheduled for May 2005.

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

1. Bids were opened on September 17th, 2002, and Renewable Resources, Inc. (from Barnesville, Georgia) is the successful bidder.
 - The current contract amount is \$1,341,940.96
 - Amount overrun - \$420,838 (above their bid). This is approx. a 46% overrun.
2. A final inspection was held on both sites on May 12th, 2004, with the COE, LCRBDC, project A/E, and Renewable Resources.
 - A summarization of the inspection was received by the LCRBDC on June 4th, 2004.
3. Received monthly construction status report from the COE on April 25, 2005.
4. LCRBDC received a request from the COE on March 4 for review of the quality control plan for Cady Marsh Ditch.

- The mitigation for Griffith is provided by the LCRBDC (approx. 3 acres) west of our project.
- A contract will be let this year for approx. \$286,000. LCRBDC will get approx. 57 acres of hydric soils.

5. The 24 month monitoring period began on May 15, 2004 (Cost - \$3,000/month)

West Reach Pump Stations – Phase 1A:

1. The four (4) pump stations that are included in this initial West Reach pump station project are Baring, Walnut, S. Kennedy, and Hohman/Munster.
2. Low bidder was Overstreet Construction. Notice to proceed was given on November 7th, 2000 – 700 work days to complete (Anticipated completion date is August 26, 2004)
 - Current contract amount - \$4,974,280.67
 - Original contract amount - \$4,638,400
 - Amount overrun – \$335,880 (7.2%)
- B. Received construction status report from the COE on January 26, 2005.
4. The COE sent Overstreet a cure letter on October 19, 2004 due to lack of progress.
5. Project currently on hold – Refer to construction status report.
6. Received COE monthly construction status report on April 25, 2005..
 - **Refer to this Report for status on all four (4) stations and the status of the “termination of contract”.**
7. The COE is investigating the possibility of combining two (2) new pump stations (Jackson Ave. and Indianapolis Blvd) with the two (2) remaining pump stations from this contract.
 - **Coordination will be done after COE determines status of this contract with Overstreet.**

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West Reach Pump Stations – Phase 1B:

1. The two (2) pump stations included in this contract are S.E. Hessville (Hammond), and 81st 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
2. LCRBDC received a copy of the pre-inspection punch list from Highland on February 2nd, 2004. (Dated January 29th, 2004.)

General

1. INDOT coordination for Grant St. & Broadway interchanges with I-80/94.
 - INDOT sent a letter to the COE on April 15th, 2004, indicating they worked out an agreement with the COE whereby flood control features will be included in their contract at no cost to the COE, which could be credited to the LCRBDC for that portion constructed for the flood control of the Little Calumet River.
 - LCRBDC is awaiting a letter from the COE indicating that all of the flood control related features done as part of the INDOT construction will be creditable to the LCRBDC. (Ongoing as of February 22, 2005)
 - LCRBDC had a call with INDOT on March 17 whereby INDOT projected a potential cost of approx. \$650,000 at the interchanges for flood protection related features. (This would be creditable).
 - INDOT is keeping substantiating data for costs and will submit to LCRBDC for crediting. (Ongoing)

2. Scheduling

- A letter was written by Congressman Visclosky on March 30, 2005 indicating he wanted all construction completed by December 2009. 14
- The Chicago Army Corps submitted notes regarding the Congressman's letter on April 19. they indicated LCRBDC should pursue acquisition from Kennedy Avenue to Columbia, LCRBDC will develop a schedule to the COE in order that they can develop a design schedule, and Stage VIII acquisition would be complete by March 2006. 15
- The Colonel wrote a letter to the Congressman on April 22, 2005 informing him of the status, and indicated that by May 30, 2005, a design and construction schedule will be provided. 16

**Calumet Area Office
Construction Progress Report
Thru End of: April 2005**

CONTRACT NO.: W912P6-04-C-0003
CONTRACTOR: Eubanks & Associates, Incorporated of Glenview, IL
DESCRIPTION: Little Calumet River Landscaping, Phase 2

TS-C-S
Albert
Druzicki
Rundzaitis

| | | |
|---|-----------|------------|
| ORIGINAL CONTRACT AWARD DATE/AMOUNT: | 30-Jun-04 | 648,995.25 |
| NTP DATE./CURRENT CONTRACT AMOUNT: Mods No Mods Issued | 29-Jul-04 | 648,995.25 |
| ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION: | 2-Oct-05 | 430 |
| REVISED CONTRACT COMPLETION DATE/REVISED DURATION: | 2-Oct-05 | 430 |
| PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS: | 2-Oct-05 | 0 |

ESTIMATED PROGRESS

| | |
|---|------|
| A. Present Earnings as of Pay Est. No. | 0.00 |
| 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) 0.00

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

TOTAL VALUE OF PHYSICAL PROGRESS (A+B+C-D) 0.00

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

FINANCIAL PROGRESS - (A+B+C+D-E) 0.00

TOTAL ESTIMATED FINAL CONTRACT AMOUNT

| | | |
|--|----------------|------------|
| F. Current Contract Amount thru Mod. | No Mods Issued | 648,995.25 |
| G. Current Value of Overruns/Underruns (+/-) | | 0.00 |
| H. Directed, Pending Modifications | | 0.00 |

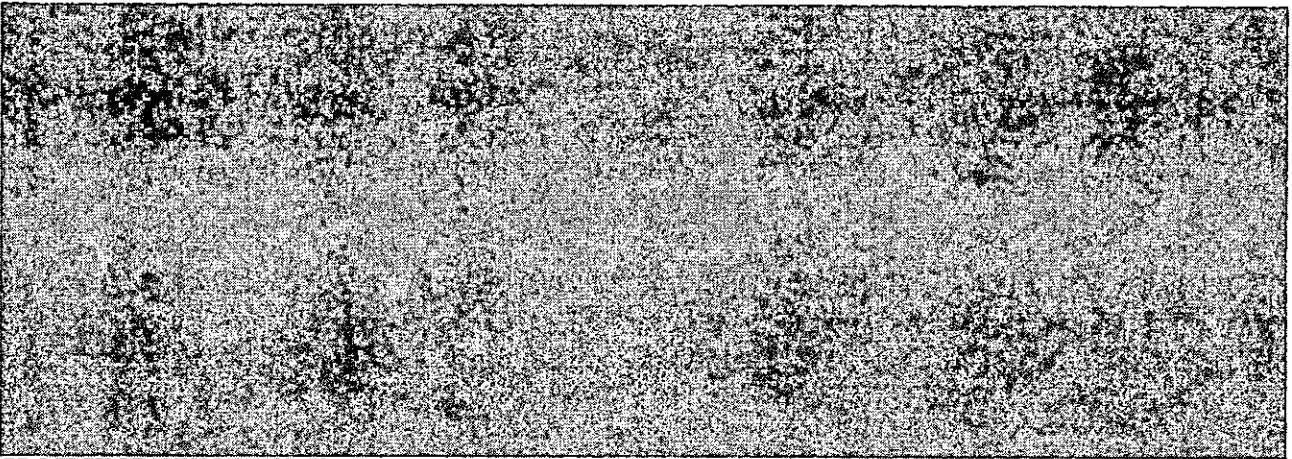
TOTAL ESTIMATED FINAL CONTRACT AMOUNT (F+G+H) 648,995.25

| | |
|--|-----------|
| FUNDS OBLIGATED FOR PAYMENT: thru Modification No Mods Issued | 20,000.00 |
|--|-----------|

ACTUAL PERCENT COMPLETE (A+B+C+D-E)/(F+G+H) 0.00%

SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart) 0.00%

ESTIMATE EARNINGS FOR FY vs FUNDS AVAILABLE 0.00

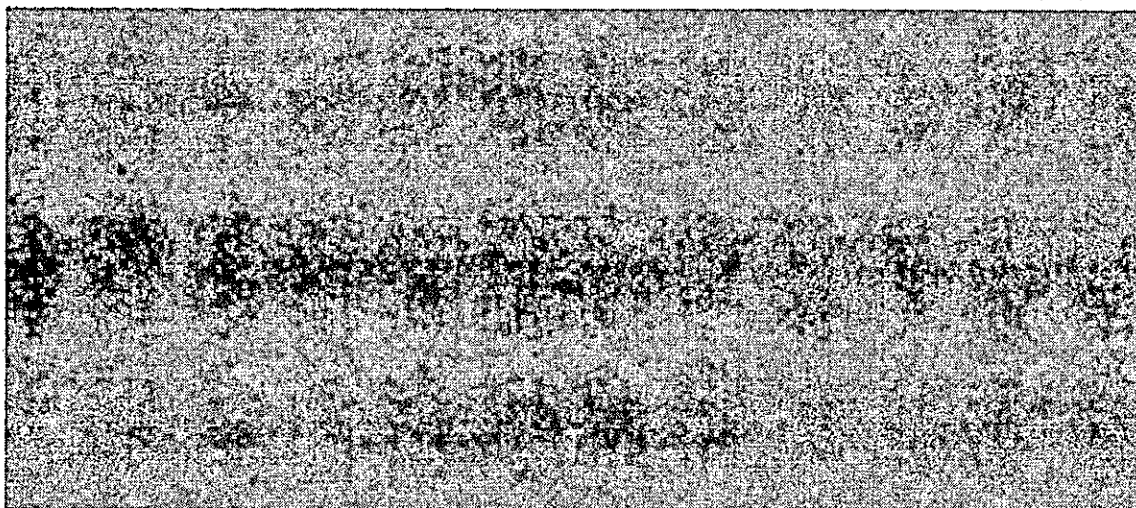


PROJECT STATUS/MAJOR ISSUES:

Environmental Protection Plan has been approved with some minor changes to be made. Storm Water Pollution Prevention Plan approved by IDNR, Soil Conservation District. Eubanks looking at revising schedule to plant trees before herbaciding.

**Calumet Area Office
Construction Progress Report
Thru End of: April 2005**

| | | |
|--|-----------|---------------------|
| CONTRACT NO.: DACW23-02-C-0010 | | TS-C-S |
| CONTRACTOR: Dyer Construction Company, Inc. | | Albert |
| DESCRIPTION: Little Calumet River - Stage III Remediation | | Craib |
| ORIGINAL CONTRACT AWARD DATE/AMOUNT: | 29-Sep-02 | 1,231,848.50 |
| NTP DATE/CURRENT CONTRACT AMOUNT: Mods A00009 Thru P00006 | 14-Nov-02 | 1,625,056.81 |
| ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION: | 9-Nov-03 | 360 |
| REVISED CONTRACT COMPLETION DATE/REVISED DURATION: | 15-Jun-05 | 944 |
| PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS: | 15-Jun-05 | 0 |
| ESTIMATED PROGRESS | | |
| A. Present Earnings as of Pay Est. No. 12 | | 1,560,107.64 |
| B. Estimated Earnings thru end of reporting period | | 70,000.00 |
| C. Value of work Performed on Directed Mods (Earnings not paid for) | | 0.00 |
| TOTAL ESTIMATED PROGRESS (A+B+C) | | 1,630,107.64 |
| D. Work Paid for but not in Place (Materials in Storage) | | 0.00 |
| TOTAL VALUE OF PHYSICAL PROGRESS (A+B+C-D) | | 1,630,107.64 |
| E. Potential Termination Costs (% of Remaining Costs) (If Applicable) | | 0.00 |
| FINANCIAL PROGRESS - (A+B+C+D-E) | | 1,630,107.64 |
| TOTAL ESTIMATED FINAL CONTRACT AMOUNT | | |
| F. Current Contract Amount thru Mod. A00009 Thru P00006 | | 1,625,056.81 |
| G. Current Value of Overruns/Underruns (+/-) | | 4,144.25 |
| H. Directed, Pending Modifications | | 0.00 |
| TOTAL ESTIMATED FINAL CONTRACT AMOUNT (F+G+H) | | 1,629,201.06 |
| FUNDS OBLIGATED FOR PAYMENT: thru Modification A00009 Thru P00006 | | 1,625,056.81 |
| ACTUAL PERCENT COMPLETE (A+B+C+D-E)/(F+G+H) | | 100.06% |
| SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart) | | 96.00% |
| ESTIMATE EARNINGS FOR FY vs FUNDS AVAILABLE | | 1,371,699.85 |



PROJECT STATUS/MAJOR ISSUES:

- A contractor proposal for SS0016, SS0017, and SS0018 has been negotiated with Dyer. Determined that Dyer's revised proposal of \$189,309.39 was fair and reasonable, issued Notice to Proceed on 22 FEB 2005. Modification A00009 has been executed.
- Two sluice gates approximately 1/2 mile west of the drain tile pump station have been closed by LCRBDC. Previously this allowed water to flow from the river side to the land side of the levee and re-circulate back to the drain tile pump station. As a result, the Drain Tile station pumps have been placed back into service.
- Modification A00009 work is ongoing. Both concrete outfall structures have been completed.
- Received letter from Dyer on 19 APR 2005 stating that the onsite backfill material which they proposed for construction of the Recreational Trail Ramp in Mod A00009 is "unsuitable". They requested \$14,625 in additional funds for imported sand fill to construct the ramp. Responded with letter to on 22 APR 2005 requesting for Dyer to proceed as agreed in contract or provide evidence that on-site backfill material is "unsuitable".



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

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Governor's Appointment

ROBERT HUFFMAN, Vice Chairman
Governor's Appointment

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Mayor of Gary's Appointment

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Governor's Appointment

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Porter County Commissioners' Appointment

VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

April 4, 2005

Mr. David Orrison
Norfolk Southern Railway Company
175 Spring Street, S.W.
Atlanta, Georgia 30303

Dear Dave:

Several outstanding issues still need to be addressed, and resolved, between the LCRBDC and the Norfolk Southern Railway as follows:

(1) We requested a letter from the NSRR stating their position to the LCRBDC regarding the installation of an at-grade recreational trail crossing south of I-80/94 and west of Kennedy Avenue in Highland IN. The exact location would be along our line of protection directly north of the Little Calumet River. We are currently proceeding with re-engineering in this area based upon your verbal indication that you would not permit us to cross in this area, and we need written confirmation.

(2) We submitted two (2) sets of drawings to you for review and comments in March of 2004 requesting your input and feedback as to whether or not these plans are acceptable. These are in the area of Burr Street and Clark Road in Gary IN. The Army Corps of Engineers is intending to advertise this segment within the next few months, but before we can finalize the design for bid, we need your input.

(3) We will be submitting current plans to you for review and comment in the area west of Kennedy Avenue and south of I-80/94 adjacent to both sides of the Little Calumet River. We are hoping to advertise this segment in late fall of 2005. Drawings will be forthcoming.

As was discussed when you attended the coordination meeting in Chicago last fall, Jim Pokrajac is available anytime, upon your request, to meet you in the field to review existing conditions and answer any of your questions.

Mr. David Orrison
April 4, 2005
Page 2

The LCRBDC is trying to meet the construction schedules as established by the Army Corps of Engineers as the local sponsor for the Little Calumet River Flood Control/Recreation Project. The NSRR plays a key role in these several upcoming segments. We would appreciate whatever efforts can be made to help us fulfill our contractual obligations with the Army Corps of Engineers.

Sincerely,



Dan Gardner
Executive Director

DG/JEP/sjm

cc: Imad Samara, ACOE
Lou Casale, LCRBDC attorney
James Pokrajac, LCRBDC Engineering
Judy Vamos, LCRBDC Real Estate

Sandy Mordus

From: "Little Calumet" <littlecal@nirpc.org>
To: "Sampson, Eric LRC" <Eric.Sampson@lrc02.usace.army.mil>
Cc: "Samara, Imad LRC" <Imad.Samara@lrc02.usace.army.mil>;
<Khalid.J.Maali@lrc02.usace.army.mil>
Sent: Friday, April 08, 2005 4:02 PM
Subject: Re: LCR Stage 5-2 Utility Crossing

Eric and Imad:

Upon receiving your preliminary findings regarding the lines of protection in Stage V-2A, we appreciate your expediting the preliminary investigation into the design of the I-walls. As soon as engineering designs have been made and drawings are available, I will be forwarding this information to each of the pipelines to get their input.

It is my intent to send informational letters to each of the pipelines as soon as possible, even before design is completed, which will help to establish current points of contact and to inform each pipeline of our upcoming schedule for construction. By doing this, I can get an immediate start with their review for design coordination which will expedite the finalization of construction drawings which will be used as documents for bid release.

Ideally, we would like to complete the construction between Kennedy Avenue and the railroad on both sides of the river at approximately the same time that all of the construction will be completed between Kennedy Avenue and Cline. This will allow the process to begin to get Hammond and Highland out of the floodplain eastward to Cline Avenue from the railroad. The current schedule indicates that this will probably occur in late summer or fall of 2007. If I may be of any assistance or can provide any additional information, please let me know.

Jim Pokrajac, Agent
Land Management/Engineering

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

From: Sampson, Eric LRC
To: Samara, Imad LRC ; Jim Pokrajac (E-mail)
Cc: Maali, Khalid J LRC
Sent: Friday, April 08, 2005 2:43 PM
Subject: LCR Stage 5-2 Utility Crossing

Jim & Imad,

I started looking at the Utility Corridor on 5-2 this week. Here are my preliminary findings:

South of the River

- The south side of the river should pose no problems. I ran some numbers and did some preliminary design. We can use a concrete I-wall in this location and implement the lintel beam pipe passing if necessary. However, based on the initial analysis, the bottom of the sheet pile would be above the top of all the pipes that pass through this location. I guess the question is then whether the utilities will let us drive pile above their pipes. We can work around that if they will not let us.

5

4/8/2005

- PZ22 piles should work for the pile portion of the I-wall in this location. The wall will only be about 3'-6" high in this area.

North of the River

- The north side of the river is a little trickier. A concrete I-wall can be used but we may have to contort a bit to make it work.
- We will need to change the alignment some so that the line of protection runs approximately perpendicular to the pipes. Right now the line of protection runs at an angle to the pipes. This isn't good no matter what type of flood wall structure you build. Khalid and I discussed this and we have two options. One option will require a little more real estate, the other shouldn't. We need to investigate this further.
- The pipes on the north side are closer to the surface at the line of protection than the pipes on the south side since on the south side the line of protection runs through the existing spoil bank levee, approximate elevation 600.0, but on the north side the line of protection runs through a low lying area, approximate elevation of 592.0. Khalid and I discussed the possibility of raising the finish grade, in the areas where the pipes are closer to the surface, by about 1'-6" to 2'-0" above the current existing grade of 592.0. The pipe line owners would probably have to buy off on this... but we don't think it would add too much of a surcharge to the pipes.
- It looks like we will need to use PZ27 piles for the pile portion of the I-wall in this location. The wall will be approximately 11'-6" high in this area.

That's it. I'll continue working on this next week and try to finalize some ideas,

Have a great weekend,

Eric

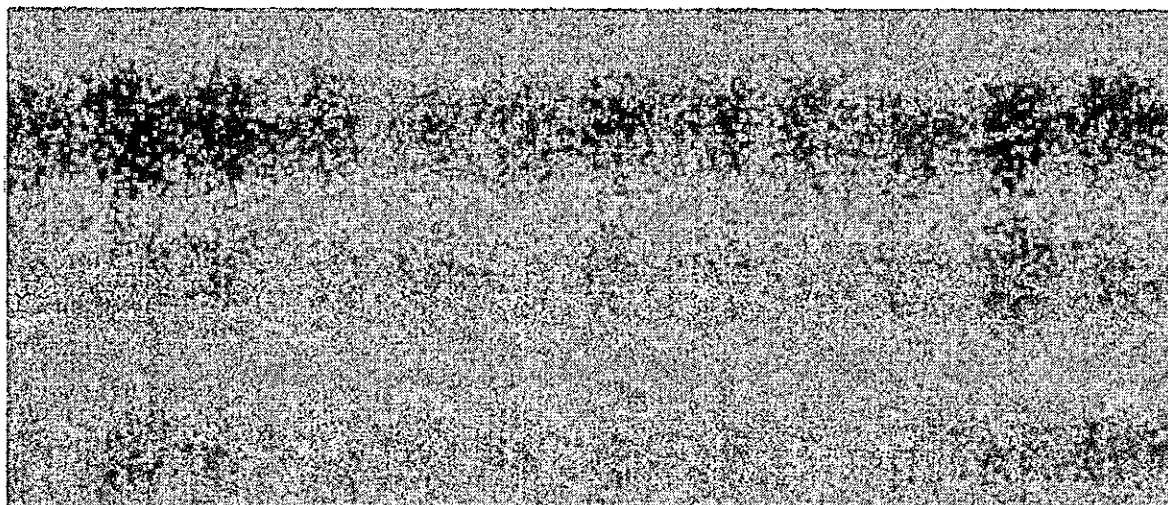
**Calumet Area Office
Construction Progress Report
Thru End of: April 2005**

| | | | |
|---------------|---|--|---------------------|
| CONTRACT NO.: | W912P6-04-C-0007 | | TS-C-S |
| CONTRACTOR: | Illinois Constructors Corporation | | Albert |
| DESCRIPTION: | Local Flood Protection Little Calumet River, Indiana Stage VI-1 South Levee | | Druzicki Waldrom |

| | | |
|--|-----------|--------------|
| ORIGINAL CONTRACT AWARD DATE/AMOUNT: | 30-Sep-04 | 6,503,093.70 |
| NTP DATE/CURRENT CONTRACT AMOUNT: Mods P00002 | 4-Nov-04 | 6,503,093.70 |
| ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION: | 4-Dec-06 | 760 |
| REVISED CONTRACT COMPLETION DATE/REVISED DURATION: | 4-Dec-06 | 760 |
| PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS: | 4-Dec-06 | |

ESTIMATED PROGRESS

| | | |
|---|--|---------------------|
| A. Present Earnings as of Pay Est. No. 3 | | 176,319.00 |
| B. Estimated Earnings thru end of reporting period | | 124,000.00 |
| C. Value of work Performed on Directed Mods (Earnings not paid for) | | 0.00 |
| TOTAL ESTIMATED PROGRESS (A+B+C) | | 300,319.00 |
| | | |
| D. Work Paid for but not in Place (Materials in Storage) | | 0.00 |
| TOTAL VALUE OF PHYSICAL PROGRESS (A+B+C-D) | | 300,319.00 |
| | | |
| E. Potential Termination Costs (% of Remaining Costs) {If Applicable} | | 0.00 |
| FINANCIAL PROGRESS - (A+B+C+D-E) | | 300,319.00 |
| | | |
| TOTAL ESTIMATED FINAL CONTRACT AMOUNT | | |
| F. Current Contract Amount thru Mod. P00002 | | 6,503,093.70 |
| G. Current Value of Overruns/Underruns (+/-) | | 0.00 |
| H. Directed, Pending Modifications | | 230,000.00 |
| TOTAL ESTIMATED FINAL CONTRACT AMOUNT (F+G+H) | | 6,733,093.70 |
| | | |
| FUNDS OBLIGATED FOR PAYMENT: thru Modification P00002 | | 374,999.00 |
| | | |
| ACTUAL PERCENT COMPLETE (A+B+C+D-E)/(F+G+H) | | 4.46% |
| | | |
| SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart) | | 5.00% |



PROJECT STATUS/MAJOR ISSUES:

- Clearing and grubbing approx. 70% complete. Wood chip piles and larger trees need to be hauled off site.
- Construction of I-walls @ Kennedy Ave. scheduled to start 26 April.
- Levee System Construction Plan being reviewed.
- Dewatering near end of Duluth St. will need to be done before clearing and grubbing can be completed. ICC needs to prepare a dewatering plan.
- Mods for deletion of Corps field office trailer and Stripped material bid qty error are being prepared (-\$65,000,+\$230,000).

April 27, 2005

Resident
Address
Highland, Indiana 46322

Dear Mr. & Mrs. John Doe:

This letter is to inform you of upcoming flood control construction in your area that will include sheet piling installation. The Illinois Constructors Corporation has been awarded this contract and are currently clearing and grubbing the areas of construction. They started at Liable Road near the little Calumet River and are working their way westward. They are currently approximately 70% completed. The current schedule anticipates that this work will be completed in June of this year. Upon initial site preparation being completed, sheet pile driving may begin shortly thereafter. Sheet piling will be installed in areas of limited real estate availability. Less real estate will be required for sheet pile installation that would therefore minimize the property impact. The contractor will provide a minimum 2 month lead time prior to driving sheet piling in the general vicinity of your residence.

We are proposing you would allow the contractor the opportunity to visit your home and take videos, both interior and exterior, for record as to whether or not there is currently any structural damage to your home. This will be videotaped for record to show if there are any structural deficiencies or if there are none. While ICCI does not expect the sheet pile installation to adversely affect your property, this procedure affords you the opportunity to allow them to document the existing structural condition and also offers you the opportunity to reject their proposal. We feel this is to the benefit of not only the contractor, but you as well. The contractor indicated that they will be using a method of driving this piling that will have minimal impact for your home. It will be more of a vibratory method rather than using the driving method. This should greatly reduce the noise as well as the amount of vibrations that could structurally damage your property. The contractor will make an effort to contact you prior to their visiting your home in order to schedule a time that would be convenient for you. Their points of contact will be Phillip Ross (mobile phone 630-918-1242) or Brian Schallhorn (mobile phone 630-918-0434).

If you have any questions regarding the engineering in this area, you may contact Jim Pokrajac (LCRBDC Land Management/Engineering Agent, 219-763-0696, e-mail jpokrajac@nirpc.org) or, if there are questions regarding construction or impacts to residents, you may contact Army Corps field representative Dave Druzicki (219-923-1763, e-mail David.E.Druzicki@usace.army.mil).

Sincerely,

Dan Gardner
Executive Director

8



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

WILLIAM BILLER, Chairman
Governor's Appointment

ROBERT HUFFMAN, Vice Chairman
Governor's Appointment

ARLENE COLVIN, Treasurer
Mayor of Gary's Appointment

DR. MARK RESHKIN, Secretary
Governor's Appointment

GEORGE CARLSON
Mayor's of Hammond Appointment

STEVE DAVIS
Dept. of Natural Resources Appointment

SAM DIMOPOULOS
Lake County Commissioners' Appointment

ROBERT MARSZALEK
Governor's Appointment

JOHN MROCZKOWSKI
Governor's Appointment

CHARLIE RAY
Porter County Commissioners' Appointment

VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

April 27, 2005

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

Re: SVI-P2 NIPSCO Utility Relocation

Dear Imad:

Enclosed is a copy of an e-mail from NIPSCO dated April 5th, along with their material and labor estimate and two (2) drawings #DE21054-1 that shows the plan and profile of this installation which would replace one pole to raise the elevation of the 34KV and 12KV conductors in the area directly west of the INDOT frontage road. The cost estimate as proposed by NIPSCO is \$19,773. If you concur that their cost is fair and reasonable, please let me know and I will execute a utility relocation agreement with them.

As is indicated in the ongoing e-mail from NIPSCO, there appears to be a question not answered by the COE. It seems there is a conflicting access road that is not shown in the latest plans from the COE to NIPSCO. If this concern has been addressed and NIPSCO and the COE are satisfied, I will begin the process of a utility re-location agreement.

This re-location and the previous cost estimate submitted to you on March 17, in the amount of \$75,000, are the only two NIPSCO re-locates in Stage VI Phase 2. I still need approval for both. If you have any questions, please let me know.

Sincerely,

James E. Pokrajac, Agent
Land Management/Engineering

/sjm
encl.
cc:

Mark Pasyk, NIPSCO
Jim Hayward, NIPSCO
Eric Sampson, ACOE
Khalid Maali, ACOE



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View Solicitation

All times shown are the Local Time where the bids will be opened.
 Bids will be opened at Louisville District (Louisville, KY)
 for advertisements beginning with W912QR, DACA27 or DACW27.
 Bids will be opened at Chicago District (Chicago, IL)
 for advertisements beginning with W912P6 or DACW23.
 See documents for each individual advertisement
 for details specific to that advertisement.

General Information

Solicitation Number: W912P6-05-B-0006

Title: Little Calumet River, Indiana Local Flood Protection, Stage VI Phase II

Location: Highland and Hammond Indiana

Issue Date: 4/19/2005

Closing Date: 5/20/2005 2:00 p.m.

Price Range: \$1,000,000.00 - \$5,000,000.00

Media: Web

Contracting POC: [Linda Zamaroczy LRC](#)

Phone: 312-846-5374

Alternate POC: [Not Applicable](#)

Phone: NA

Alternate POC: [Not Applicable](#)

Phone: NA

Amendments - AVAILABLE BY DOWNLOAD ONLY

| No. | Media | Date |
|----------------------|-------|------------|
| 0001 | | 04/22/2005 |

Solicitation Registration

[Register For This Solicitation](#)

Any prospective bidder interested in bidding on this solicitation must register to be placed on the plan holders list. If you are not registered, the United States government is not responsible for providing you with notifications of any changes to this solicitation.

Synopsis

[Hide Synopsis](#)

With this announcement, the Corps of Engineers - Chicago District issues a Pre-solicitation Notice for its Little Calumet River, Local Flood Protection, Indiana, Stage VI Phase 2 South Levee, Highland and Hammond, Indiana. The bid items entail the Contractor to provide all necessary facilities, plants, labor, transportation, materials and equipment to construct a levee protection system consisting of 8,250 linear feet (LF) of earthen levee, 1,600 LF of steel sheetpile floodwall, excavations, 3 gateway structures, culverts and sewer appurtenances, gravel access roads, traffic restraints, asphalt removal, tree planting and seeding. The classification Code for this procurement is North American Industry Classification System (NAICS) 237990 and is unrestricted to business size. The U.S. Army Corps of Engineers intends to award a firm-fixed-price construction contract. The estimated price range for this project is between \$1,000,000.00 to \$5,000,000.00. The Invitation for Bids will be downloadable from the INTERNET ONLY. The project specification files are Portable Document Format (PDF) files and can be viewed, navigated or printed using Adobe Acrobat Reader. Minimum system requirements are a 486 based personal computer, Microsoft Windows 3.1 or greater and 4 MB application RAM, 4MB hard disk space and compact disk drive. Interested Bidders can download the Invitation for Bid Package from Internet Site <http://ebs.lrl.usace.army.mil/ebs/> by clicking on the appropriate solicitation number. The solicitation will be available at the above-mentioned Internet site on or about 19 April 2005. The due date for bids will be on or about 20 May 2005 at 2:00 p.m. Chicago local time. Requests made by telephone, fax or email will not be honored. BIDDERS ARE CAUTIONED TO READ THE FOLLOWING STATEMENT WITH PRUDENCE AND IN ITS ENTIRETY: Contract Award for the described services is contingent upon approval from HQUSACE. An Amendment will be issued prior to the Bid Opening Date informing Bidders as to the status of award approval.

AMENDMENTS WILL BE AVAILABLE FROM THIS WEB SITE BY DOWNLOAD ONLY

(End of provision)

52.236-27 SITE VISIT (CONSTRUCTION) (FEB 1995)

(a) The clauses at 52.236-2, Differing Site Conditions, and 52.236-3, Site Investigations and Conditions Affecting the Work, will be included in any contract awarded as a result of this solicitation. Accordingly, offerors or quoters are urged and expected to inspect the site where the work will be performed.

(b) Site visits may be arranged during normal duty hours by contacting:

Name: Doug Anderson

Address: Calumet Area Office, 906 Griffith Boulevard, Griffith, IN, 46319

Telephone: 219-923-1763/1764

****** A Pre-Bid meeting will be held on May 12, 2005 at 10:00 A.M. located at Little Calumet River Basin Development Commission, 6100 Southport Road, Portage, Indiana 46368**

Interested Bidders may fax questions regarding the bid package to Linda Zamaroczy at (312) 886-5475 at least 72 hours prior to the Pre Bid Meeting.

(End of provision)

52.252-1 SOLICITATION PROVISIONS INCORPORATED BY REFERENCE (FEB 1998)

This solicitation incorporates one or more solicitation provisions by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. The offeror is cautioned that the listed provisions may include blocks that must be completed by the offeror and submitted with its quotation or offer. In lieu of submitting the full text of those provisions, the offeror may identify the provision by paragraph identifier and provide the appropriate information with its quotation or offer. Also, the full text of a solicitation provision may be accessed electronically at this/these address(es):

<http://www.arnet.gov/far/loadmainre.html>

<http://farsite.hill.af.mil/>

<http://www.hq.usace.army.mil/cepr/asp/library/efar.asp?strCat=8&strSubCat=6>

(End of provision)

//

**Calumet Area Office
Construction Progress Report
Thru End of: April 2005**

TS-C-S
Albert

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 P00012 | 7-Nov-02 | 1,341,940.96 |
| ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION: | 11-Jan-04 | 430 |
| REVISED CONTRACT COMPLETION DATE/REVISED DURATION: | 15-May-04 | 555 |
| PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS: | 15-May-04 | 0 |

ESTIMATED PROGRESS

| | |
|---|---------------------|
| A. Present Earnings as of Pay Est. No. 12 | 1,287,844.96 |
| 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) | 1,287,844.96 |

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

| | |
|---|---------------------|
| TOTAL VALUE OF PHYSICAL PROGRESS (A+B+C-D) | 1,287,844.96 |
|---|---------------------|

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

| | |
|---|---------------------|
| FINANCIAL PROGRESS - (A+B+C+D-E) | 1,287,844.96 |
|---|---------------------|

TOTAL ESTIMATED FINAL CONTRACT AMOUNT

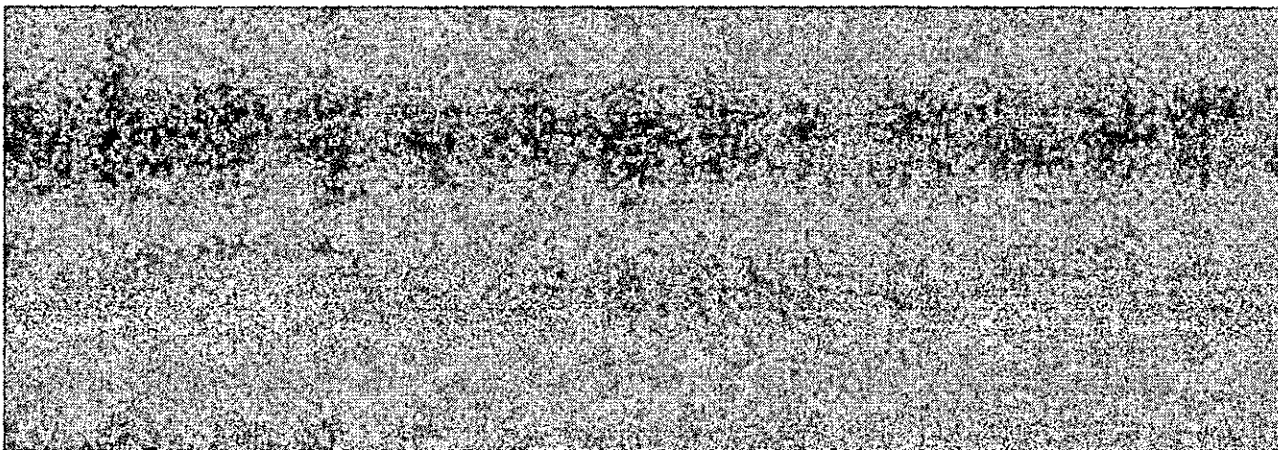
| | |
|--|---------------------|
| F. Current Contract Amount thru Mod. P00012 | 1,341,940.96 |
| G. Current Value of Overruns/Underruns (+/-) | 0.00 |
| H. Directed, Pending Modifications | 0.00 |
| TOTAL ESTIMATED FINAL CONTRACT AMOUNT (F+G+H) | 1,341,940.96 |

| | |
|--|---------------------|
| FUNDS OBLIGATED FOR PAYMENT: thru Modification P00012 | 1,287,940.96 |
|--|---------------------|

| | |
|--|---------------|
| ACTUAL PERCENT COMPLETE (A+B+C+D-E)/(F+G+H) | 95.97% |
|--|---------------|

| | |
|---|---------------|
| SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart) | 96.00% |
|---|---------------|

| | |
|--|---------------------|
| ESTIMATE EARNINGS FOR FY vs FUNDS AVAILABLE | 1,268,594.96 |
|--|---------------------|

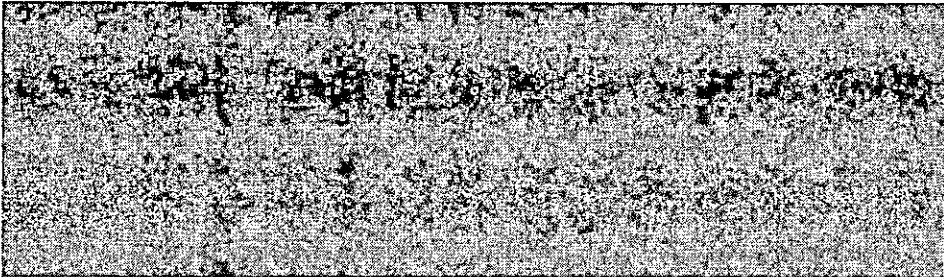


PROJECT STATUS/MAJOR ISSUES:

-15 May 2004 Contractor started 24 month monitoring period. (\$3,000.00 per month)

**Calumet Area Office
Construction Progress Report
Thru End of: April 2005**

| | | |
|--|---|---------------------|
| CONTRACT NO.: | DACW27-01-C-0001 | TS-C-S |
| CONTRACTOR: | Overstreet Engineering and Construction, Inc. | Albert |
| DESCRIPTION: | Little Calumet River Pump Station Rehabilitation Phase 1A | Anderson |
| | | Craig, Waldrom |
| ORIGINAL CONTRACT AWARD DATE/AMOUNT | 5-Oct-00 | 4,638,400.00 |
| NTP DATE/CURRENT CONTRACT AMOUNT: Mods thru A00015 & P00019 | 7-Nov-00 | 4,974,280.67 |
| ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION | 8-Oct-02 | 700 |
| REVISED CONTRACT COMPLETION DATE/REVISED DURATION | 21-Oct-04 | 1,444 |
| PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS | 28-Feb-05 | 130 |
| ESTIMATED PROGRESS | | |
| A. Present Earnings as of Pay Est. No. 30 | | 4,239,286.58 |
| B. Estimated Earnings thru end of reporting period | | 23,548.90 |
| C. Value of work Performed on Directed Mods (Earnings not paid for) | | 0.00 |
| TOTAL ESTIMATED PROGRESS (A+B+C) | | 4,262,835.48 |
| D. Work Paid for but not in Place (Materials in Storage) | | 0.00 |
| TOTAL VALUE OF PHYSICAL PROGRESS (A+B+C+D) | | 4,262,835.48 |
| E. Potential Termination Costs (% of Remaining Costs) (If Applicable) | | Not Available |
| FINANCIAL PROGRESS - (A+B+C+D-E) | | 4,262,835.48 |
| TOTAL ESTIMATED FINAL CONTRACT AMOUNT | | |
| F. Current Contract Amount thru Mod. thru A00015 & P00019 | | 4,974,280.67 |
| G. Current Value of Overruns/Underruns (+/-) | | 0.00 |
| H. Directed, Pending Modifications (Thru RFP SS038) | | 0.00 |
| TOTAL ESTIMATED FINAL CONTRACT AMOUNT (F+G+H) | | 4,974,280.67 |
| FUNDS OBLIGATED FOR PAYMENT: thru Modification thru A00015 & P00019 | | 4,382,627.09 |
| ACTUAL PERCENT COMPLETE (A+B+C+D-E)/(F+G+H) | | 85.70% |
| SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart) | | 100.00% |
| ESTIMATE EARNINGS FOR FY vs FUNDS AVAILABLE | | 4,192,792.74 |



PROJECT STATUS/MAJOR ISSUES:

- Hohman Ave. Overstreet turned 2 new portable gantry cranes over to the Hammond Sanitary District on 3-23-05.
 - Walnut Ave. All pump and motor removal, rebuilding, and re-installation have been discontinued.
 - Pump #6 rebuilding efforts have been discontinued. The pump rebuilding subcontractor, Viking Engineer has closed their business. This has resulted in additional delays. The partially rebuilt pump is now in Overstreet's lay down yard (N. 5th Ave Highland, IN).
 - The motor for Pump #6 has been rebuilt and factory tested. Results have been submitted and rejected due to unacceptable vibration. Per Overstreet the motor is presently located at Magnitech's shop.
 - Pumps #4 and #5 have yet to be removed and rebuilt.
 - An RFP has been issued for a self-retracting lifeline at the Walnut wet well access hatch.
 - South Kennedy Ave. All pump and motor removal, rebuilding, and re-installation has been discontinued.
 - Pump #3 has been rebuilt, tested, and partially installed. Reinstallation has been discontinued.
 - Pump #1 and #2 still need to be removed and rebuilt.
 - Corps sent Overstreet a "cure letter" on 19 OCT 2004 due to lack of progress. Overstreet submitted a number of partial responses to the COE Cure Letter. Overstreet has been unsuccessful in definitizing a subcontract with a pump rebuilding subcontractor to complete the work.
 - The Corps sent Overstreet and Overstreet's bonding company a "show-cause" letter on February 7, 2005 indicating the Government is considering terminating the Contract under the provisions for Default and giving Overstreet the opportunity to provide information on whether the failure to perform arose from causes beyond its control and without fault or negligence on its part.
 - On February 16, 2005, Overstreet responded with a preliminary plan on the remaining Contract work. Overstreet's response indicated that it had not yet been able to finalize a subcontract with a pump rebuilding subcontractor to complete the work.
 - On March 9, 2005, Overstreet gave the Corps a copy of the lone proposal received for completing the pump rehabilitation work, from the team of HydroAire and Magnitech. The proposal is for almost \$900,000, which is approximately \$500,000 more than the unpaid amount remaining in Viking's subcontract. Overstreet has indicated that it believes the price is unreasonable and that it cannot fund the additional \$500,000.
 - Overstreet's bonding company met with Overstreet on March 21 and 22, 2005 to collect information on the Contract. A conference call between the bonding company, the Corps, and Overstreet was supposed to be scheduled but never occurred.
 - Contracting Officer issued a "show cause" letter on 7 FEB 2005 and a followup "show cause" notice on 30 MAR 2005. Overstreet has not formally responded and the CO is in the process of terminating them for default.
- It is likely that we will need to reverse the majority of the accrual and deobligate the funds.

PETER J. VISCLOSKY
1ST DISTRICT, INDIANA

COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEES
DEFENSE
ENERGY AND WATER DEVELOPMENT
CONGRESSIONAL STEEL CAUCUS
VICE CHAIRMAN
U.S. HOUSE LAW ENFORCEMENT
CAUCUS

Congress of the United States
House of Representatives
Washington, DC 20515-1401

Received & sent according to the schedule
WASHINGTON, DC 20515-1401
DPO: 219-2441
701 EAST 43RD AVENUE, SUITE 4
MERRILLVILLE, IN 46710
CL: 795-1844
Call Toll Free
1 800 452 9578
or 462 452 1844
DIRECT
http://www.house.gov/pjvisclosky

March 30, 2005

Mr. Imad Samara
Project Manager
U.S. Army Corps Of Engineers
Chicago District Office
111 North Canal Street
Chicago, Illinois 60606

Dear Imad:

I write this letter in regard to the Little Calumet River Flood Control and Recreation Project.

In 1991, actual construction for this federally funded flood control project, in which a twenty-two mile levee system is to be constructed and completed in coordination with the United States Army Corps of Engineers (USACE) and the Little Calumet River Basin Development Commission (LCRBDC), was initiated. This project serves the best interest of residents in Northwest Indiana who live along the river, and whose homes are located in the flood plain. One complete, this project will alleviate the obligation to pay flood insurance for these residents and will improve their quality of life, as they will be able to enjoy both the recreational opportunities offered by an improved river system and flood protection.

To date, I have secured \$98.7 Million in federal funding to support the activities of this project. Unfortunately, the Little Calumet River Flood Control and Recreation Project is not yet complete. The USACE, acting as the Federal Sponsor, and the LCRBDC, acting as the Local Sponsor, must establish a reasonable end date of construction that reflects a sense of urgency.

I respectfully request that the USACE submit to my office a design and construction schedule for this project that will reflect completion of the levee system within four years, or a targeted end date of December 2009. This schedule will not only ensure monitored progress in the West Reach, but will assist in my efforts to secure additional federal funding for this project during the federal appropriations cycle. Once this schedule has been submitted, I know the USACE, in coordination with the local sponsor, the LCRBDC, will work expeditiously and aggressively to ensure the levee system reaches the Illinois-Indiana State Line by the targeted date.

Thank you for your immediate attention to this matter. If you are in need of any additional information, please do not hesitate to contact me, or Elizabeth Johnson, Director of Projects and Grants in my Merrillville Office at 219-795-1844.

Sincerely,

Peter J. Visclosky
Member of Congress

PJV:ej

14

Sandy Mordus

From: "Samara, Imad LRC" <Imad.Samara@lrc02.usace.army.mil>
To: "Little Calument (E-mail)" <littlecal@nirpc.org>
Sent: Tuesday, April 19, 2005 11:56 AM
Attach: Notes regarding Congr.doc
Subject: Notes regarding the Congressman's letter

Dan/Jim/Sandy/Judy

Please review my comments that I shared with my team today.

<<Notes regarding Congr.doc>>

Imad Samara
Project Manager
U S Army Corps of Engineers
Suite 600
111 N Canal Street
Chicago IL 60606
(W) 312-846-5560
(Cel) 312-860-0123

Notes regarding congressman's letter

- o The Local Sponsor (LS) should be directed by the COE to pursue the acquisition of all real estate in stages V-2, V-3 and VII based on final real state drawing provided to them by the COE.
- o The LS should develop a schedule and a timeline of the acquisition process for the stages mentioned above and provide that to the COE. The COE will develop a design and construction schedule based on the LS acquisition schedule.
- o To complete the construction of the levee system by Dec. 2009 Stage VIII (last stage to be constructed) construction would have to be completed by Dec 2009. Stage VIII is a two years construction so a contract will have to be awarded by Dec 2007. Real estate acquisition of Stage VIII would have to be completed by September 2007. The acquisition process takes 18 month so final real estate plans for Stage VIII have to be provided to the LS by March 2006.
- o For Stages V-2, V-3 and VII design changes permitted only for the following reasons
 - o Design changes are necessary due to past experience
 - o To avoid a condemnation proceedings



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

April 22, 2005

REPLY TO
ATTENTION OF

Planning, Programs & Project Management Division
Project Management Branch

Honorable Peter J. Visclosky
Representative in Congress
701 East 83rd Avenue, Suite 9
Merrillville, Indiana 46410

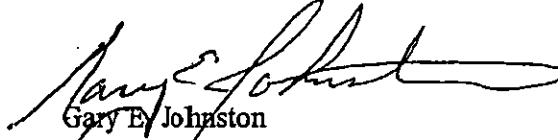
Dear Rep. Visclosky:

I am writing in reply to your letter of March 30, 2005 concerning the Little Calumet River Flood Control and Recreation Project. As soon as we received your letter we met with the Little Calumet River Basin Development Commission (LCRBDC) to discuss the schedule and an action plan. We are working with them to establish a real estate acquisition schedule that allows us to complete the construction by December 2009 as you have requested. Past experience has shown us that the critical activities are real estate acquisition and the non-Federal funding. The schedule will assume that LCRBDC will effect timely completion of real estate acquisition and provide the non-federal funding according to the schedule.

By May 30, 2005 we will provide you with a design and construction schedule that shows a completion date of December 2009.

If I can assist you further, please contact me at (312) 846-5300, or contact Mr. Roy Deda at (312) 846-5302.

Sincerely,


Gary E. Johnston
Colonel, U.S. Army
District Engineer

Copy Furnished:
Dan Gardner, LCRBDC



LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION

FLOOD PROJECT ESTIMATED COST BY STAGE/PHASE (6/05 to 9/07) (dated 5/5/05)

GRAND TOTAL = \$12,135,378 (plus recreation contract)

First Priority:

BURR STREET BETTERMENT LEVEE: \$ 900,000

Deadline 9/05

| | |
|---|---|
| Burr Street (Gary Phase I) Construction = | \$ 300,000 (\$1.4 mil contribution from Gary) |
| Burr Street (Little Cal Phase) Construction = | \$ 600,000 |
| TOTAL ESTIMATED | \$ 900,000 |

STAGE V-2 TOTAL = \$ 3,717,853 (see page 3 for explanation)

Start 6/05 to 10/06 for 43 Acquisitions

| | |
|--|--|
| Title Work: 43 @ \$385 per | \$ 16,555 |
| Surveys: 43 @ \$2,000 per | \$ 86,000 |
| Appraisals: 43 @ \$2,500 per | \$ 107,500 |
| Land Acquisition: | |
| Residential: 16@ \$3,500 | \$ 56,000 |
| Corporate: 17@ varied amounts | \$ 840,500 |
| Municipal: 5 @ \$10,000 | \$ 50,000 |
| NIPSCO: 2@ \$9,000 | \$ 18,000 |
| INDOT: 2 @ \$5,000 | \$ 10,000 |
| Railroads : 2 @ \$45,000 | \$ 90,000 |
| Unknowns: 0 | \$ 0 |
| *Condemnations: 21@ \$7,500 | \$ 157,500 |
| **Utility Relocation: 75 relocations | \$1,728,298 |
| Local Spon. 5% Construction Cost Share | \$ 550,000 (Fed. construct. contract \$11 mil) |
| TOTAL ESTIMATED | \$ 3,710,353 |

STAGE V-3 TOTAL = \$ 1,254,195

Start 9/05 To 1/07 for 7 Acquisitions

| | |
|---|---|
| Title Work: 7 @ \$385 per | \$ 2,695 |
| Surveys: 7 @ \$2,000 per | \$ 14,000 |
| Appraisals: 7 @x \$2,500 per | \$ 17,500 |
| Land Acquisition: | |
| Residential: 0 | \$ 0 |
| Corporate: 1 (Woodmar C.C.) | \$1,000,000 |
| Municipal: 2 @ \$10,000 | \$ 20,000 |
| NIPSCO: 0 | \$ 0 |
| INDOT: 3 @ \$5,000 per | \$ 15,000 |
| Railroads: 1 @ \$45,000 | \$ 45,000 |
| Unknowns: 0 | \$ 0 |
| *Condemnations: 1 @ \$15,000 | \$ 15,000 |
| **Utility Relocations: 0 | \$ 0 |
| Local Spon. 5% Construction Cost Share: | \$ 125,000 (Fed. construct. contract \$2.5 mil) |
| TOTAL ESTIMATED | \$ 1,254,195 |

STAGE VII TOTAL = \$ 1,767,755**Start 1/06 to 3/07 for 63 Acquisitions**

| | |
|--|---|
| Title Work: 63 @ \$385 per | \$ 24,255 |
| Surveys: 63 @ \$2,000 per | \$ 126,000 |
| Appraisals" 63 @ \$2,500 per | \$ 157,500 |
| Land Acquisition: | |
| Residential: 29 @ \$3,500 | \$ 101,500 |
| Corporate: 1@ est. amount | \$ 200,000 |
| Municipal: 13 @ \$10,000 | \$ 130,000 |
| NIPSCO: 2 @ \$9,000 | \$ 18,000 |
| INDOT: 0 | \$ 0 |
| Railroads: 0 | \$ 0 |
| Unknowns: 18 @ \$3,500 | \$ 63,000 |
| *Condemnations: 25 @ \$7,500 | \$ 187,500 |
| **Utility Relocation: total | \$ 460,000 |
| Local Spon. 5% Construction Cost Share | \$ 300,000 (Fed. construct. contract \$6 mil) |
| TOTAL ESTIMATED | \$1,767,755 |

STAGE VIII = TOTAL \$ 3,261,815**Start 4/06 to 9/07 for 119 Acquisitions**

| | |
|--|---|
| Title Work: 119 @ \$385 per | \$ 45,815 |
| Surveys: 119 @ \$2,000 per | \$ 238,000 |
| Appraisals: 119 @ \$2,500 per | \$ 297,500 |
| Land Acquisition: | |
| Residential: 79 @ \$3,500 | \$ 276,500 |
| Corporate: 5 @ est. amounts | \$ 312,000 |
| Municipal: 29 @ \$10,000 | \$ 290,000 |
| NIPSCO: 0 | \$ 0 |
| INDOT: 3 @ \$5,000 per | \$ 15,000 |
| Railroads: 1 @ \$45,000 | \$ 45,000 |
| Unknowns: 2 @ \$3,500 | \$ 7,000 |
| *Condemnations: 50 @ \$7,500 | \$ 375,000 |
| **Utility Relocation: | \$ 910,000 |
| Local Spon. 5% Construction Cost Share | \$ 450,000 (Fed. construct. cost \$9 mil) |
| TOTAL ESTIMATED | \$3,261,815 |

OTHER COSTS = \$ 1,541,200

| | |
|---|---------------------|
| Mitigation Construction Cost Share = | \$ 175,000 |
| Pump Stations Cost Share = | \$ 375,000 |
| **Professional Services = 28 mon.x \$35,400 per = | \$ 991,200 |
| TOTAL ESTIMATED | \$ 1,541,200 |

* Condemnations are \$7,500 per acquisition (\$1,500 for 3 court appraisers = \$4,500 plus \$3,000 for attorney fees calculated at 50% condemnation rate of total acquisitions per stage/phase)

** Utility Relocations are based on 2/94 drawings and will be brought up-to-date as the project progresses

**Professional Services of \$35,400 per month for 28 months calculated from 6/05 to 9/07

STAGE V-2 is actually two sections:

Kennedy to the N.& S. Railroad




| | | | |
|--|--------------------|----|-----------------------------------|
| Title Work: | 23 @ \$385 per | \$ | 8,855 (already started) |
| Surveys: | 23 @ \$2,000 per | \$ | 46,000 (already started) |
| Appraisals: | 23 @ \$2,500 per | \$ | 57,500 (to be assigned May 05) |
| Land Acquisition: | | | |
| Residential: | 14 @ \$3,500 | \$ | 49,000 |
| Corporate: | 3 @ varied amounts | \$ | 150,500 |
| Municipal: | 3 @ \$10,000 | \$ | 30,000 |
| NIPSCO: | 2 @ \$9,000 | \$ | 18,000 |
| INDOT: | 0 | \$ | 0 |
| Railroads : | 1 @ \$45,000 | \$ | 45,000 |
| Unknowns: | 0 | \$ | 0 |
| *Condemnations: | 11 @ \$7,500 | \$ | 82,500 |
| **Utility Relocation: | 75 relocations | | \$1,728,298 |
| Local Spon. 5% Construction Cost Share | | \$ | 550,000 (total contract \$11 mil) |
| TOTAL = | | | \$2,765,653 |

N.& S. Railroad to Northcote Avenue

| | | | |
|--|---------------------|----|---|
| Title Work: | 20 @ \$385 per | \$ | 7,700 |
| Surveys: | 20 @ \$2,000 per | \$ | 40,000 |
| Appraisals: | 20 @ \$2,500 per | \$ | 50,000 |
| Land Acquisition: | | | |
| Residential: | 2 @ \$3,500 | \$ | 7,000 |
| Corporate: | 14 @ varied amounts | \$ | 690,000 |
| Municipal: | 2 @ \$10,000 | \$ | 20,000 |
| NIPSCO: | 0 | \$ | 0 |
| INDOT: | 2 @ \$5,000 | \$ | 10,000 |
| Railroads : | 1 @ \$45,000 | \$ | 45,000 |
| Unknowns: | 0 | \$ | 0 |
| *Condemnations: | 10 @ \$7,500 | \$ | 75,000 |
| **Utility Relocation: | | \$ | 0 (in Stage V-2 Kennedy Ave. to Railroad) |
| Local Spon. 5% Construction Cost Share | | \$ | 0 (in Stage V-2 Kennedy Ave. to Railroad) |
| TOTAL = | | \$ | 944,700 |

3 May 05

WORK STUDY SESSION
RECREATIONAL DEVELOPMENT COMMITTEE
May 4, 2005
Bob Huffman, Committee Chairman

1. EJ&E crossing east of Cline Avenue 
 - Received letter from EJ&E on April 6, 2005 denying LCRBDC request to install an at-grade crossing.
 - They suggested topography was conducive to a below-grade crossing.
 - Design considerations and construction will be done as part of the future "Recreation Phase II" project.
2. NSRR denied LCRBDC request to install an at-grade crossing over their tracks west of Kennedy Avenue as part of the upcoming V-2 contract. 
 - As per a conference call with the Corps on February 16, 2005, it was suggested to re-locate the recreational trail bridge from west of Indianapolis Blvd. to east of the NIPSCO R/W.
 - This will allow an at-grade crossing at Grand Blvd. (an existing at-grade crossing). Refer to map as a handout.
 - A coordination meeting will be held with Hammond and Highland to discuss this re-configuration.
3. Recreation Phase II Contract 
 - This contract will be done in the future to tie in all the remaining segments of trail not completed, including the Grant and Broadway by-passes.

**MEMORANDUM REGARDING TRANSFER OF
THE LITTLE CALUMET/CITY OF PORTAGE MARINA
FROM THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
TO THE CITY OF PORTAGE**

At the last regular meeting of the Little Calumet River Basin Development Commission which was held on April 6, 2005, a resolution was adopted by the Little Calumet River Basin Development Commission authorizing the staff and attorney to begin the process of transfer of the Marina to the City of Portage so that the City of Portage can finish the Marina development. Since that meeting I have had discussions and performed further research regarding methods to expedite this transfer of property.

As we know from experience (transferring the Gerry Street property), transfers of property under the Indiana Disposal of Property Act can be quite lengthy. My research of the matter has indicated that there may be a more efficient method of transferring this property. The Little Calumet River Basin Development Commission statute at IC 14-13-2-14 provides that the Commission may transfer property to other political subdivisions or government agencies upon terms and conditions it deems appropriate. Utilizing this statute in combination with the Interlocal Government Cooperation Act (IC 36-1-7-1 through 15), which allows for agreements between local and/or state agencies, the Portage City Attorney and myself have agreed to draft a new Interlocal Cooperation Agreement providing for the transfer of the Marina and incorporating therein the salient provisions to protect both entities.

The Interlocal Government Cooperation Act provides in part that the agreement must be signed by the Attorney General of the State. An Interlocal Agreement must be presented to the Indiana Attorney General for review and approval. If this approval is given, we will have effectively bypassed the Indiana Disposal of Property Act.

Critical features of the Interlocal Agreement which I am presently drafting for submission to the Marina Committee will include, but not be limited to, the following items:

1. Provisions for transfer of property, including a specimen deed attached as an exhibit with legal descriptions;
2. Provisions requiring the City of Portage to adhere to the Local Cooperation Agreement between the Army Corps of Engineers and the Little Calumet River Basin Development Commission for the completion and operation of the Marina in a manner as provided in the LCA;
3. Provisions governing the maintenance of the Small Boat Harbor project;
4. Provisions protecting the Little Calumet River Basin Development Commission from pending threatened and/or future lawsuits arising from the development and operation and maintenance of the Marina facility;

5. Provisions protecting and transferring the obligations both parties have to banking entities pertaining to the revenue bond to the City of Portage; and
6. Provisions assigning the lease agreement with NIPSCO to the City of Portage.

After approval of the draft by the Committee, I can forward it to the Portage City Attorney for his review, comments and approval, and forward the complete agreement to the Little Calumet River Basin Development Commission and the City of Portage for adoption. After adoption, the complete agreement will be forwarded to the Attorney General for review and countersignature.

After approval by the Attorney General, transfer of property can be made by signature of the Chairperson of the Little Calumet River Basin Development Commission.

Respectfully Submitted,

Louis M. Casale, Attorney for the Little
Calumet River Basin Development Commission

PORTAGE PUBLIC MARINA

Project Background: In the early 1980's, twin rubble-mound breakwaters were constructed through a Section 219 Corps of Engineers program in conjunction with the Little Calumet River Basin Development Commission acting as the non-federal sponsor. Approximately \$2 million Federal funding was committed with \$1,768,800 million State appropriations as required match. As a requirement of the federal construction, a 200-250 slip public marina and public launch facilities was required of the non-federal interests to fulfill the obligation to the Federal government. One added Federal benefit of the program is the Corps of Engineers, by virtue of the Federal construction, would maintain the breakwaters structural integrity and perform maintenance dredging of the harbor entrance and channel to the identified public marina, subject to Federal funding availability.

Marina Project Status: Following the breakwaters construction, the Development Commission pursued potential marina sites with the City of Portage and private interests/marina operators in the waterway area. After a number of discussions and proposals, a roughly 18 acre site was identified and submitted to the Corps of Engineers for acceptance. The Corps accepted the location which was set just south of U.S 12 on the east side of the waterway. A NIPSCO power transmission high-line and below ground gas lines bisected the site. A series of platted, but not developed, public roadways were present within the marina site and have since been vacated.

The Development Commission has acquired roughly 12 acres from principally private sources. Once acquired, the Development Commission removed the surplus sand to create a marina basin, and worked with the City of Portage, which utilized Lake Michigan Marina Development Commission funds to bring necessary public infrastructure to the site.

Also, a revenue bond passed by the Development Commission, with City backing, built the first 88 slips in the marina. An Indiana Waters grant, through the IN Department of Natural Resources, constructed public launch lanes at the site.

Currently, approximately ±80 slips still need to be developed to complete the project.

Property Transfer Request: Mayor Doug Olson of the City of Portage requested the transfer of the land held by the Development Commission to the City for the purpose of the City completing the ±80 slip construction. This would complete the committed project development to the Corps of Engineers and fully build out the site. Congressman Pete Visclosky strongly supports this transfer as consistent and a component of the implementation of the Portage section of the Marquette Shoreline Plan.

Benefits of Property Transfer:

- (1) The transfer would allow the city of Portage to construct and complete the project – currently estimated at in-excess of \$1 million investment.
- (2) The construction completion will fulfill the Development Commission's legal commitment to the U.S. Army Corps of Engineers. This completion will keep the Corps of Engineers committed to Federal breakwater maintenance and harbor entry/public channel to marina entry dredging.
- (3) Conversely, failure to complete the construction would lead to default of the committed non-federal interests to the Corps of Engineers and the repayment of the \$2 million Federal breakwaters participation.

WORK STUDY SESSION

4 May 2005

ENVIRONMENTAL COMMITTEE

Dr. Mark Reshkin, Chairperson

- 1.) Mitigation Project is officially closed. We will send a letter to the IN DNR stating that we have fulfilled the mitigation requirements for the West Reach Construction Permit. We are providing maps of the property to IN DNR Enforcement to monitor the property for dumping, etc.

Once again, the information is:

Hobart Marsh is south of Ridge Road, north of 61st Avenue, east of I-65, and on both sides of Liverpool Road to the east.

ACREAGE/COSTS:

| | |
|---|------------------------------------|
| M-1 = 62 acres = | \$ 492,318 |
| M-2 = 51 acres = | \$ 359,131 |
| M-4 = 20 acres = | \$ 188,095 |
| M-12 & 14 = 173 ac. | \$1,074,625 (including relocation) |
| M-15 = 46 acres = | \$ 323,078 |
| TOTAL = 352 acres | \$2,437,247 |
| Plus 94 acres already acquired within project boundaries. | |
| TOTAL = 446 acres acquired (437 required) | |

- 2.) Trust for Public Land will conduct a Dedication Ceremony on Saturday, the 7th of May at Robinson Park in the Hobart Marsh area. Congressman Peter Visclosky, LCRBDC Executive Director Dan Gardner, and TPL Executive Director Christine Slattery will speak about the project. A walking tour is planned for the Bailey property following the ceremony. The Congressman's office is making all the arrangements.

**WORK STUDY SESSION
OPERATION AND MAINTENANCE
May 4, 2005
BOB HUFFMAN, Committee Chairman**

1. The final sluice gate inspections were held in Gary on April 14 and April 21
 - Corps/LCRBDC/Gary did inspections on April 14; Gary/LCRBDC did inspections on April 21 (Corps ran out of funds and could not attend).
 - To expedite the turnover of O&M to Gary, this needed to be completed in a timely manner.
 - The results of the pump station and sluice gate inspections will be sent to Gary for completing a scope of work to correct deficiencies (Refer to Page 7 of attachments to the O&M Report for spreadsheet information on sluice gates)
2. Pump station diagnostics completed by Austgen Electric (Results available to Commissioners upon request)

✓ put in
w/ 60

Yair is

WORK STUDY SESSION
LAND MANAGEMENT

May 4, 2005

Bob Marszalek, Committee Chairperson

next week

-
- ✓ 1. Ordered Phase 1 Environmental assessment from K&S Testing to meet final requirement from State for Disposition of Property Act.
 - Met on site on April 25 – Anticipate completed report by May 11.
 - ✓ 2. VIEW OUTDOOR ADVERTISING billboards
 - Staff completed License Agreement, as per request from Commissioners at April 6 meeting, for review and discussion.
 - Need action to approve agreement contingent upon staff and attorney concurrence.
 - ✓ 3. Gary development east of Indiana University (East of Broadway, north of 33rd Avenue)
 - LCRBDC sent property identification information regarding ownership in the vicinity of Delaware Street to N. W. Engineering on April 4
 - Preliminary study being done for pump station installation in the area to ultimately allow construction on this easement (Currently it is a flowage easement with occasional ponding).

*F2I -
no action*

put in

WORK STUDY SESSION
ENGINEERING COMMITTEE

May 4, 2005

Bob Huffman, Committee Chairman

1. Pre-bid meeting scheduled for Stage VI Phase 2 on May 12 at LCRBDC office. ✓
 - LCRBDC notified newspapers of scope of work and provided general project information including access to plans and specs, and date of pre-bid meeting.
 - The intent is to try to get more local contractor involvement.
2. Information sent to residents in Stage VI-1 South (Kennedy to Liabe, south of the river) on April 27 regarding the schedule, points of contact, and general information pertaining to upcoming sheet pile driving and video request. (See page 8 of the attachments to the Engineering Report) ✓
3. Upcoming Stage V Phase 2 construction ✓
 - Corps is finalizing design modifications to the pipeline corridor construction (west of Kennedy Avenue and east of the NSRR) to try to minimize utility relocation and construction costs.
 - Upon receipt of this information, LCRBDC will begin facilitation, and coordination, with all of the pipelines to obtain engineering comments and costs for any pipeline protection needed.



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

April 1, 2005

WILLIAM BILLER, Chairman
Governor's Appointment

ROBERT HUFFMAN, Vice Chairman
Governor's Appointment

ARLENE COLVIN, Treasurer
Mayor of Gary's Appointment

DR. MARK RESHKIN, Secretary
Governor's Appointment

GEORGE CARLSON
Mayor of Hammond Appointment

STEVE DAVIS
Dept. of Natural Resources Appointment

SAM DIMOPOULOS
Lake County Commissioners' Appointment

ROBERT MARSZALEK
Governor's Appointment

JOHN MROCZKOWSKI
Governor's Appointment

CHARLIE RAY
Porter County Commissioners' Appointment

VACANCY
Governor's Appointment

JAN GARDNER
Executive Director

JOE CASALE
Attorney

Mr. Mark Lopez
Congressman Visclosky's Office
701 East 83rd Avenue, Suite 9
Merrillville, Indiana 46410

Re: Update on LCRBDC Real Estate Progress

Dear Mark:

I wish to confirm relative to the phone message I left you that the Commission has closed on the mitigation properties. We closed on March 24th on the Bundalo tract (20.9 acres) and we closed on March 30 on the Kim tract (61.027 acres) and the Brinson tract (52.1 acres). This brings our acreage at Hobart Marsh to 446 acres, of which 437 acres was required by our IDNR permit. We will begin working with IDNR to extend the permit to the end of the project.

The Commission has also worked diligently to finalize the remaining acquisitions in the stretch between Cline Avenue and Kennedy Avenue (Stage VI-1 North and Stage VI-2). We have acquired all of the required properties within the time frame identified in the Corps schedule and are conveying to them the certified right-of-entry to allow Federal construction advertisement on schedule.

As I had mentioned previously, we were very concerned about obtaining on time the court-ordered awards that had gone to condemnation, both in time frame and within available funds. I am pleased to report that the two condemnation awards on undeveloped properties in Highland came back within reason and have been drawn from the State and will be paid into court shortly. The greatest success was in the negotiated settlement in the Hammond Light Industrial Park area with Krosan Development, where a slight modification of the engineering design for construction yielded a settlement and saved over \$400,000 of cost. With this closed, we can now apply those monies that we legally had to reserve to the Stage V-2 section for acquisition and any remaining obligations on the Burr Street segment. All told, about \$1 million in negotiated settlements and municipal donations of easements have been achieved.

Mr. Mark Lopez
April 1, 2005
Page 2

Toward that end, the Commission is now breaking the first investment to utilize for Stage V-2 purposes, which had to await final resolution of the condemnations to assure sufficient coverage. The State available funding is now virtually depleted and we will be spending from investment funds.

Relative to Stage V-2 (west of Kennedy Avenue) we are currently, as requested, waiting for surveys and title work on 25 out of 38 properties. This is in the area up to the Norfolk Southern RR. We are in active discussions with the city of Hammond on major parcels west of that, i.e. the currently-vacant Inter-State Plaza parcels and the Woodmar Country Club. We are seeking an engineering concurrence in a couple of areas, which will allow us to do survey and title work on the Inter-State Plaza parcels and Tri-State Bus facility. At the Woodmar Country Club, we are working with the Mayor's Office on an updated appraisal to attempt to move the club's disposition of property along as a positive to the project as opposed to a potential contentious and expensive condemnation with "damage" needing to be paid to the Club.

The staff is updating the real estate work sheets for you and Elizabeth on the segments both in Highland and Hammond over to Stage VI-1, VI-2, V-2, and V-3 showing dollars spent and saved. This will be available by Wednesday. We are committed to letting the full V-2 contract as a single construction contract. Currently, the city of Hammond has been very interested in the first segment over from Kennedy and the railroad, which affords the only tieback opportunity existing in the West Reach to begin removing people from the floodplain once the levee construction has reached that location.

Lastly, we are working with the city of Gary and the Army Corps to identify getting the Burr Street construction (both city and Commission) under way so as to permit continued west reach construction. Item 11 of our IDNR permit requires concurrent construction of Burr Street and Stage V.

I offer, once you have received our updated spread sheets, to meet with you and/or Elizabeth and Imad Samara to discuss in detail these issues.

Sincerely,



Dan Gardner
Executive Director

/sjm

cc: Elizabeth Johnson
Imad Samara

SM

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION

FLOOD PROJECT COST BY STAGE/PHASE (June 05 to September 07)

GRAND TOTAL = \$13,035,378

First Priority:

BURR STREET BETTERMENT LEVEE: \$ 1,500,000

Deadline 9/05

Burr Street (Gary Phase I) Construction = \$ 900,000

Burr Street (Little Cal Phase) Construction = \$ 600,000

TOTAL ~~\$1,500,000~~

900,000

DRAFT

STAGE V-2 TOTAL = \$ 3,717,853 (see page 3 for explanation)

Start 6/05 to 10/06 for 43 Acquisitions

Title Work: 43 @ \$385 per \$ 16,555

Surveys: 43 @ \$2,000 per \$ 86,000

Appraisals: 43 @ \$2,500 per \$ 107,500

Land Acquisition:

Residential: 16 @ \$3,500 \$ 56,000

Corporate: 17 @ varied amounts \$ 840,500

Municipal: 5 @ \$10,000 \$ 50,000

NIPSCO: 2 @ \$9,000 \$ 18,000

INDOT: 2 @ \$5,000 \$ 10,000

Railroads: 2 @ \$45,000 \$ 90,000

Unknowns: 0 \$ 0

*Condemnations: 21 @ \$7,500 \$ 157,500

**Utility Relocation: 75 relocations \$ 1,728,298

Local Spon. 5% Construction Cost Share \$ 550,000 (total contract \$11 mil)

TOTAL \$ 3,710,353

DRAFT

STAGE V-3 TOTAL = \$ 1,254,195

Start 9/05 To 1/07 for 7 Acquisitions

Title Work: 7 @ \$385 per \$ 2,695

Surveys: 7 @ \$2,000 per \$ 14,000

Appraisals: 7 @ \$2,500 per \$ 17,500

Land Acquisition:

Residential: 0 \$ 0

Corporate: 1 (Woodmar C.C.) \$ 1,000,000

Municipal: 2 @ \$10,000 \$ 20,000

NIPSCO: 0 \$ 0

INDOT: 3 @ \$5,000 per \$ 15,000

Railroads: 1 @ \$45,000 \$ 45,000

Unknowns: 0 \$ 0

*Condemnations: 1 @ \$15,000 \$ 15,000

**Utility Relocations: 0 \$ 0

Local Spon. 5% Construction Cost Share: \$ 125,000 (total contract \$2.5 mil)

TOTAL = \$ 1,254,195

(w.e.p.)

TOTAL
261 properties

STAGE VII TOTAL = \$ 1,767,755**Start 1/06 to 3/07 for 63 Acquisitions**

| | |
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| Appraisals" 63 @ \$2,500 per | \$ 157,500 |
| Land Acquisition: | |
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| Railroads: 0 | \$ 0 |
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| **Utility Relocation: total | \$ 460,000 |
| Local Spon. 5% Construction Cost Share | \$ 300,000 (total contract \$6 mil) |
| TOTAL | \$1,767,755 |

DRAFT**STAGE VIII = TOTAL \$ 3,261,815****Start 4/06 to 9/07 for 119 Acquisitions**

| | |
|--|--|
| Title Work: 119 @ \$385 per | \$ 45,815 |
| Surveys: 119 @ \$2,000 per | \$ 238,000 |
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OTHER COSTS = \$ 1,541,200

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* Condemnations are \$7,500 per acquisition (\$1,500 for 3 court appraisers = \$4,500 plus \$3,000 for attorney fees calculated at 50% condemnation rate of total acquisitions per stage/phase)

** Utility Relocations are based on 2/94 drawings and will be brought up-to-date as the project progresses

**Professional Services of \$35,400 per month for 28 months calculated from 6/05 to 9/07

DRAFT

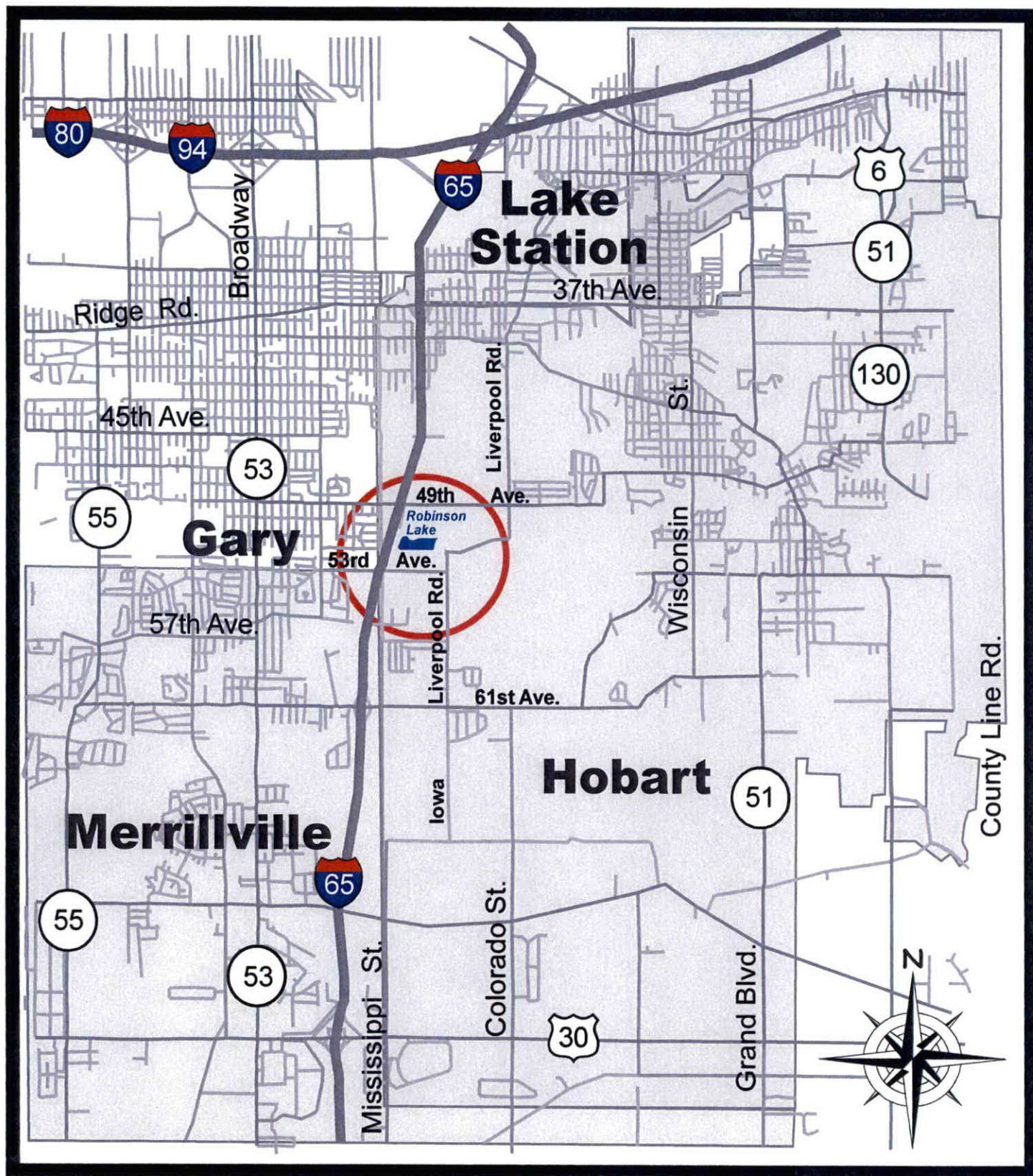
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| **Utility Relocation: | 75 relocations | \$ | 1,728,298 |
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| TOTAL = | | | \$2,765,653 |

N.& S. Railroad to Northcote Avenue

| | | | |
|--|---------------------|----|---|
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| Land Acquisition: | | | |
| Residential: | 2 @ \$3,500 | \$ | 7,000 |
| Corporate: | 14 @ varied amounts | \$ | 690,000 |
| Municipal: | 2 @ \$10,000 | \$ | 20,000 |
| NIPSCO: | 0 | \$ | 0 |
| INDOT: | 2 @ \$5,000 | \$ | 10,000 |
| Railroads : | 1 @ \$45,000 | \$ | 45,000 |
| Unknowns: | 0 | \$ | 0 |
| *Condemnations: | 10 @ \$7,500 | \$ | 75,000 |
| **Utility Relocation: | | \$ | 0 (in Stage V-2 Kennedy Ave. to Railroad) |
| Local Spon. 5% Construction Cost Share | | \$ | 0 (in Stage V-2 Kennedy Ave. to Railroad) |
| TOTAL = | | | \$ 944,700 |



Robinson Lake



LITTLE CALUMET RIVER BASIN
DEVELOPMENT COMMISSION

6100 Southport Road

Portage, Indiana 46368

**LICENSE AGREEMENT
BETWEEN VIEW OUTDOOR ADVERTISING LLC
AND THE
LITTLE CALUMET RIVER BASIN DEVELOPMENT
COMMISSION
FOR VIEW OUTDOOR ADVERTISING SIGN LOCATION #IN-120**

Come now, the undersigned, the Little Calumet River Basin Development Commission residing at 6100 Southport Road, Portage, Indiana 46368, telephone number 219/763-0696, hereinafter referred to as LICENSOR, and View Outdoor Advertising LLC residing at 1000 East 80th Place, Suite 700N, Merrillville, Indiana 46410, telephone number 219/736-8439, hereinafter referred to as LICENSEE, and for fair and valuable consideration agree as follows:

(1) The LICENSOR hereby grants to the LICENSEE an exclusive license to construct, operate, and maintain an illuminated off-premise Sign structure, including electrical service to the Sign, from and after the date hereof, for a period of ten (10) years after the date the Sign is erected at the Site. The annual rent rate will be Nine Thousand Dollars and No Cents (\$9,000.00) (Rent) payable monthly in advance commencing on the first day of the month following the date the Sign is erected at the Site or Twenty Percent (20%) of net revenues, whichever is greater. The base annual rental of \$9,000 would be paid on a monthly basis in advance. In addition, at the end of each lease year, a calculation would be made to determine the 20% figure. An additional payment would be made at that time for any amount by which the 20% figure exceeds \$9,000. Net revenue would be defined as gross revenues actually received less agency commissions (if any) paid by LICENSEE to contract with the advertiser. No other costs would be deducted to establish the net figure. The 20% clause would create a partnership, allowing the LICENSOR to receive additional revenue tied to high occupancy, as well as provide a vehicle for the rent to increase as we increase advertising rates going into the future. Additionally, the \$9,000 provides the LICENSOR a secure, guaranteed income base. Rent shall be deemed received by LICENSOR upon LICENSEE's deposit with the United States Post Service, postage prepaid, and addressed to LICENSOR at the most recent address provided to LICENSEE, or when received by LICENSOR's bank in the event of electronic transfer. LICENSEE shall have a period of six months from the date this License Agreement is signed by both LICENSOR and LICENSEE in which to erect the Sign at the Site. In the event it is not erected within six months, this agreement is null and void.

(2) Sign Size and Description:

VIEW OUTDOOR ADVERTISING Sign #IN-120

Double Face 14' x 48'

North side of I-80/94, approximately 2000' west of I-65 (in the vicinity of the access tunnel under I-80/94)

(Refer to attached EXHIBIT "A" for the legal description)

(Refer to attached EXHIBIT "B" for the location drawing)

(3) LICENSOR and LICENSEE agree that the Sign and all structures, equipment, materials, and fixtures LICENSEE places upon the Site are a permanent fixture and the property of LICENSEE. LICENSOR agrees that LICENSEE shall remove the Sign within 45 days (or up to 90 days in the event of adverse weather or ground conditions) after the later of (a) expiration of the Term or (b) following expiration of the Term if either LICENSOR or LICENSEE gives written notice to the other that negotiations for a renewal lease have ended. If LICENSEE fails to remove the Sign as required by this paragraph, LICENSOR's sole remedy is to remove the Sign and LICENSEE agrees to reimburse LICENSOR the cost of such removal.

(4) The Sign may have, or may be modified to have, as many advertising faces, including changeable copy faces, and of any size and height as is allowed by local and state laws.

(5) LICENSEE shall be responsible for personal injury and property damage caused by the negligent acts of LICENSEE while on the Site and shall carry public liability insurance in the amount of \$1,000,000, naming LICENSEE as co-insured, until the Sign is removed. Copy of said proof of insurance shall be made available to the LICENSOR.

(6) LICENSOR warrants that (a) it is the owner or the authorized agent of the owner of the Site, (b) it has full authority to enter into this License Agreement, and (c) if LICENSEE shall pay the Rent, LICENSEE shall peacefully and quietly have, hold, and enjoy the use of the Site and the property of which the Site is a part throughout the Term.

(7) If any provision of this License Agreement is determined by a court of competent jurisdiction to be illegal or otherwise unenforceable, such provision shall be deemed deleted and this License Agreement shall be read, interpreted, and enforced without such provision.

(8) This License Agreement is binding upon LICENSOR and LICENSEE, and their respective executors, personal representatives, successors and assigns. LICENSOR agrees to notify LICENSEE in writing within 20 days of any change in ownership or control of the Site, or of any change in LICENSOR's mailing address. In the event LICENSOR fails to so notify LICENSEE of any such change, LICENSEE shall not be in default for failure to pay Rent or provide any notice to LICENSOR under this License Agreement until 30 days after written notice from LICENSOR of such change.

(9) All notices contemplated by this License Agreement shall be deemed given three days after deposit in regular mail, postage prepaid or one day after deposit with a recognized overnight courier and addressed to LICENSOR or LICENSEE.

(10) LICENSEE will not place advertising copy on the Property that competes with the LICENSOR's on-site business use or other specific advertising types identified as Gentlemen's Clubs and other sexually-oriented advertising.

(11) LICENSEE shall not prohibit access to any flood control features with the Sign or utility installations.

(12) In the event LICENSEE fails to perform under the terms of the License Agreement, LICENSOR shall provide notice to LICENSEE of detailing such failure and LICENSEE may cure such failure, or diligently pursue such cure, within 60 days from the date LICENSEE receives such notice. In the event LICENSOR fails to perform under this License Agreement, LICENSEE may provide notice to LICENSOR of such failure and LICENSOR may cure such failure, or diligently pursue such cure, within 60 days from the date of such notice. In the event of lawsuit to enforce the provisions of this Agreement, the prevailing parties attorney fees shall be included in damages assessed.

(13) Prior to and for a period of three (3) years after removal of the Sign from the Site, LICENSOR grants LICENSEE a right of first refusal to match any agreement of LICENSOR with a third party for the purpose of permitting off-premise outdoor advertising on the property of which the Site is a part. LICENSEE shall have a period of seven (7) days after receipt of written notice from LICENSOR accompanied with a copy of the agreement with the third party in which to elect to match such agreement.

(14) LICENSOR agrees that no off-premise sign structure other than LICENSEE's shall be erected or placed on the Site or within 1750 feet of the Site on other real estate LICENSOR owns or has any interest. LICENSOR will not cause or permit the Sign to be at all obscured from view from the Highway or major road near the Highway, unless required by the Little Calumet River flood control project. LICENSOR, as to the property of which the Site is a part and other property in which LICENSOR owns or has any interest, consents and grants to LICENSEE the right of ingress and egress to and from the Site for all purposes contemplated by this License Agreement, including, but not limited to (a) trimming, cutting or removing brush, trees, shrubs, or any vegetation, and removing

any obstructions which in any manner determined by LICENSEE obscure the visibility of the Sign from the Highway or major road near the Highway; (b) establishing and/or providing all necessary utility service to the Site and the Sign; or (c) placing incidental and additional equipment, including but not limited to, antennas and other communication devices, on the Site and/or the Sign. LICENSEE may sub-let the Site or the Sign, or any part thereof, and/or assign this License Agreement, after having notified LICENSOR of such intention and receiving approval of LICENSOR.

(15) LICENSOR grants to LICENSEE the right to establish above or below ground utility service across LICENSOR's property to the Site and the Sign. LICENSOR grants to LICENSEE the right to reasonably locate and orientate the Sign on the Site to achieve optimum visibility to be traveling public on the Highway or major road near the Highway. Any discrepancies or errors in the location and orientation of the Sign are deemed waived by LICENSOR upon LICENSOR's acceptance of the first Rent payment from LICENSEE under this License Agreement.

(16) If, at any time during the Term of this License Agreement, (a) LICENSEE determines that it is unable to secure or maintain a required or desired permit or license from the requisite government authority with respect to the Sign; (b) federal, state, or local statute, ordinance, regulation, or other government action precludes or materially limits the use of the Site or the Sign for advertising purposes; (c) the visibility of one or more faces of the Sign from the Highway or road near the Highway is obstructed or obscured as determined by LICENSEE; (d) there occurs a diversion of traffic from or a change in the direction of traffic past the Sign from the Highway or road near the Highway; and/or (e) LICENSEE determines the Sign is no longer economically viable to LICENSEE; then LICENSEE, at its option, may terminate this License Agreement upon fifteen (15) days written notice to LICENSOR.

(17) If, at any time during the Term of this License Agreement, (a) LICENSOR may terminate this License Agreement, only in the event that it becomes necessary to do so for the public health, benefit, or welfare or for Flood Control Project purposes as it determines only after One Hundred Twenty (120) days notice to LICENSEE and public hearing to make such determination.

(18) LICENSOR represents and warrants to LICENSEE that LICENSOR knows of (a) no pending action against LICENSOR or the Site under any environmental law, regulation, ordinance or otherwise, and LICENSOR has received no notice in any form of any such action of possible action; (b) no past or current releases of hazardous substance on, over, at, from, into, or unto the Site; (c) no environmental condition, situation, or incident on, at, near or concerning the Site that could possibly give rise to an action or to liability under any law, statute, ordinance, or regulation or common law theory. LICENSOR agrees to indemnify and hold LICENSEE harmless from claims or demands on account of bodily injury or property damage caused by or resulting from the negligent or willful acts of LICENSOR or its agents in connection with the Sign. Conversely, LICENSEE agrees to indemnify and hold LICENSOR harmless from claims or demands on account of bodily injury or property damage caused by or resulting from the negligent or willful acts of LICENSEE or its agents in connection with the Sign.

In witness whereof, the undersigned executes this License Agreement on this _____ day of _____, 2005.

LICENSOR:
LITTLE CALUMET RIVER BASIN
DEVELOPMENT COMMISSION

LICENSEE:
VIEW OUTDOOR ADVERTISING, LLC

By: _____

By: _____

LAND MANAGEMENT REPORT

For meeting on Wednesday, May 4, 2005

(Information in this report is from March 31 – April 27, 2005)

A. 3120 GERRY STREET (RENTAL HOUSE):

- One bid was received in the amount of \$7,502.00
- Being that the bid on the house was less than 90% of the appraisal, the sale needs to be approved by the Governor. Package sent to Dept. of Administration for coordination on November 16, 2004.
- Package went to the Governor's office on December 20th, 2004.
- Governor's Office requesting additional information and Attorney's office is pursuing. (Ongoing) Requirements were requested for Phase I Environmental Assessment, and confirming there is no historical impacts.
- **Met with K&S Testing on April 25 on site to discuss the scope of work and provide on site familiarization.**

B. A letter was sent to Northwest Engineering on April 4 providing information of property ownerships in the area of Delaware Street north of 33rd Avenue.

- **They are looking at the possibility of constructing a pump station in this area which could allow future construction on this landward side of the levee. It is currently a flowage easement-Occasional ponding)**

C. BILLBOARDS:

- A hearing was held on March 8 with the Gary Board of Zoning for approval.
- Three (3) sign locations were approved with conditions regarding sign content. VIEW OUTDOOR was agreeable to the conditions.
- **LCRBDC currently comprising agreement for Commissioners review at the May 4 public meeting.**

D. Coordination of property use of 30 acres of land east of Clay Street (in Lake Station) and north of Burns Ditch.

- A meeting was held with the Land Management Committee and several Commissioners on March 8 to discuss potential coordination with LEL to use this land for wetland banking.
- **Need to schedule a committee follow-up meeting**



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

WILLIAM BILLER, Chairman
Governor's Appointment

ROBERT HUFFMAN, Vice Chairman
Governor's Appointment

ARLENE COLVIN, Treasurer
Mayor of Gary's Appointment

DR. MARK RESHKIN, Secretary
Governor's Appointment

GEORGE CARLSON
Mayor's of Hammond Appointment

STEVE DAVIS
Dept. of Natural Resources Appointment

SAM DIMOPOULOS
Lake County Commissioners' Appointment

ROBERT MARSZALEK
Governor's Appointment

JOHN MROCZKOWSKI
Governor's Appointment

CHARLIE RAY
Porter County Commissioners' Appointment

VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

April 4, 2005

Mr. Tom Weinman
Northwest Engineering Company, Inc.
504 Broadway, Suite 1028
Gary, Indiana 46402

Dear Tom:

As per your request, I am enclosing three (3) colored copies of property identification adjacent to Delaware Street between 33rd Avenue and 32nd Avenue in Gary. According to our property records, all of the property between Delaware and Pennsylvania is owned by the Gary Parks & Recreation Department upon which the LCRBDC has easement agreements in place for flowage. East of Delaware Street to Maryland Street is all owned in fee by the LCRBDC with the exception of Lots 1 & 2 (LCRBDC has an easement agreement for flowage with Gary Parks & Recreation) and Lot 11 (LCRBDC has an easement agreement for flowage with the city of Gary).

The real estate requirement from the Army Corps of Engineers only extend as far south as the red line indicates south of Lots 15 & 26 in Block 25 and Lots 11 & 18 in Block 1 of Georgia Gardens. Our south line for the permanent levee easement is the same line as the north right-of-way line of 32nd Avenue.

I hope this information provides you the data you requested. If we may be of further assistance, please contact me at the above number.

Sincerely,

James E. Pokrajac, Agent
Land Management/Engineering

/sjm
end.
cc

Arnie Muzumdar
Dan Gardner, Ex. Dir., LCRBDC

OPERATION AND MAINTENANCE REPORT
For meeting on Wednesday, May 4, 2005
(Information in this report is from March 31 – April 27, 2005)

O&M Committee (Ongoing issues):

1. Funding to complete O&M obligations.
 - A. 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.(Ongoing)
 - As part of the City of Gary's request for taking O&M responsibility, they requested that the COE assume responsibility for complying with IDEM requirements for water quality regarding discharges for the Little Calumet River Flood Control Project.
 - A letter was sent to Greeley & Hansen Engineers (GSD Engineering consultants) on May 24, 2004, requesting they provide a Scope of Work that could be incorporated into a contract that would be done in 2005 as a LCRBDC/COE project cost. (Ongoing)
 - A letter was received from the Corps on March 14 providing a summary of the current state of the submission process as part of the coordination between FEMA and the Corps.
 - B. City of Gary (or their representatives) position on taking over O&M for pump stations.
 - LCRBDC received a letter from United Water regarding the maintenance of pump stations on June 9, 2004.
 - A proposal was submitted with this letter requesting \$37,250.71 in back payments as well as \$4,876/month for services with additional adjustments. (Available upon request.)
 - LCRBDC received an e-mail from United Water on December 17 referring to the June 9 letter and their proposal. In a conference call with Dwain Bowie on December 14 (Dan Gardner, Jim Pokrajac, Dwain Bowie), WREP indicated they would do no maintenance, or any diagnostics, without a signed agreement.
2. A meeting was held with the City of Gary on June 28, 2004, to discuss land transfers, COE upgrades on lift stations, and Gary Stormwater Management District O&M.
 - A. Land transfers (approximately 359 acres) were discussed. LCRBDC Passed a resolution at the July 7, 2004 Commission meeting to begin process.
 - A meeting needs to be scheduled with the City of Gary to formulate a method to transfer these lands. (Ongoing)
 - B. **Inspections were held with the COE, LCRBDC, and representatives from Gary as follows.**
 1. All four pump stations in Gary were inspected on September 13, 2004 (these included Burr St. North, Grant, Broadway, and Ironwood). Representatives from the COE, Greeley & Hansen, United Water, and the LCRBDC attended.

- The LCRBDC contracted out Austgen Electric to do diagnostics on all four pump stations. We received the results (available to any Commissioners upon request).
 - Costs to correct these deficiencies will be obtained to determine total costs to correct. A meeting will be held with Gary when all reports (LCRBDC/COE/GSD) are combined to get a scope of work.
2. Sluice gates were inspected on September 14 and Sept. 22, 2004 with representatives from the COE, Greeley & Hansen, United Water (provided the compressor), and LCRBDC.
- Final sluice gate inspections were held on April 14, 2005 and April 21, 2005. The Corps participated on the 14th, but ran out of funds and could not attend on the 21st.
 - When the summarization is completed, it will be forwarded to the Corps.
 - A summarization table of the sluice gates has been completed and will be submitted to the Corps with the results of the field inspection.
3. Levee inspections were held September 24, 28, and 29, 2004. (Commissioner Bob Huffman attended in Jim Pokrajac's absence.)
- C. A request was submitted to the COE on October 5th, 2004, to provide a punch list of all facilities currently inspected and to schedule the remaining uninspected features as soon as possible in order to help us facilitate coordination with Gary to take over O&M responsibilities.
- D. Sent a letter to the COE on October 5th, 2004, requesting "as-built" drawings not previously submitted in order that we could provide these to Gary as part of the O&M turnover process. (Ongoing)
- Sent an e-mail to the Corps on February 24, 2005 requesting "as-built" drawings for distribution in lieu of the disk.
 - The Corps agreed at a coordination meeting on March 9 that they would provide the LCRBDC with reproducible sets.
- E. A letter was sent to the town of Griffith on December 20, 2004 requesting them to take over O&M between the EJ&E RR and Colfax Avenue (Burr St. Betterment Phase 1).
- A meeting needs to be scheduled with Griffith to review their O&M responsibilities. LCRBDC requesting information from Corps for scope of work.
- F. As one of the "ongoing technical issues" with concerns from the city of Gary, the Army Corps submitted plans and alternatives to the GSD on March 11 for correcting drainage concerns at 27th & Chase.
- After review, the city of Gary, the Corps, and LCRBDC are scheduling a meeting during the week of March 28.
 - LCRBDC received an e-mail from INDOT on April 18, 2005 indicating that their I-80/94 drainage ditch south of their construction cannot drain along Chase Street to the river because of the structure at 27th and Chase (This was sent to the Corps on April 20).

801 East Main Street
Griffith, IN 46319
Ph. 219-924-7528
Fax 219-922-8409
austgen.com
austgen.net



Engineering
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Network Service
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Jim Pokrajac
Little Calumet River Basin Development
6100 Southport
Portage, IN 46368

Wednesday, January 12, 2005

Work Order – 9006164

North Burr Street Pump Station Deficiencies and Diagnostics

Work Requested:

Austgen Electric was commissioned by The Little Calumet River Basin Development to:

1. Examine the state of the North Burr Street Pump Station.
2. Perform the base repairs necessary to make the station operational.
3. Examine and report on the deficiencies listed in the GSD memo sent to Mr. Pokrajac on 4/12/99.
4. Examine and report on the work shown in the Work Order Cost Summary provided to Mr. Pokrajac by The Gary Sanitary District.

Work Performed:

Michael Bristley (Technician) of Austgen Electric was on site to perform the requested work on January 4, 2005 and January 5, 2005. First, observations were made and recorded on the current condition of the station. Then, adjustments were made to the system to bring this station to an operational state. Finally, the state and status of the items listed in the documents provided were recorded. The following is list of these items and the outcome of our investigation.

Conclusions:

Pump #1 - Acceptable

This Pump operates properly in auto and hand mode.

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

Friday, April 01, 2005

Work Order -- 9006388

North Grant Street Pump Station Deficiencies and Diagnostics

Work Requested:

Austgen Electric was commissioned by The Little Calumet River Basin Development to:

1. Examine the state of the North Grant Street Pump Station.
2. Perform the base repairs necessary to make the station operational.
3. Examine and report on the deficiencies listed in the GSD service records and documents provided to Mr. Pokrajac by the Gary Sanitary District.

Work Performed:

Michael Bristley (Technician) of Austgen Electric was on site to perform the requested work on March 7, 2005 through March 10, 2005. First, observations were made and recorded on the current overall condition of the station. Second, initial adjustments were made to the system to bring this station to an operational state. Finally, the state and status of the items listed in the documents provided were recorded and the necessary repairs were performed. The following is a list of these items and the outcome of our investigation.

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

Friday, April 01, 2005

Work Order – 9006389

Ironwood Pump Station Deficiencies and Diagnostics

Work Requested:

Austgen Electric was commissioned by The Little Calumet River Basin Development to:

1. Examine the state of the Ironwood Pump Station.
2. Perform the base repairs necessary to make the station operational.
3. Examine and report on the deficiencies listed in the GSD service records and documents provided to Mr. Pokrajac by the Gary Sanitary District.

Work Performed:

Michael Bristley (Technician) of Austgen Electric was on site to perform the requested work on March 7, 2005 through March 10, 2005. First, observations were made and recorded on the current overall condition of the station. Second, initial adjustments were made to the system to bring this station to an operational state. Finally, the state and status of the items listed in the documents provided were recorded and the necessary repairs were performed. The following is a list of these items and the outcome of our investigation.

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

Friday, April 01, 2005

Work Order – 9006390

Broadway Pump Station Deficiencies and Diagnostics

Work Requested:

Austgen Electric was commissioned by The Little Calumet River Basin Development to:

1. Examine the state of the Broadway Pump Station.
2. Perform the base repairs necessary to make the station operational.
3. Examine and report on the deficiencies listed in the GSD service records and documents provided to Mr. Pokrajac by the Gary Sanitary District.

Work Performed:

Michael Bristley (Technician) of Austgen Electric was on site to perform the requested work on January 4, 2005 through January 5, 2005. First, observations were made and recorded on the current condition of the station. Then, adjustments were made to the system to bring this station to an operational state. Finally, the state and status of the items listed in the documents provided were recorded. The following is list of these items and the outcome of our investigation.

Sandy Mordus

From: "Sandy Mordus" <smordus@nirpc.org>
To: "Witowski, Reric J LRC" <Reric.J.Witowski@lrc02.usace.army.mil>
Cc: <etonk@greeley-hansen.com>; "Dwain Bowie (E-mail)" <dwain.bowie@unitedwater.com>;
 "Adrienne Fancher" <adrienne.fancher@unitedwater.com>; "Smales, Donald" <dsmales@greeley-hansen.com>; "Spike Peller" <spike@garysan.com>; <willette@garysan.com>; "Bob Huffman" <huffmun@sbcglobal.net>
Sent: Friday, April 22, 2005 3:55 PM
Subject: Re: Final Inspections

Ric:

After receiving your e-mail indicating you would not be able to complete the sluice gates due to the lack of Federal funding, the Development Commission proceeded, with representatives from Gary, to complete the remaining sluice gate inspections. We completed the remainder of sluice gates on April 21; and upon my summarization, I will forward the information to you. I appreciated your cooperation on April 14, but in light of you not being able to complete the inspections on the 21st, we felt it was necessary, in our process in working with the city of Gary to take over O&M responsibilities, to complete these inspections as soon as possible.

If Federal funds become available for you to complete the same sluice gate inspections, we would appreciate getting this information as soon as possible in order that we could either supplement or modify our report. If your inspections will not be completed in the near future, we will use our results as part of our punch list to complete a portion of our coordination with the city of Gary. Once we complete our overall punch list, we will coordinate with the city of Gary to comprise a scope of work of those items remaining to be completed, and what needs to be done, prior to Gary accepting O&M responsibility.

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

Jim Pokrajac, Agent
 Land Management/Engineering

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

From: Witowski, Reric J LRC
To: Sandy Mordus
Sent: Wednesday, April 20, 2005 2:03 PM
Subject: RE: Final Inspections

Sandy: Please inform Jim that we discovered today that my funds have been cut, and therefore we must cancel our inspection schedule until further notice. My apologies for such short notice, however, we were just informed of this as well. Will keep you posted on additional funding developments.

RicWitowski

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

From: Sandy Mordus [mailto:smordus@nirpc.org]
Sent: Monday, April 18, 2005 11:49 AM
To: Sandy Mordus; Witowski, Reric J LRC; etonk@greeley-hansen.com; Dwain Bowie (E-mail); Adrienne Fancher; Smales, Donald; Spike Peller; willette@garysan.com; Bob Huffman

5

4/22/2005

Cc: kenneth.gaines@unitedwater.com

Subject: Re: Final Inspections

I would like to thank everyone for your help and cooperation last Thursday in our effort to complete all of the sluice gate inspections in Gary. This e-mail will serve as our confirmation that the final sluice gate inspections will be held this Thursday April 21. We will meet again at the **Burr Street pump station at 8:45 a.m.** As per our conversation on the 14th, we will once again have United Water provide 2 laborers, a truck, and a portable generator for a full day in order that we may complete the inspections for the remaining sluice gates. The attendees will be the Army Corps, Greeley and Hansen, United Water, and the LCRBDC. Any questions regarding Thursday's inspections, please let me know. See you then.

James E. Pokrajac, Agent
Land Management/Engineering
Little Calumet River Basin
Development Commission

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

From: Sandy Mordus

To: Witowski, Reric J LRC ; etonk@greeley-hansen.com ; Dwain Bowie (E-mail) ; Adrienne Fancher ; Smales, Donald ; Spike Peller ; willette@garysan.com ; Bob Huffman

Sent: Wednesday, April 13, 2005 11:45 AM

Subject: Final Inspections

This is a confirmation that the final sluice gate inspections will be held on Thursday, April 14 and Thursday, April 21. The initial inspection on April 14 will begin at the Burr Street pump station at 8:45 a.m. We have received confirmation that United Water will provide two laborers, a truck, and a portable generator for a full day on both dates in order that the remaining sluice gates may be appropriately tested. The attendees will be the Army Corps, Greeley and Hansen, United Water, and the LCRBDC. It is our intent to complete the inspection on April 21 with those remaining sluice gates that were not completed on the 14th. If there are any questions regarding tomorrow's inspections, please let me know. See you tomorrow.

James E. Pokrajac, Agent
Land Management/Engineering
Little Calumet River Basin
Development Commission
6100 Southport Road
Portage, Indiana 46368
Phone 219/763-0696
Fax 219/762-1653
email: jpokrajac@nirpc.org

| | | April 14, 2005 | Gateway Information for the Little Calumet River Flood Control and Recreation Project | | | |
|---------------|--------|-----------------------------|---|-----------------|-----------------|-------------------|
| Proposed ID | Status | Street | Location | Dimensions | Primary Closure | Secondary Closure |
| 1 | X | N of Tri State | North of Cardinal (Tri State) Parking Lot | | | |
| 2 | X | EJ&E RR | EJ&E RR at South Levee, Griffith | | | |
| 3 | OK | Arbogast | West of Arbogast Street | 60" Diameter | Flap Gate | Sluice Gate |
| 4 | X | Colfax | West of Colfax | | | |
| 5 | X | Calhoun | West of Calhoun | | | |
| 6a | F | Burr | East of Burr Street Pump Station | 66" Diameter | None | Sluice Gate |
| 6b | F | Burr | East of Burr Street Pump Station | 66" Diameter | | |
| 7a | Ok | Chase | West of Chase Street | 60" Diameter | Flap Gate | Sluice Gate |
| 7b | Ok | Chase | West of Chase Street | 60" Diameter | Flap Gate | Sluice Gate |
| 7c | Ok | Chase | West of Chase Street | 60" Diameter | Flap Gate | Sluice Gate |
| 8a | OK | Chase | North Chase Street | 4.5' x 4.5' Box | Flap Gate | Sluice Gate |
| 8b | OK | Chase | North Chase Street | 4.5' x 4.5' Box | | |
| 9 | OK | Chase | 35th Avenue at Chase Street | 6' x 5' Box | Flap Gate | Sluice Gate |
| 10a | Ok | Berkheimers | Between Chase and Grant Streets | 4.5' x 4.5' Box | Flap Gate | Sluice Gate |
| 10b | Ok | Berkheimers | Between Chase and Grant Streets | 4.5' x 4.5' Box | Flap Gate | Sluice Gate |
| 10c | Ok | Berkheimers | Between Chase and Grant Streets | 4.5' x 4.5' Box | Flap Gate | Sluice Gate |
| 10d | Ok | Berkheimers | Between Chase and Grant Streets | 4.5' x 4.5' Box | Flap Gate | Sluice Gate |
| 11a | OK | Grant | SW I-80/94 ramp at Grant Street | 4.5' x 4.5' Box | Flap Gate | Sluice Gate |
| 11b | OK | Grant | SW I-80/94 ramp at Grant Street | 4.5' x 4.5' Box | Flap Gate | Sluice Gate |
| 12 | Indot | Grant | South Bank West of Grant Street | 3' x 3' Box | Flap Gate | Sluice Gate |
| 13a | Ok | Grant | South Bank East of Grant Street | 4' x 4' Box | Flap Gate | Sluice Gate |
| 13b | Ok | Grant | South Bank East of Grant Street | 4' x 4' Box | Flap Gate | Sluice Gate |
| 13c | F | Grant | South Bank East of Grant Street | 4' x 4' Box | Flap Gate | Sluice Gate |
| 14 | F | Grant | SE I-80/94 ramp at Grant Street | 4' x 4' Box | Flap Gate | Sluice Gate |
| 15a | OK | Grant | East of Grant (Pierce) | ? | Flap Gate | BUCK BULL |
| 15b | OK | Grant | East of Grant (Pierce) | ? | Flap Gate | BUCK BULL |
| 16 | Ok | Harrison | South Bank at Harrison Street | 3' x 3' Box | Flap Gate | Sluice Gate |
| 17a | Ok | Broadway | East side of Broadway | 4.5' x 4.5' Box | Flap Gate | Sluice Gate |
| 17b | Ok | Broadway | East side of Broadway | 4.5' x 4.5' Box | Flap Gate | Sluice Gate |
| 18a | Ok | Broadway | Alley 1 East of Broadway | 4.5' x 4.5' Box | Flap Gate | Sluice Gate |
| 18b | Ok | Broadway | Alley 1 East of Broadway | 4.5' x 4.5' Box | | |
| 19 | X | Georgia | West of Georgia, South of I-80/94 | 42" Diameter | Flap Gate | Sluice Gate |
| 20a | Ok | Georgia | East of Georgia Street | 36" Diameter | Flap Gate | Sluice Gate |
| 20b | Ok | Georgia | East of Georgia Street | 36" Diameter | Flap Gate | Sluice Gate |
| 21a | OK | Georgia | North on Georgia Street | 48" Diameter | Flap Gate | Sluice Gate |
| 21b | OK | Georgia | North on Georgia Street | 48" Diameter | Flap Gate | Sluice Gate |
| 22 | OK | MLK-Georgia | West of River North of I-80/94 | 24" Diameter | Flap Gate | Sluice Gate |
| 23 | OK | MLK-Georgia | West of River South of I-80/94 | 24" Diameter | Flap Gate | Sluice Gate |
| 24 | OK | MLK-Georgia | East of River North of I-80/94 | 24" Diameter | Flap Gate | Sluice Gate |
| 25 | OK | MLK-Georgia | East of River South of I-80/94 | 24" Diameter | Flap Gate | Sluice Gate |
| 27a | NA | MLK | West of MLK at 84" Overflow | 5' x 5' Box | Flap Gate | |
| 27b | NA | MLK | West of MLK at 84" Overflow | 5' x 5' Box | FLAP GATE | |
| 28 | NA | | Marshalltown | 48" Diameter | Flap Gate | Sluice Gate |
| 29 | Ok | Pennsylvania | South Bank at Pennsylvania Street | 42" Diameter | Flap Gate | Sluice Gate |
| 30 | NA | Calhoun | East of Calhoun at RR | | | |
| 31 | NA | 32nd Ave | West of 32nd & Grant | | | |
| 32 | NA | Cline | S.E. 1/4 Cline & I-80/94 | | Flap Gate | Sluice Gate |
| 33 | NA | Indpls. Blvd. | E. Indpls. Blvd. S. of River | | Flap Gate | Sluice Gate |
| 34 | | NSRR | W. of Colfax, N. of WIND Radio | | Flap Gate | Sluice Gate |
| - | GSD | MLK | East of Martin Luther King Drive | 24" Diameter | Flap Gate | None |
| - | X | Harrison | South Bank at Gleason Park | 42" Diameter | Flap Gate | Check Valve |
| 35 | OK | I-65 | W. of I-65, S. of I-80/94 | | Flap Gate | Sluice Gate |
| 36 | OK | I-80/94 | E. of I-65, N. of I-80/94 | | Flap Gate | Sluice Gate |
| - | | Not built yet | | | | |
| - | | Clark-Burr | South Tieback | 36" Diameter | Sluice Gate | None |
| - | | Burr | West of Burr | 60" Diameter | Flap Gate | Sluice Gate |
| Status Codes: | | | | | | |
| | Ok | Gate functions Ok | | | | |
| | F | gate does not function | | | | |
| | NA | Decided to not inspect gate | | | | |
| | blank | yet to be inspected | | | | |
| | Indot | Indot responsibility | | | | |
| | X | No sluice gate | | | | |

Sandy Mordus

From: "Jim Pokrajac" <jpokrajac@nirpc.org>
To: "Samara, Imad LRC" <Imad.Samara@lrc02.usace.army.mil>
Cc: <stanjones@RQAW.com>; <GKICINSKI@indot.state.in.us>; <dsopczak@SUPERIOR-CONSTRUCTION.com>; <roconnor@RQAW.com>
Sent: Wednesday, April 20, 2005 10:15 AM
Attach: Chase Street Ditch.pdf; Gates at Levee.JPG; south toward levee3.JPG; North toward Borman.JPG; south toward levee.JPG; south toward levee2.JPG; North at twin 48 at corp drive.JPG
Subject: Fw: Contract R-27383 Drainage Problem with Existing Ditch

Imad:

I am forwarding you this e-mail we received from Stan Jones from RQAW Consultants, who are involved with the I-80/94 construction. Apparently, they have a drainage problem that is impacted by the 27th and Chase Street structure. I explained to Mr. Jones that you and the city of Gary had been working together to correct this situation. Will you please respond to his e-mail, and copy me, to let Mr. Jones know the current status and schedule of when this work will be completed? If you have any questions regarding this information, please contact me.

Jim Pokrajac, Agent
Land Management/Engineering

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

From: "Stanley Jones" <stanjones@RQAW.com>
To: <jpokrajac@nirpc.org>; <GKICINSKI@indot.state.in.us>
Cc: "Dan Sopczak" <dsopczak@SUPERIOR-CONSTRUCTION.com>; "Richard O'connor" <roconnor@RQAW.com>
Sent: Monday, April 18, 2005 11:54 AM
Subject: Contract R-27383 Drainage Problem with Existing Ditch

Jim

Attached is a sketch with Elevations Shots of an Existing Ditch along the East side of Chase Street, also attached are some pictures. As I understand per our phone conversation this ditch was built 12 years ago by the corp. as you can tell from the elevation this ditch flows toward the borman when it should flow away from it. The south side of chase Street drains into this ditch and now a portion of the Borman ditch coming from the west will also dump into it.

I understand that the Corp and City of Gary have been working on a solution to eliminate this problem but your assistance in speeding up this would be appreciated.

Thanks



4/20/2005

RECREATION REPORT

For meeting on Wednesday, May 4, 2005

(Information in this report is from March 31 – April 27, 2005)

GENERAL STATEMENT

- A. At this point in time, the existing construction contracts in the East Reach are almost all completed. The only remaining area of construction is the Betterment Levee – Phase II.
- B. Currently, the joint recreation venture with the Army Corps is completed; 90% of the completed East Reach levees have stoned trails completed; the remainder of East Reach trails are currently being coordinated and should be included in an upcoming recreation contract.
 - 1. A supplemental contract will be included as part of the Stage III remediation project which will be released for bids in August of 2002, that will include the paving of all stoned ramps. (Construction start projected in the spring of 2003.)
 - All ramps have been stoned.

RECREATION – PHASE I

(This contract included recreational facilities for Lake Etta, Gleason Park, Stage III (trails) and the OxBow area in Hammond.)

A. OXBOW (Hammond)

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

B. GLEASON PARK (Gary Parks & Recreation)

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

C. LAKE ETTA (Lake County Parks)

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

D. CHASE STREET TRAIL (City of Gary)

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

EAST REACH RECREATION

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

- 1. **Broadway to Harrison Crossing – Stage II-3B:** (currently on hold until the next recreation contract.)

- Additional land will be required to temporarily extend a recreation trail along both the sidewalks East and West of Broadway to allow recreation trail continuation. (Refer to Recreation Report.)

-Upon completion of I.U. Northwest modifications on, and adjacent to, Broadway, we will install a permanent trail crossing south of the river and along the line of flood protection, as originally proposed by the COE (ongoing)

2. **Harrison to Grant Street Crossing:** (currently on hold until the next recreation contract.)
 - In the COE letter dated February 7th, 2002, they indicated, under the “remaining East Reach recreation features” response, that these remaining features will be incorporated into the next recreation contract.
3. We submitted a request to Attorney Casale on August 3rd, 2002, along with a letter from the EJ&E RR to proceed with an agreement to allow us to install an at grade recreation trail crossing East of Cline Avenue.
 - A. We received a letter from the EJ&E on September 1st, 1999, allowing us to proceed, along with their requirements. (To Lou at September 10th, 2001 utility coordination meeting.)
 - B. A letter was sent to the EJ&E RR on March 11, 2005 requesting them to re-visit their requirements which would allow the LCRBDC to install a new at-grade crossing for a recreational trail.
 - **A letter was received from the EJ&E RR on April 6 indicating they will not allow an at-grade crossing in this area. They suggest the topography would be most ideal for an under grade crossing.**

WEST REACH RECREATION

A. Cline Avenue Crossing:

1. **LCRBDC has contracted First Group Engineering (Dennis Cobb) to coordinate crossing Cline Avenue at the NIPSCO right-of-way.**
 - A letter was received from INDOT on March 4 (dated March 1) indicating they had no objection to this crossing.
 - At the March 15, 2005 Real Estate meeting, the COE indicated that this crossing, and the trail from Cline east to the EJ&E RR will be done as part of an upcoming construction contract.

B. Tri-State recreational trail tie-in for the Highland/Wicker Park/Erie Lackawanna Trail System: (Part of Stage V – Phase 2 construction.)

- A. In a conversation with Mr. David Orrison (NSRR Coordinating engineer) in January 2005, he indicated that the LCRBDC could not cross over their railroad adjacent to the NIPSCO right-of-way west of Kennedy Avenue (Awaiting the letter).
 1. **A letter of reminder was sent to the NSRR on April 4th requesting their position in writing.**
 2. **Refer to Stage V-2A in the Engineering Report for general information.**
 3. **LCRBDC and the Corps agreed on a conference call on February 16, 2005 that the recreation trail bridge from west of Indianapolis Blvd. would be re-located to an area east of the NIPSCO R/W, west of Kennedy Avenue.**
 - **This will be coordinated in a meeting with Hammond and Highland. We will then be able to cross at an existing at-grade crossing which is to the south on Grand Avenue.**

C. Stage VIII Trails:

1. Currently on hold as part of the Stage VIII construction due to lack of funding.
2. We received a letter from NICTD on October 15th, 2001 (dated October 9th) indicating problems with the location of our trail on their R/W under I-80/94
 - They feel it is a safety concern and suggested we re-route our trail along their R/W to 173rd Street.
3. A meeting was held with NICTD on March 11th, 2002, to review recreation trail re-alignment, review hydraulic information, and discuss other local and COE concerns.
 - It appears we may be doing our construction in this area before the railroad would be proceeding. It is our intent to use our current design and when they proceed, we can work together accordingly.
4. **The trail alignment in this area will be re-visited when the Stage VIII plans come up for review and comments.**

ELGIN, JOLIET & EASTERN RAILWAY
M OF W DEPARTMENT

1141 Maple Road
Joliet, Illinois 60432-1981
815-740-6635, FAX 815-740-6579

EJ&E

M. A. PAULL, Project Engineer

April 6, 2005

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

SUBJECT: Recreation Trail Crossing, Griffith, Lake County, IN

Dear Mr. Pokrajac:

In response to your correspondence dated March 11, 2005, EJ&E has reviewed your request for an at-grade recreational trail crossing. Unfortunately, EJ&E respectfully denies your request for the reasons cited herein. EJ&E does not look favorably upon increasing at-grade crossing inventories due to the inherent dangers to both the railroad and trail users. At-grade crossings also increase EJ&E exposure to vandalism and erode security in the immediate vicinity due to the public access.

The proposed crossing location is understood to be outside existing roadway easements and within an elevated railroad embankment relative to adjacent topography. Additionally, the crossing is within the limits of the EJ&E/NS interchange territory (area where rail cars are exchanged between the two railroads). Due to this interchange and associated work requirements, the crossing is susceptible to extended periods of blockage. The blocked crossing will entice, more than likely, trail users to cross between standing cars providing further stimulation to an already serious situation.

Indiana Code appears to necessitate a formal Indiana DOT petition for crossing establishment. Further, Indiana statutes specifically define a bias for above or below grade crossings. Site topography appears ideally suited for an undergrade crossing.

Recognizing the heightened safety concerns associated with the crossing location and apparent opportunity for an undergrade crossing, EJ&E will not oblige your request for an at-grade crossing absent a formal hearing and subsequent State of Indiana Order.

If you have any questions or require further discussion of this matter, please contact me.

Sincerely,



Mark A. Paull

cc: RCB

JFM

DKM



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

WILLIAM BILLER, Chairman
Governor's Appointment

ROBERT HUFFMAN, Vice Chairman
Governor's Appointment

ARLENE COLVIN, Treasurer
Mayor of Gary's Appointment

DR. MARK RESHKIN, Secretary
Governor's Appointment

GEORGE CARLSON
Mayor's of Hammond Appointment

STEVE DAVIS
Dept. of Natural Resources Appointment

SAM DIMOPOULOS
Lake County Commissioners' Appointment

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Governor's Appointment

CHARLIE RAY
Porter County Commissioners' Appointment

VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

April 4, 2005

Mr. Lawrence C. Suhre
FIRST GROUP ENGINEERING
5714 West 74th Street
Indianapolis, Indiana 46278

Re: Project No. 05-7286
Cline Avenue Trail Crossing Signal
Modification

Dear Lawrence:

Enclosed please find a copy of the signed and approved agreement between First Group Engineering and the Development Commission for professional engineering services for the above referenced item. This agreement contains a not-to-exceed budgetary fee of \$3,000. Any additional billing above this amount will not be approved without prior authorization.

Upon receiving this signed copy, please consider this letter as your notice to proceed. If you have any questions at any time, please call me at the above number.

Sincerely,

James E. Pokrajac, Agent
Land Management/Engineering

/sjm
encl.



Little Calumet River Basin Development Commission

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Porter County Commissioners' Appointment

VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

April 4, 2005

Mr. David Orrison
Norfolk Southern Railway Company
175 Spring Street, S.W.
Atlanta, Georgia 30303

Dear Dave:

Several outstanding issues still need to be addressed, and resolved, between the LCRBDC and the Norfolk Southern Railway as follows:

(1) We requested a letter from the NSRR stating their position to the LCRBDC regarding the installation of an at-grade recreational trail crossing south of I-80/94 and west of Kennedy Avenue in Highland IN. The exact location would be along our line of protection directly north of the Little Calumet River. We are currently proceeding with re-engineering in this area based upon your verbal indication that you would not permit us to cross in this area, and we need written confirmation.

(2) We submitted two (2) sets of drawings to you for review and comments in March of 2004 requesting your input and feedback as to whether or not these plans are acceptable. These are in the area of Burr Street and Clark Road in Gary IN. The Army Corps of Engineers is intending to advertise this segment within the next few months, but before we can finalize the design for bid, we need your input.

(3) We will be submitting current plans to you for review and comment in the area west of Kennedy Avenue and south of I-80/94 adjacent to both sides of the Little Calumet River. We are hoping to advertise this segment in late fall of 2005. Drawings will be forthcoming.

As was discussed when you attended the coordination meeting in Chicago last fall, Jim Pokrajac is available anytime, upon your request, to meet you in the field to review existing conditions and answer any of your questions.

Mr. David Orrison
April 4, 2005
Page 2

The LCRBDC is trying to meet the construction schedules as established by the Army Corps of Engineers as the local sponsor for the Little Calumet River Flood Control/Recreation Project. The NSRR plays a key role in these several upcoming segments. We would appreciate whatever efforts can be made to help us fulfill our contractual obligations with the Army Corps of Engineers.

Sincerely,



Dan Gardner
Executive Director

DG/JEP/sjm

cc: Imad Samara, ACOE
Lou Casale, LCRBDC attorney
James Pokrajac, LCRBDC Engineering
Judy Vamos, LCRBDC Real Estate

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION ATTENDANCE ROSTER

NAME OF MEETING: LCRBDC DATE: MAY 4, 2005

LOCATION: 6100 Southport Rd, Portage CHAIRMAN: Bill Biller

PLEASE SIGN IN

| | NAME (PLEASE PRINT) | ORGANIZATION, ADDRESS, PHONE NUMBER |
|----|---------------------|-------------------------------------|
| 1 | Sandy O'Brien | Hobart |
| 2 | Imad Samaha | US COE |
| 3 | Elizabeth Johnson | Pete Viscochesky |
| 4 | ELOISE GENTRY | Urban League 7 NW Ind. Ln |
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