



Little Calumet River Basin Development Commission

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Portage, Indiana 46368

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~~WILLIAM BILLER, Chairman~~
~~Governor's Appointment~~

ROBERT MARSZALEK, Vice Chairman
Governor's Appointment

R. KENT GURLEY, Treasurer
Lake County Commissioners'
Appointment

MARK GORDISH, Secretary
Mayor of Hammond's
Appointment

ARLENE COLVIN
Mayor of Gary's
Appointment

STEVE DAVIS
Dept. of Natural Resources'
Appointment

ROBERT HUFFMAN
Governor's Appointment

JOHN MROCZKOWSKI
Governor's Appointment

VACANCY
Porter County Commissioners'
Appointment

VACANCY
Governor's 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, MARCH 5, 2008
AT THE COMMISSION OFFICE
6100 SOUTHPORT ROAD
PORTAGE, IN

WORK STUDY SESSION BEGINS AT 5:30 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 February 6, 2008
5. Chairman's Report
6. Action Required:

Finance:

- Approval of claims for February 2008
- Approval of O&M claims for February 2008

Report of Finance Committee recommended action:

- Consideration of NIRPC contract for administrative services
- Consideration of independent Contractors' contracts
 - Engineering/Land Management Agent contract
 - Land Acquisition Agent contract
 - Crediting Technician Services contract

Land Acq:

- Action on increased offers?
- Action on condemnations?

Finance
committee meeting
Wed. March 12
5:00 is OK.

black slacks
black knit jacket
black knit O neck

Mar. 25
mtg w/ McDermott

Answer
R. Moun letter!

Still big
show public lands
colored coded

7. Executive Director's Report

- Report on RDA meeting scheduled for February 12
- Initial Griffith levee coordination meeting on February 13
- Wicker Park interim certification request
- Receipt of city of Hammond "as-built" drawings for Forest Avenue levee (June 1982) - Meeting held January 19
- Update on construction progress

10-11

12-13

8. Standing Committees

A. Finance Committee – Report by Treasurer Kent Gurley

- Financial status report for end of January 2008
- Issues for discussion

14

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

- Appraisals, offers, acquisitions
- Status of acquisition for Stages V-2, VII and VIII
- Appraiser meeting held 2/26/08 on SVIII re-appraisals

Land Management

- Issues for discussion

C. Project Engineering Committee – Committee Chair Bob Huffman ✓

- Stage V-2 progress meeting held 2/20/08
- Stage SVIII review meeting held on 2/28/08
- Stage VII ALPHA update
- Status Pump Station Phase 2A
- Status of Stage V-2 pipeline corridor
- Issues for discussion

D. Operation & Maintenance – Committee Chair Bob Huffman

- INDOT flood report delayed
- Status on sluice gate/flap gate repairs
- "As-built" turnover to city of Gary
- Stage VI-1 N&S - turnovers
- Issues for discussion

15

16

E. Legislative Committee – Committee Chair

- Issues for discussion

F. Environmental Committee – Committee Chair Mark Resnikin

- Issues for discussion

G. Recreational Development Committee – Committee Chair Bob Huffman

- Issues for discussion

H. 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, FEBRUARY 6, 2008
6100 SOUTHPORT ROAD
PORTAGE, INDIANA

In Chairman William Biller's absence, Vice Chairman Bob Marszalek called the meeting to order at 6:30 p.m. Six (6) Commissioners were present. Pledge of Allegiance was recited. Guests were recognized.

Development Commissioners:

Mark Gordish
Robert Huffman
Steve Davis
Bob Marszalek
Charlie Ray
Kent Gurley

Visitors:

Bill Petrites – Highland resident
Elizabeth Johnson – Congressman's Office
Kim Poland – City Council, Hammond, 4th Dist
Erik Potter – Post Tribune
Ruth Mores – Southmoor Road citizen group

Staff:

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

The minutes of the meeting held on January 9, 2008 were approved by a motion from Bob Huffman; motion seconded by Steve Davis; motion passed unanimously.

Chairman's Report – Vice Chairman Marszalek announced the resignation of Mark Reshkin (Governor's appointment) and Charlie Ray (Porter County Commissioners' appointment).

• Mr. Gardner talked about the meeting held in Mayor McDermott's office on January 22. The meeting was scheduled to talk about the V-2 construction contract scheduling but other issues were talked about as well. In attendance with the Mayor were Marty Wielgos (Hammond Chief of Staff), Rick Kalinski (Hammond Economic Development), Stan Dostatni (Hammond City Engineer), Colonel John Drolet, District Engineer Roy Deda, and Imad Samara (all from the Corps), Mark Lopez (Congressman's Office), and Bill Biller (LCRBDC). The concern was about the 750 day provision in the contract for the completion of the V-2 contract by Dyer Construction. Cabela's want to aggressively develop the rest of their outlots and they are concerned about the date of completion. We are hoping that ways can be found to cut down the number of construction days. Cabela's has talked to the contractor and they are awaiting some official indication back from them to see if they think it is possible to finish construction by end of 2008. Mr. Gardner referred to the letter that the Corps has written to RDA concerning the scheduled time completion of this phase of construction. About 95% of the overall V-2 property is available to the contractor for construction, but we still have two options (NSRR and NIPSCO) that have to be acquired before construction is allowed on those properties. In addition, the utility re-location agreements need to be signed, and staff is currently coordinating with the Corps for wording of these agreements. Mr. Gardner referred to the IEDC letter in which it stated

that they would make a good faith effort to complete the V-2 project to Northcote by December 31, 2008. This letter was written in 2006 and the Corps explained the construction contract was always estimated to take two years from the time the right-of-way was available. A follow-up meeting is scheduled for February 19th. Meanwhile, the Commission continues to aggressively try to obtain the option easements needed to complete the right of entry for the V-2 construction segment. Commissioner Steve Davis asked if we ever had a meeting with FEMA to see what their requirements are relative to what needs to be done to get residents out of the floodplain. Mr. Gardner stated that we understand that the Corps is working with FEMA on a continuing basis. Commissioner Bob Huffman asked if staff has asked Dyer what can be done to finish earlier. Mr. Gardner replied that Dyer Construction is under contract to the Corps and as such, the Commission has no authority to directly question performance. The issue has been raised in progress meetings and we are awaiting their response. Commissioner Mark Gordish asked if the two options are presenting a major problem for us. Mr. Gardner stated that most of the major issues have been resolved but there are still some key issues that still have to be addressed regarding subrogation of interest to do any work. The attorney is working on them. At this point, they are not holding up the contractor from all but the NSRR and NIPSCO right-of-way.

Action Required – Treasurer Kent Gurley presented items for action. He proceeded to make a motion to approve the monthly claims of \$115,651.73; the motion was seconded by Bob Huffman; motion passed unanimously.

- Mr. Gurley then made a motion to approve the O&M claims in the amount of \$54.46; motion seconded by Bob Huffman; motion passed unanimously.

- Mr. Gurley then made a motion to table the action regarding the NIRPC contract for administrative services and the consideration of the independent contractors' contracts approval. We have not been able to schedule a date to meet yet with the Finance Committee. Staff will try to schedule a meeting with the NIRPC Director soon; and also schedule a meeting for the Finance committee to meet with the independent contractors. Motion was seconded by Bob Huffman; motion passed unanimously.

- Land Acquisition Committee Chairman Bob Marszalek presented two properties for action on increased offers. Mr. Huffman made a motion to approve an increased offer on DC1208 to \$5,490 (from \$2,745). The property owner will sell the property in fee to us; they do not want to just give us an easement. Motion was seconded by Steve Davis; motion passed unanimously. Mr. Huffman then proceeded to make a motion to approve an increased offer on DC1233 to \$5,000 (from \$4,469). The owner has asked for the difference to compensate for a tree and a bush that was missed in the appraisal. Motion was seconded by Kent Gurley; motion passed unanimously.

Executive Director's Report – Mr. Gardner informed the Board members that the RDA meeting was scheduled for February 12 in Indianapolis. Mr. Gardner will attend and is expecting the agenda to have the \$6 million approved for release. It would be released in four payments, according to the drawdown schedule we gave them, starting March 1.

- Mr. Gardner referred to a letter from the Corps in which they requested that we terminate the agricultural lease on the 200 acres between the levees, between Chase and Grant Streets. Mr. Gardner stated that those 200 acres are not going to be farmed in 2008.

Handwritten initials: JMD

We are hoping to re-establish this area into a mitigation area managed by the Soil Conservation Service.

- Mr. Gardner then referred to the letter written to INDOT questioning the current status of the pump station construction on Route 41 in Highland. It has been determined that INDOT has the project scheduled for February 2009 letting.
- Ruth Mores, a resident on Southmoor Road in Munster who is in the Stage VIII segment, referred to a letter that staff had sent to the Southmoor residents on September 14, 2007 regarding a proposed time table of action in their respective neighborhood. She had several issues that are very important to her and the other residents that included how the rain water drainage would be handled on the protected side of the floodwall, what the future responsibility for liability would be, and concern about the future use of the easement land relative to bike paths, hiking, bridge work, etc. It was determined that a meeting with the residents would be scheduled in the near future, once the Corps has final plans on the issues they are concerned with. Jim Pokrajac added that the drainage issue has been addressed for both surface drainage and tile drainage around their foundations. The liability during construction is the contractor's responsibility, and there are no trails on the north side of the river in this area. There are still some engineering design changes that are being made by the Corps. The re-engineering is being done at the residents request, and after a field meeting with them, the Corps and the Commission. This will lessen the property impact to some of the residents. Those properties will be re-staked by the surveyor so the residents can visibly see the lesser impact. Mr. Pokrajac indicated that, although the survey work is the Corps responsibility, they have asked us to engage our surveyors to expedite the process. They will provide the new project coordinates to Buffalo. Commissioners Bob Marszalek and Charlie Ray expressed concern about the Commission exposing liability if we do survey work instead of the Corps and suggested a letter should be considered to be sent to the Corps. Mr. Pokrajac stated that the Commission surveyors will be providing only technical data to the Corps, who will then develop the design from that. Once the design is finalized, the other agencies and the communities will review it, so it is our feeling that this just expedite the process. Commissioner Mark Gordish stated that the Hammond Engineering Department is doing their review and they had previously asked for changes in the same drainage area so those changes should be reflected in this 100% set. Mr. Gardner added that we will work through Ruth Mores to establish a meeting date in the community. Judy Vamos stated that out of the 15 residents on Southmoor, seven (7) offers have been sent out; eight (8) residents have requested changes. We have to make those changes and then have them re-appraised to reflect the correct easement value. Once we receive those updated appraisals on these eight properties, we should schedule a meeting at that time. That way, all the residents would have received an easement offer from us.

Finance Committee – Committee Chairman Kent Gurley reported that finance action was already taken. The financial statement for end of December is in the agenda packet.

- Mr. Gurley informed the members that the Public Officials and employees liability policy has been renewed for 2008.

Mr. Gurley then referred to the Corps letter requesting \$500,000 escrow 7% cash contribution toward construction.

Land Acquisition/Land Management Committee – Committee Chairman Bob Marszalek stated action has already been taken. He referred to the report that Judy Vamos had distributed to all.

- Mr. Marszalek referred to Jim Pokrajac for a report on land management. He reported that a committee meeting was held on January 25 to discuss the 26 acres east of Clay Street. Mr. Gardner added that we will be contacting Don Ewoldt to set up a meeting with the appropriate LEL people for further discussion.

Project Engineering Committee – Committee Chairman Bob Huffman gave the committee report. Mr. Gardner attended the monthly progress meeting on Stage V-2 held on January 23. Mr. Gardner stated preliminary work is being done, namely clearing and grubbing on both sides of the Hart Ditch area. Fencing and signs have been erected, and sheet piling is scheduled next week on the Munster side of Hart Ditch. Some tree removal is ongoing. The contractor is working with NIPSCO and AT&T for line removal in that area. Mr. Gardner also stated the all approvals have been obtained from the town, there is a traffic plan in place, and no work will begin before 7:00 a.m. Jim Pokrajac added that the minutes of the progress meeting can be found in the committee report.

- In regard to Stage VIII engineering design, Mr. Pokrajac again stated that 100% review for comments is ongoing. 100% review plans were received today and will be distributed to all parties for review and comment tomorrow. Due date is February 26, 2008. There is a meeting scheduled with Munster and the utilities on February 28.

- Regarding the V-2 pipeline corridor, the pipelines have provided costs that have been reviewed and approved by the Corps. The Corps, Huntington District, have reviewed their costs to determine fair and reasonable. All costs are approved except for Marathon. Unfortunately, the estimated utility costs are coming in higher than what we anticipated. We still need to request the \$1,250,000 from the IEDC but we will still need additional monies above that amount to pay for the utilities relocation.

Operation & Maintenance Committee – Committee Chairman Bob Huffman referred to Jim Pokrajac for a report. Mr. Pokrajac gave an update regarding the sluice gate/flap gate repairs. Weather has delayed repair work. Austgen is working on those gates where they can access from the road. It is so wet in some areas, there is no access at this time. They will complete the repair work as soon as weather permits. There is no one area where both gates are not working; at least one of the gates is sealing.

- Mr. Pokrajac referred to an email he has sent to the city of Gary regarding O&M turnover. He wants to turn over "as-builts" and some operation manuals.

Legislative Committee – There was no report.

Environmental Committee – Mr. Gardner referred to a news article on the Watershed Management Plan Steering Committee. They are looking at water quality improvements in the Little Calumet River.

Recreation Committee – There was no report.

Policy Committee – There was no report.

Other Business – Commissioner Bob Huffman thanked the Post Tribune for their coverage of our meeting.

Statements from the Floor – Bill Petrites clarified that the pump station construction was indeed covered in the INDOT contract letting for February 9, 2008. Mr. Pokrajac indicated that the pump station construction is included in that contract. Mr. Petrites thanked the Commission for sending the letter.

There being no further business, the meeting was adjourned. The next scheduled Board meeting is set for 6:00 p.m. on *Wednesday, March 5, 2008.*

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
MONTHLY BUDGET REPORT

	2008							UNALLOCATED	
	BUDGET	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	ALLOCATED	BUDGETED
								TOTAL	BALANCE
5801 PER DIEM EXPENSES	7,000.00	0.00	0.00					0.00	7,000.00
5811 LEGAL EXPENSES	3,500.00	283.33	283.33					566.66	2,933.34
5812 NIRPC SERVICES	149,000.00	13,001.37	0.00					13,001.37	135,998.63
5821 TRAVEL/MILEAGE	2,000.00	36.40	7.60					44.00	1,956.00
5822 PRINTING/ADVERTISING	1,000.00	985.04	0.00					985.04	14.96
5823 BONDS/INSURANCE	8,000.00	257.00	0.00					257.00	7,743.00
5824 TELEPHONE EXPENSES	6,500.00	793.07	561.95					1,355.02	5,144.98
5825 MEETING EXPENSES	3,000.00	0.00	0.00					0.00	3,000.00
5840 PROFESSIONAL SERVICES	842,539.00	84,750.52	67,775.93					152,526.45	690,012.55
5860 PROJECT LAND PURCHASE EXP.	842,539.00	15,545.00	21,510.00					37,055.00	805,484.00
5882 UTILITY RELOCATION EXP.	1,250,000.00		1,153.51					1,153.51	1,248,846.49
5883 PROJECT LAND CAP. IMPROV.								0.00	0.00
5884 STRUCTURES CAP. IMPROV.								0.00	0.00
5892 PROJECT COSTSHARE/ESC ACCT	1,226,025.00							0.00	1,226,025.00
	4,341,103.00	115,651.73	91,292.32	0.00	0.00	0.00	0.00	206,944.05	4,134,158.95

9

	2008							UNALLOCATED	
	BUDGET	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	ALLOCATED	BUDGETED
								TOTAL	BALANCE
5801 PER DIEM EXPENSES	7,000.00							0.00	7,000.00
5811 LEGAL EXPENSES	3,500.00							566.66	2,933.34
5812 NIRPC SERVICES	149,000.00							13,001.37	135,998.63
5821 TRAVEL/MILEAGE	2,000.00							44.00	1,956.00
5822 PRINTING/ADVERTISING	1,000.00							985.04	14.96
5823 BONDS/INSURANCE	8,000.00							257.00	7,743.00
5824 TELEPHONE EXPENSES	6,500.00							1,355.02	5,144.98
5825 MEETING EXPENSES	3,000.00							0.00	3,000.00
5840 PROFESSIONAL SERVICES	842,539.00							152,526.45	690,012.55
5860 PROJECT LAND PURCHASE EXP.	842,539.00							37,055.00	805,484.00
5882 UTILITY RELOCATION EXP.	1,250,000.00							1,153.51	1,248,846.49
5883 PROJECT LAND CAP. IMPROV.								0.00	0.00
5884 STRUCTURES CAP. IMPROV.								0.00	0.00
5892 PROJECTCOSTSHARE/ESC ACCT	1,226,025.00							0.00	1,226,025.00
	4,341,103.00	0.00	0.00	0.00	0.00	0.00	0.00	206,944.05	4,134,158.95

ACCT	VENDOR NAME	AMOUNT	EXPLANATION OF CLAIM
5811	CASALE, WOODWARD & BULS LLP	283.33	MONTHLY RETAINER THROUGH FEBRUARY 22, 2008
5821	SANDY MORDUS	7.60	FEBRUARY MILEAGE
5824	VERIZON	126.83	BILLING PERIOD 2/26/08-3/16/08(TOTAL BILL 242.22, KRBC 115.39)
5824	AT & T	435.12	BILLING PERIOD 1/14/08-2/13/08(TOTAL BILL 468.62, KRBC 33.5)
5841	ALLSTATE APPRAISAL	750.00	APPRAISAL RE: DC-1374
5841	JONATHAN LANDING	1,200.00	APPRAISALS RE: DC-1306
5843	STEWART TITLE SERVICES	490.00	TITLE WORK RE: DC-1347
5843	STEWART TITLE SERVICES	100.00	TITLE WORK RE: DC-1372
5843	TICOR TITLE INSURANCE COMPANY	310.00	TITLE WORK RE: DC-1335
5844	JAMES E POKRAJAC	4,832.25	ENGINEERING/LAND AGENT 1/2/08-1/15/08
5844	JAMES E POKRAJAC	3,240.45	ENGINEERING/LAND AGENT 1/16/08-1/31/08
5844	JAMES E POKRAJAC	275.60	JANUARY MILEAGE
5844	JAMES E POKRAJAC	5,685.00	ENGINEERING/LAND AGENT 2/1/08-2/15/08
5844	JUDITH VAMOS	3,142.60	LAND ACQUISITION AGENT SERVICES 1/2/08-1/2/08
5844	JUDITH VAMOS	4,155.68	LAND ACQUISITION AGENT SERVICES 1/16/08-1/31/08
5844	JUDITH VAMOS	33.60	JANUARY MILEAGE
5844	JUDITH VAMOS	3,328.68	LAND ACQUISITION AGENT SERVICES 2/1/08-2/15/08
5844	G. LORRAINE KRAY	1,012.80	CREDITING TECH & LAND ACQUISITION ASST 1/2/08-1/15/08
5844	G. LORRAINE KRAY	1,255.45	CREDITING TECH & LAND ACQUISITION ASST 1/16/08-1/31/08
5844	G. LORRAINE KRAY	548.60	CREDITING TECH & LAND ACQUISITION ASST 2/5/08-2/7/08
5844	SANDY MORDUS	106.00	CREDITING TECHNICIAN SERVICES 1/3/08-1/8/08
5844	SANDY MORDUS	344.50	CREDITING TECHNICIAN SERVICES 1/16/08-1/31/08
5844	SANDY MORDUS	132.50	CREDITING TECHNICIAN SERVICES 2/4/08-2/11/08
5847	DLZ	936.00	PROFESSIONAL SERVICES RE: PUMP STATION PHASE 2
5847	DLZ	312.00	PROFESSIONAL SERVICES RE: PUMP STATION PHASE 2
5847	GARCIA CONSULTING	3,662.50	PROFESSIONAL SERVICES RE: DC-1180
5847	GARCIA CONSULTING	3,322.50	PROFESSIONAL SERVICES RE: DC-1185
5847	GARCIA CONSULTING	3,677.50	PROFESSIONAL SERVICES RE: EASEMENT PLATS
5847	GARCIA CONSULTING	2,475.00	PROFESSIONAL SERVICES RE: LEVEE, GEORGIA TO MLK
5847	GARCIA CONSULTING	300.00	PROFESSIONAL SERVICES RE: DC-1204
5847	GARCIA CONSULTING	670.00	PROFESSIONAL SERVICES RE: DC-1210
5847	GARCIA CONSULTING	192.50	PROFESSIONAL SERVICES RE: DC-1214
5847	GARCIA CONSULTING	905.00	PROFESSIONAL SERVICES RE: DC-1301
5847	GARCIA CONSULTING	195.00	PROFESSIONAL SERVICES RE: DC-1208
5847	GARCIA CONSULTING	27.50	PROFESSIONAL SERVICES RE: DC-1203
5847	GARCIA CONSULTING	260.00	PROFESSIONAL SERVICES RE: DC-1015
5847	GARCIA CONSULTING	162.50	PROFESSIONAL SERVICES RE: DC-1010C
5847	GARCIA CONSULTING	290.00	PROFESSIONAL SERVICES RE: LIT09 OAKBROOK METRO
5847	GARCIA CONSULTING	97.50	PROFESSIONAL SERVICES RE: DC-1350
5847	GARCIA CONSULTING	132.50	PROFESSIONAL SERVICES RE: DC-1349
5847	GARCIA CONSULTING	100.00	PROFESSIONAL SERVICES RE: DC-1346
5847	GARCIA CONSULTING	112.50	PROFESSIONAL SERVICES RE: DC-1345
5847	GARCIA CONSULTING	227.50	PROFESSIONAL SERVICES RE: DC-1343
5847	GARCIA CONSULTING	365.00	PROFESSIONAL SERVICES RE: DC-1342
5847	GARCIA CONSULTING	100.00	PROFESSIONAL SERVICES RE: DC-1341
5847	GARCIA CONSULTING	277.50	PROFESSIONAL SERVICES RE: DC-1340
5847	GARCIA CONSULTING	47.50	PROFESSIONAL SERVICES RE: DC-1339
5847	GARCIA CONSULTING	32.50	PROFESSIONAL SERVICES RE: DC-1337
5847	GARCIA CONSULTING	170.00	PROFESSIONAL SERVICES RE: DC-1336
5847	GARCIA CONSULTING	520.00	PROFESSIONAL SERVICES RE: DC-1335
5847	GARCIA CONSULTING	162.50	PROFESSIONAL SERVICES RE: DC-1334
5847	GARCIA CONSULTING	15.00	PROFESSIONAL SERVICES RE: DC-1333
5847	GARCIA CONSULTING	80.00	PROFESSIONAL SERVICES RE: DC-1332
5847	GARCIA CONSULTING	15.00	PROFESSIONAL SERVICES RE: DC-1331
5847	GARCIA CONSULTING	15.00	PROFESSIONAL SERVICES RE: DC-1330
5847	GARCIA CONSULTING	15.00	PROFESSIONAL SERVICES RE: DC-1329
5847	GARCIA CONSULTING	47.50	PROFESSIONAL SERVICES RE: DC-1328
5847	GARCIA CONSULTING	47.50	PROFESSIONAL SERVICES RE: DC-1327
5847	GARCIA CONSULTING	65.00	PROFESSIONAL SERVICES RE: DC-1326
5847	GARCIA CONSULTING	115.00	PROFESSIONAL SERVICES RE: DC-1325
5847	GARCIA CONSULTING	230.00	PROFESSIONAL SERVICES RE: DC-1324

ACCT	VENDOR NAME	AMOUNT	EXPLANATION OF CLAIM
5847	GARCIA CONSULTING	330.00	PROFESSIONAL SERVICES RE: DC-1323
5847	GARCIA CONSULTING	330.00	PROFESSIONAL SERVICES RE: DC-1322
5847	GARCIA CONSULTING	637.50	PROFESSIONAL SERVICES RE: DC-1321
5847	GARCIA CONSULTING	362.50	PROFESSIONAL SERVICES RE: DC-1320
5847	GARCIA CONSULTING	180.00	PROFESSIONAL SERVICES RE: DC-1319
5847	GARCIA CONSULTING	147.50	PROFESSIONAL SERVICES RE: DC-1318
5847	GARCIA CONSULTING	80.00	PROFESSIONAL SERVICES RE: DC-1317
5847	GARCIA CONSULTING	212.50	PROFESSIONAL SERVICES RE: DC-1316
5847	GARCIA CONSULTING	242.50	PROFESSIONAL SERVICES RE: DC-1315
5847	GARCIA CONSULTING	145.00	PROFESSIONAL SERVICES RE: DC-1314
5847	GARCIA CONSULTING	180.00	PROFESSIONAL SERVICES RE: DC-1313
5847	GARCIA CONSULTING	212.50	PROFESSIONAL SERVICES RE: DC-1312
5847	GARCIA CONSULTING	162.50	PROFESSIONAL SERVICES RE: DC-1311
5847	GARCIA CONSULTING	365.00	PROFESSIONAL SERVICES RE: DC-1310
5847	GARCIA CONSULTING	80.00	PROFESSIONAL SERVICES RE: DC-1309
5847	GARCIA CONSULTING	32.50	PROFESSIONAL SERVICES RE: DC-1308C
5847	GARCIA CONSULTING	193.75	PROFESSIONAL SERVICES RE: DC-1308A
5847	GARCIA CONSULTING	146.25	PROFESSIONAL SERVICES RE: DC-1307
5847	GARCIA CONSULTING	146.25	PROFESSIONAL SERVICES RE: DC-1306
5847	GARCIA CONSULTING	963.75	PROFESSIONAL SERVICES RE: DC-1305
5847	GARCIA CONSULTING	416.25	PROFESSIONAL SERVICES RE: DC-1304
5847	GARCIA CONSULTING	321.25	PROFESSIONAL SERVICES RE: DC-1303
5847	GARCIA CONSULTING	93.75	PROFESSIONAL SERVICES RE: DC-1302
5847	GARCIA CONSULTING	126.25	PROFESSIONAL SERVICES RE: DC-1301
5849	CASALE.WOODWARD & BULS LLP	9,994.72	LAND ACQUISITION/LEGAL SERVICES FOR PERIOD ENDED 2/22/08
5849	CASALE.WOODWARD & BULS LLP	352.00	UTILITY RELOCATIONS/LEGAL SERVICES THROUGH 2/22/08
5861	DAWN RIVERA	7,900.00	PURCHASE PRICE OF DC-1383.
5861	LAKE COUNTY TRUST CO	2,789.00	PURCHASE PRICE OF DC-1313
5861	BRAD D. & LAURA M. JOHNSON	5,616.00	PURCHASE PRICE OF DC-1375
5861	BOARD OF COUNTY COMMISSIONERS OF LC	150.00	PURCHASE PRICE OF DC-1339
5861	GEORGE & WILHELMINA RAUSCH	5,000.00	PURCHASE PRICE OF DC-1333
5861	KRISTEN WEBB & JOSEPH MALLORY	55.00	PURCHASE PRICE OF DC-1312
5882	SHORT ELLIOTT HENDRICKSON	611.88	PROFESSIONAL SERVICES THROUGH 12/31/07
5882	SHORT ELLIOTT HENDRICKSON	541.63	PROFESSIONAL SERVICES THROUGH 1/31/08

TOTAL

91,292.32

**APPROVAL TO PAY THE FOLLOWING INVOICES
FROM O&M FUND
March 5, 2008**

- **\$52.90 to T-Mobile for costs incurred for cell phone for engineer field work; monthly service 1/11/08 – 2/10/08**
- **\$230.00 to Austgen Electric Inc. for work done at North Burr Street pump station**

Total O&M costs - \$ 282.90

Northwest Indiana
Regional Development Authority

Meeting Agenda

Tuesday, February 12, 2008

Indiana Department of Administration Conference Center

Conference Room 22

402 West Washington Street

Indianapolis, IN 46204

1:30 p.m. CST / 2:30 p.m. EST

2:30 pm	Call to Order and Welcome to Guests	Leigh Morris
2:35 pm	Roll Call	Sherri Shabaz
2:37 pm	Recognition and Honoring of John Clark for his service as Chairman of the Board	Tim Sanders
2:45 pm	Consent Agenda (<i>Items may be removed at the request of any member of the Board</i>): <ol style="list-style-type: none">1. Minutes of the Meeting of 11/27/07 (<i>Attachment A</i>)2. Minutes of the Meeting of 1/10/08 (<i>Attachment B</i>)3. Treasurer's Report (<i>Attachment C</i>)4. Executive Director's Report (<i>Attachment D</i>)	Leigh Morris
2:47 pm	Election of Officers	Lou Martinez
2:50 pm	Chairman's Report/Review of Work Plan (<i>Attachments E, F, V</i>)	Leigh Morris
2:55 pm	Project Status Review (<i>Discussion Lead by Working Group Chairpersons</i>): <ul style="list-style-type: none">Regional Bus Authority (<i>Attachments R, S</i>)Lake Shore RedevelopmentExpansion of the Gary Chicago AirportExtension of South Shore Commuter Service (<i>Attachments G, H, Q</i>)	Lou Martinez Bill Joiner Gus Olympidis Harley Snyder
3:55 pm	Other Business: <ul style="list-style-type: none">Little Calumet River Basis Project (<i>Attachment I, J, P, W</i>)Cost Overrun Policy/Portage Lakeshore Park (<i>Attachment K, L</i>)Strategic Plan UpdateCompliance Consultant Update (<i>Attachments T, U</i>)Media Consultant Discussion and Marketing Planning (<i>Attachments M</i>)Working Group Scheduling (<i>Attachment N</i>)Meeting Schedule for the Board of Directors (<i>Attachment O</i>)Other	Tim Sanders/Bill Sheldrake Tim Sanders Tim Sanders/ Bill Sheldrake Tim Sanders Tim Sanders/Leigh Morris Leigh Morris Leigh Morris Anyone Anyone
4:45 pm	Public Comment	Leigh Morris
5:00 pm	Adjournment	

RDA OPENS CASH FLOW FOR RIVER

Little Calumet flood control, which began in 1980, could wrap up in 2009

BY KEITH BENMAN
kbenman@nwtimes.com
219.933.3326

The Northwest Indiana Regional Development Authority has approved a \$6 million grant that could have 8,000 homeowners rip-

ping up their flood insurance by 2010.

At its regular meeting in Indianapolis on Tuesday, the RDA approved the grant for the Little Calumet River Basin Commission, which is providing the local share of funds for the \$200 million project.

Work could begin by fall on the last two segments of the massive project, according to Dan Gardner, Little Calumet River Basin Commission executive director. Those involve the construction of levies and other flood control measures from Northcote Avenue in Ham-

mond to the Illinois border at Munster's western edge.

The project to control funding along a 22-mile stretch of the river began in 1980 and has proceeded by fits and starts until recent years.

See RIVER, D2

Continued from D1

It appeared the project might yet take another six years. The Indiana General Assembly generally has funded the local share of it in \$2 million installments every two years.

But in September, Gov. Mitch Daniels and U.S. Rep. Pete Visclosky, D-Ind., sent a joint request to the RDA to provide the \$6 million local share needed to complete the project.

That \$6 million will allow tens of millions of dollars in federal funds to be spent on the project, which is being done under the supervision of the U.S. Army Corps

of Engineers.

The Corps plans to let the final contracts for the projects by this fall, Gardner said. That means work could wrap up by the end of 2009 and the federal government could proceed to take the area out of the flood zone.

Currently, people living in the flood zone and businesses there must purchase federally backed flood insurance. That insurance can cost more than \$1,000 per year for some homeowners.

"You have people in that flood plain and economic development opportunities around Cabela's and the former River Park Apartments,"

said RDA executive director Tim Sanders. "It will be good for the city when this is done and the sooner the better."

The Little Calumet River Basin Commission let the RDA know it could need up to \$7 million, but agreed to come back with a further request if more money is needed, Sanders said.

The money was granted to the commission with the understanding that state Sen. Frank Mrvan, D-Hammond, and others would push the Indiana General Assembly to continue with its two-year appropriations for the project so the RDA can be repaid, Sanders said.

The Times
Thursday, Feb. 14, 08

The
Times,
Tuesday
Feb. 26, '08



CHRISTOPHER SMITH | THE TIMES

Workers from Hayward Baker Geotechnical Construction install sheet piling Thursday in preparation for levee work on Hawthorne Drive in Munster. Officials say they've worked with residents to keep the number of trees removed from the area to a minimum, but homeowner Stephen Enger remains skeptical.

OFFICIALS: NEW LEVEE REQUIRED REMOVAL

TREES GONE FROM MUNSTER STREET

BY SUSAN BROWN
sbrown@nwitimes.com
219.836.3780

It's not just Old Man Winter who has left Munster's usually picturesque Hawthorne Drive barren.

It's also the workers who have removed dozens of old trees that served as a natural screen along Hart Ditch, which lies to the east side of the street.

In recent months, crews have cut down trees in the path of

the new levee that will be built to protect Munster's neighborhoods and Highland's Wicker Park from floods, which have increasingly threatened homes and damaged the park's golf course.

A group of more than 40 Hawthorne Drive residents anxiously has awaited the project for several years, attempting to head off as much disruption as possible to the green belt off Hart Ditch where they have picnicked or simply just enjoyed

the rustic view.

Officials say most of the trees targeted for removal are now down.

A great many were cottonwood trees, at least half of them hollow inside. The trees could have come down at any time and some were found to be degrading the existing levee, said Jim Pokrajac, who oversees land management and engineering for the Little Calumet

See TREES, A6

Trees

Continued from A3

River Basin Development Commission.

Pokrajac said the commission, North Township and Munster officials have held at least 10 meetings with the concerned Hawthorne Drive homeowners, though the levee construction is a federal project and not under state or local control.

Pokrajac said a good amount of treescape was left between Ridge Road to Alta Vista and again between

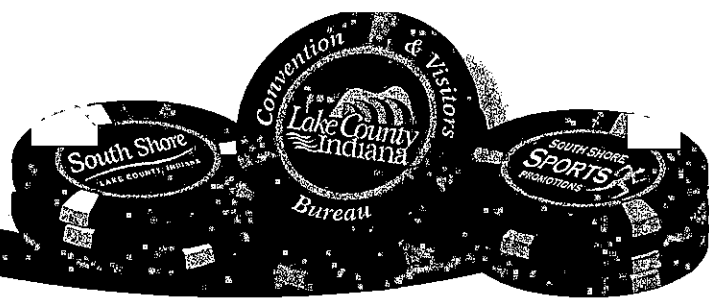
Fairway and the bend heading back toward Northcote Avenue.

But Hawthorne Drive homeowner Stephen Enger remains somewhat skeptical of the outcome.

"You can see there's a significant diminution of the green belt," Enger said.

Enger said the tension always had been between aesthetics, which residents sought, and the minimum cost sought by the Army Corps of Engineers, which is in charge of levee design.

RECEIVED FEB 26 2008



February 20, 2008

Colonel John Drolet
District Commander
US Army Corps of Engineers
111 N. Canal St.
Chicago Illinois 60606-7206

Dear Colonel Drolet,

I write in opposition of letting the contract for the flood control project that extends from Kennedy Avenue to Northcote Avenue issued by the Army Corps of Engineers. My organization is critically concerned that the Corp., which has let this contract on September 29 for the Stage V Phase 2 of the flood protection, will allow up to 750 days for completion of this critical stage of the project.

Late last year the entire south west quadrant of Kennedy Avenue and I-94 again came precariously close to flooding because of the Little Calumet River. Our nationally recognized, award-winning, ten million-dollar investment in Hammond, The Indiana Welcome Center, cannot be jeopardized like this again. While there was a great deal of finger-pointing and blame being shared, the facts of the matter are three hotels, two restaurants and our Visitor Center came within inches of taking on water from the Little Calumet River. Surely you can appreciate the critical nature and the need for timely completion of this project. With new investments on the horizon on Kennedy Avenue, as well as Cabela's subsequent out-lots, we cannot take more than two years to get this long-standing issue and potential devastating threat under control.

On a personal note, I lost my home to the flood of the Little Calumet River in 1990. I am personally acquainted with the devastation and difficulty that this project has presented to my family and (almost) to my business.

If I can be of further service or you have any questions, please do not hesitate to contact my office at (219) 554-2229.

Sincerely,

Speros A. Batistatos, FCDME
President/CEO

Cc: The Honorable Peter J. Visclosky, Representative, United States of America
The Honorable Mara Candelaria-Reardon, Representative, State of Indiana
The Honorable Thomas M. McDermott, Jr., Mayor, City of Hammond
Mr. Dan Repay, Council President, City of Hammond
Mr. Dave Nellans, Council President, Town of Munster
Mr. Dan Gardner, Little Calumet River Basin Development Committee
Mr. Victor E. DeMeyer, Board Chairman, LCCVB
Mr. W.F. "Bill" Wellman, Board Vice Chairman, LCCVB
Mr. Matthew Reardon, Board Member, LCCVB
Mr. Leigh Morris, Chairman, Northwest Indiana Regional Development Authority
Mr. Troy Boyd, Indiana Department of Transportation

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
FINANCIAL STATEMENT
JANUARY 1, 2008 - JANUARY 31, 2008

CASH POSITION - JANUARY 1, 2008

CHECKING ACCOUNT		
LAND ACQUISITION	192,304.22	
GENERAL FUND	81,335.09	
TAX FUND	0.00	
INVESTMENTS		
SAVINGS	89,504.55	
ESCROW ACCOUNT INTEREST	13,568.68	
	<hr/>	376,712.54

RECEIPTS - JANUARY 1, 2008- JANUARY 31, 2008

LEASE RENTS	2,596.04	
INTEREST INCOME(FROM CHECKING)	177.56	
LAND ACQUISITION	22,179.64	
ESCROW ACCOUNT INTEREST	1,931.91	
MISC. RECEIPTS	228.80	
KRBC REI		
TRANSFERRED FROM SAVINGS	52.88	
CITY OF MUNSTER FOR PROPERTIES	15,178.00	
TOTAL RECEIPTS		42,344.83

DISBURSEMENTS - JANUARY 1, 2008 - JANUARY 31, 2008

ADMINISTRATIVE		
2007 EXPENSES PAID IN 2008	68,261.17	
PER DIEM		3,400.00
LEGAL SERVICES		283.33
NIRPC		12,824.45
TRAVEL & MILEAGE		738.40
PRINTING & ADVERTISING		0.00
BONDS & INSURANCE		332.00
TELEPHONE EXPENSE		931.84
MEETING EXPENSE		0.00
LAND ACQUISITION		
LEGAL SERVICES		3,964.92
APPRAISAL SERVICES		2,250.00
ENGINEERING SERVICES		0.00
LAND PURCHASE CONTRACTUAL		0.00
FACILITIES/PROJECT MAINTENANCE SERVICES		0.00
OPERATIONS SERVICES		0.00
LAND MANGEMENT SERVICES		18,153.36
SURVEYING SERVICES		21,674.72
MISCELANEOUS EXPENSES		0.00
ECONOMIC/MARKETING SOURCES		0.00
PROPERTY & STRUCTURE COSTS		32,423.00
MOVING ALLOCATION		0.00
TAXES		0.00
PROPERTY & STRUCTURES INSURANCE		0.00
UTILITY RELOCATION SERVICES		0.00
LAND CAPITAL IMPROVEMENT		0.00
STRUCTURAL CAPITAL IMPROVEMENTS		0.00
BANK CHARGES HARRIS BANK		7.50
PASS THROUGH FOR SAVINGS		12,842.34
PAYBACK TO SAVINGS		
TOTAL DISBURSEMENTS		109,825.86

CASH POSITION - JANUARY 31, 2008

CHECKING ACCOUNT		
LAND ACQUISITION	146,485.86	
GENERAL FUND	57,793.39	
TAX FUND		
TOTAL FUNDS IN CHECKING ACCOUNT		204,279.25

CHASE SAVINGS ACCOUNT BALANCE	89,694.54
(LAND ACQ IN HOUSE PROJECT FUNDS)	*38,054.35
(O & M MONIES)	**46,454.66

*Note: Original \$700,000 note

**Note: O & M Fund comprised of remaining LEL Money, \$185,000 Interest Money, and \$133,721.49 Marina Sand Money

SAVINGS INTEREST 5,185.53

***Note: Interest deposited from Savings 25,700; Escrow Interest 4,418; Burr St Interest 5,220

TOTAL SAVINGS	89,694.54
ESCROW ACCOUNT INTEREST AVAILABLE	15,500.59
TOTAL OF ALL ACCOUNTS	309,474.38

14

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LAKE | SATURDAY, FEBRUARY 23, 2008 | PAGE A4

INDOT FLOOD REPORT DELAYED

Consultants asked to investigate more problems along Calumet Avenue

BY SUSAN BROWN

sbrown@nwi.com

219.836.3780

HAMMOND | Expected last week, the state study of last August's massive flooding on the Borman Expressway again has been delayed.

Joshua Bingham, a spokesman with the Indiana Department of Transportation, offered no indication of when the report might be

released.

The study was ordered by the INDOT within days of flooding that closed the Borman for several days.

"In the state's defense, there has been additional information requested over other issues that have come up," Hammond City Engineer Stan Dostatni said Friday.

Last month's heavy rains flooded ditch lines along the Borman, causing problems north of the Borman between Indianapolis Boule-

vard and Northcote Avenue, Dostatni said.

Dostatni said there also are concerns about the design of the Calumet Avenue storm sewer project between 165th Street and Riverside Park.

"The way it functions could cause some backup issues," Dostatni said. Because of a flapgate issue, when the water is high, the water has nowhere to go, Dostatni said.

It was a malfunctioning flapgate

that contributed to August's closure of the Borman. Tree branches and other debris were found to have prevented the gate on the pipe draining water from the Borman to the Little Calumet River from closing automatically.

In late October, INDOT announced plans to replace the flapgate with a gate less prone to getting clogged. On Friday, Dostatni said he believed installation was waiting on better weather.

Post Tribune
Thursday, February 7, '08

Little Cal levee care at issue

■ Commission wants to know who is responsible for upkeep when job ends.

By ERIK POTTER

Post-Tribune staff writer

The Little Calumet Commission will decide over the next year how to change from project managers to maintenance men.

The commission, which is the local agency that oversees the \$215 million Little Calumet flood-control project, is also set up to be the body responsible for operations and maintenance of the levees once the flood control project is completed.

The commission has long looked to the five river cities through which the levees run, however, to pick up the cost and responsibility of levee operation and maintenance.

But the agreement signed with the Army Corps of Engineers when the project started requires that there be a single point of contact for maintenance issues — not five.

The commission has decided to form a committee to decide what that single point of contact should look like. Options discussed at the February meeting on Wednesday included forming a commission with greater local control — currently the governor appoints six of the 11 commissioners — or creating a



McDermott

kind of conservancy district. Without a system for operating and maintaining the levees up to federal standards after the project is completed, the homes and businesses the project was built to protect could slip back into the flood plain.

The commission wants a plan in place by the time the flood control project is supposed to be completed, Dec. 31, 2009. Any changes to the commission must first be approved by the General Assembly.

In other business, Dan Gard-

ner, executive director of the commission, will attend a meeting with Hammond Mayor Thomas McDermott Jr., and the Army Corps to discuss ways to speed up the levee construction near Cabela's, which will lift that area out of the flood plain and free it for development.

McDermott is hoping to meet a target date of Dec. 31, but construction in that area is authorized to last until November 2009.

The Regional Development Authority will meet in Indianapolis on Tuesday, when they are expected to approve the final \$6 million in local funds the commission needs to complete the final two years of construction.

OPERATION AND MAINTENANCE REPORT

For meeting on Wednesday, March 5, 2008

(Information in this report is based upon latest data provided at the time the report is put together. Dates and costs may vary depending upon ongoing design and/or coordination with the Army Corps.

Report period is from February 6 – February 27, 2008)

GENERAL SUMMARIZATION (EAST REACH TURNOVER)

1. An O&M Committee meeting was held on November 14, 2007 to recap O&M progress, turnover, and what steps are needed to complete turnover.
 - Bids were received and the low bidder was Austgen Electric. Inc. in the amount of \$60,529.
 - **Received an update from Austgen on February 21, 2008. The water is currently too high and is frozen. No progress since last month.**
2. A meeting was held with the city of Gary, and their new representatives on July 20th, 2006 to familiarize the new administration with our project, explain O&M responsibility to be assumed by Gary, and to determine what they will require for the O&M turnover process. Some of these items include:
 1. Six (6) pump station turnover
 2. Levee, sluice gate, flap gate turnover
 3. Transfer of LCRBDC excess lands
 4. Coordination for emergency responseMaps, pump station reports, O&M detail for maintenance breakdown and costs were distributed and discussed.
 - Mailed handouts of this meeting to Geraldine Tousant (Deputy Mayor), Gwen Malone (Public Works Director), and Luci Horton (GSD Director) on September 6, 2006.
5. A letter was sent to the GSD on September 20, 2007 requesting coordination for turnover of drawings, specs, manuals, and other miscellaneous items as part of the overall process.
 - No response back as of **February 27, 2008**. Will re-submit request and begin initial process of paper work turnover.
 - An email was sent to city of Gary on January 28, 2008 requesting initial meeting to turn over Burr Street-Gary "as-built" drawings, and to discuss remaining turnover.
 - > **Will re-schedule when all parties are available (mid-March)**
3. **Most recent inspections in Gary in 2007 were held with the Corps, LCRBDC, and representatives from Gary**
 - Levees and floodwalls (August 13, 14, 15) – Completed (Received Corps report and LCRBDC **has combined** city of Gary, Corps, & LCRBDC reports into one)

- Pump stations (September 4 & 5) – Completed (Received Corps report and LCRBDC **has combined** city of Gary, Corps, & LCRBDC reports into one)
- Sluice gates and flap gates were held on October 10 and 11 in Gary; and on October 25, 2007 in Griffith.

OPERATION AND MAINTENANCE BREAKDOWN STATUS

A. PUMP STATION TURNOVER

1. Six (6) pump stations will be turned over to Gary. These include Burr Street, Grant, Broadway, and Ironwood. It also includes two (2) lift stations at 32nd & Cleveland and Marshalltown.
2. An inspection of the six (6) pump stations in Gary was held on September 4 & 5, 2007 with the COE, representatives from Gary, and the LCRBDC.
 - Each of the three (3) parties have submitted results of the inspection which included accepted items, items to be put on a punch list, and any questions/clarifications regarding safety or intent of design.
 - A letter was sent to GSD on September 18 indicating the LCRBDC will provide the material for telemetry and a one year subscription in the amount of \$10,490 based upon Commission approval at our September 6, 2006 Board meeting. This money will be provided to Gary at the time of the pump station turnover.
3. Survey work for the six (6) pump stations has been completed and was provided to the LCRBDC attorney on March 23, 2007, and will require coordination with the city of Gary attorney as part of the O&M turnover. **(Ongoing)**

B. SLUICE GATE/FLAP GATE TURNOVER

1. General Note: There are a total of 51 different closure areas in the East Reach.
 - Gary (41 sluice gates/41 flap gates)
 - Griffith (4 sluice gates/4 flap gates)
 - INDOT (6 sluice gates/6 flap gates)
 - INDOT gates were included as part of this inspection
 - Griffith gates were inspected on October 25, 2007 as part of the overall O&M turnover to Griffith
 - Refer to General Summarization section in this report on page 1 for information on status of recently awarded contract to Austgen Electric to complete remainder of sluice/flap gate work.
2. It is the intent to complete remediation of sluice gates, and flap gates separately from the pump stations and will include lubrication, clean-up, and repair, as noted in inspection reports.
 - **Refer to General Summarization Section of this report for status of remediation being performed by Austgen Electric**
3. Prior to the most recent storms of late August, 2007, the LCRBDC had completed cleaning and remediation of most of the features in Gary.
 - After the storm, many flap gates were stuck open again. This will all have to

be done again at an additional cost.

- The original sluice/flap gate work was completed on August 5, 2007 for (10) sluice gates and (11) flap gates for a total cost of \$69,150.

C. LEVEE, I-WALL TURNOVER

1. Levee inspections were held on August 13 (August 14 was a rain-out), August 15, and August 16, 2007.
 - Stage V-1 (Wicker Park Manor), located between Indianapolis Blvd and the NSRR, south of the river, was held with Highland on August 13, 2007.
 - Burr Street betterment levee (EJ&E to Colfax) south of the NIPSCO r/w, was held with Griffith on August 13, 2007.
 - The remainder of completed levee segments were in Gary and were completed in the afternoon of August 13, 15, and 16.
2. The general observation was that some levee tops were rutted and needed to be filled and graded, seeding was needed in many areas due to herbiciding for the landscaping Phase II project, and some trees needed to be removed from side slopes that could be impacting the structural portion of the levees.
 - LCRBDC received Corps inspection results and is currently reviewing. Will combine their report with Gary & LCRBDC reports and will use during next inspection in the spring of 2008.

D. TRANSFER OF EXCESS LANDS TO CITY OF GARY

1. Transfer of excess lands (approximately 359 acres) were discussed as part of a meeting held with the city of Gary on March 22, 2007. Gary is in concurrence with the format of the agreement. (Ongoing between attorneys)
2. A letter was sent to City of Gary attorney requesting that we proceed with coordination of agreements and what is required for land transfers of LCRBDC properties on September 22, 2006. (Ongoing between attorneys)
3. Surveys were completed on April 25, 2006 for excess lands which include acreage west of Clay Street, south of the NIPSCO R/W, east of I-65, and north of and adjacent to Burns Ditch. (This is approximately 196 acres)
 - The other area is between Chase and Grant adjacent to both sides of 35th Avenue (This is approximately 189 acres).
 - This information has been provided to LCRBDC and city of Gary attorneys

E. TURNOVER OF SPARE PARTS, MANUALS, AND "AS-BUILT" DRAWINGS (COMPLETED)

1. Spare Part Turnover Process
 - A meeting was held with Debra Harris (United Water – Purchasing/Warehouse Manager) on June 13, 2006 to pick up inventory list of “spare parts for pump stations”, which were stored on GSD facilities in November 2005.
2. A letter was sent to city of Gary on October 3, 2006 indicating that the LCRBDC has the (6) electric sluice gate operating drills for inspections.
 - Gary will keep (3) operators. Two (2) of the others have been repaired and the (3) will then be distributed to Highland, Hammond, and Griffith. Additional electric operators will be provided to the LCRBDC as part

of the Stage V-2 project.

- LCRBDC received one of the electric operators back from Gary on November 15, 2007 to turn over to INDOT for their use during flood events. Turned over to INDOT on November 20, 2007.
 - At the V-2 initial progress meeting on November 28, LCRBDC requested if we could get all of the V-2 operators early so we could distribute them to participating parties for use during flood events.
 - This item was brought up again as Item #3 in the December 28, 2007 email (Refer to General Section of this report)
3. LCRBDC submitted copies of the current Army Corps O&M Manual for review and comment to Gary, Hammond, and Highland on September 7, 2007. Comments requested no later than October 5, 2007. (No response from any communities as of October 31, 2007)
- Will re-submit request to all municipalities for comments. This will then be part of ongoing maintenance responsibilities.

F. GRIFFITH – O&M TURNOVER (GENERAL)

1. In addition to the certification of the existing Cline to EJ&E RR levee, Griffith will also be required for O&M responsibility from EJ&E RR to Colfax (Burr St. Phase I & southern part of Stage IV-1 South).
- A meeting will be scheduled to discuss O&M responsibilities and turnover coordination. (Ongoing)
 - Sluice/flap gate inspections were held with the Corps and Griffith on October 25, 2007

GENERAL SUMMARIZATION (WEST REACH TURNOVER)

A. North 5th Pump Station Turnover

1. A final inspection was held with Highland on February 28, 2006 (Contractor was Overstreet)
- This letter also summarized their contractual obligations, and a sequence of events to complete the punch list. They demonstrated an unsatisfactory performance on this contract and have failed to complete these items in a timely manner.
2. Pump Station turnover coordination
- Turned over (2) sets of “as-built” drawings to the town of Highland along with a set of Volumes 1 & 2 of the Operation & Maintenance Manual on March 23, 2007
3. Training, spare parts, and final testing was completed in late July, 2007 and a coordination meeting was held with Highland to begin the O&M turnover process.

EMERGENCY RESPONSE COORDINATION

General:

An email was sent to the Corps on December 28, 2007 addressing ongoing, miscellaneous emergency response issues.

- A. Acceptance of Emergency Response by each project municipality
 1. A meeting will be scheduled in February 2008 with the COE, LCRBDC, USGS, the National Weather Service, and representatives from all five (5) Communities.
 - COE requires turnover, and sign-off, by each municipality to assume responsibility for their community to comply with COE plan during a flood, and to submit a plan as part of their overall community emergency response plan.
 2. It was mutually agreed that the closures throughout the project could be expedited by supplementing 2'x2'x7' concrete blocks, with plastic and sandbags at each location.
 - LCRBDC to facilitate (Ongoing)
 - Received information from the COE in mid-June 2006 to determine how many concrete barriers will be needed for each location throughout the project.
 - LCRBDC will coordinate with each municipality to locate these concrete barriers on each individual site. (Ongoing)
 3. Post and panel closures at Chase Street along the north line of protection and on 35th Street along the south line of protection are impractical to install during a flood event.
 - The last trial installation at 35th St. was approximately 2 years ago, over 20 people participated in the installation during sunny weather and took approximately 3 hours to install.
 - During a flood event (2) closures need to be installed, probably during heavy rains, possible no electric available, and maybe at night.
 - Refer to Item #5 in the December 28, 2007 email in the General Section of this report for request to Corps.
- B. Replace river data loggers by the COE and USGS
 1. LCRDAN upgrades (river data loggers) in conjunction with the USGS has been agreed upon by the COE to be provided to replace existing outdated units in Crown Point, Hammond, and Gary.
 - A conference call was held on May 24, 2005 with the COE, LCRBDC, USGS, National Weather Service, and the communities to discuss updating current river level monitoring equipment.
 - A summary of this call was distributed by the COE on May 24, 2005 (afternoon).
 - COE provided an update of the status on August 24, 2006. (COE anticipates completion by May 2008.
- C. Coordination with INDOT after late August 2007 floods impacting Kennedy Avenue and Indianapolis Blvd.

1. An initial meeting was held with INDOT, Earth Tech (INDOT consultant), Corps, and the LCRBDC on September 17, 2007 to discuss future impacts, emergency response coordination, and action plans.
 - Received minutes of meeting from Earth Tech on September 27, 2007 outlining rainfall information, impacts at Kennedy Avenue interchange, Little Calumet River impacts, Indianapolis Blvd flooding, O&M and emergency response, and future action items.
 - INDOT submitted request to Hammond (copies the Corps) on October 22, to replace the existing flap gate with a "duckbill" gate.
2. A meeting was held with INDOT, Earth Tech, Garcia L E, and the LCRBDC on October 11, 2007 to discuss surveying and tying in Corps and INDOT surveys that show culvert, ditch, levee, highway, and roadways.
 - LCRBDC will establish a mark in the vicinity of the flap gate as to when to close sluice gate. (Ongoing)
3. **The LCRBDC sent an email to the Corps on December 28, 2007 addressing ongoing INDOT coordination and miscellaneous emergency response issues.** 26
 - Refer to Item #1 and #4 in the General Section of this report regarding elevations and location and placement of staff gauges.
 - **A follow-up email was sent to the Corps on February 6, 2008 requesting response to ongoing issue of staff gauge installations.** 7
4. **Article in February 23, 2008 Times regarding status of INDOT flood report** 8
- D. A meeting was scheduled to be held in Chicago on December 7, 2007 with the Corps, LCRBDC, and the Lake County Emergency Management to discuss flood response coordination.
 1. Primary contacts need to be addressed and established as part of the Plan
 2. A draft diagram has been established and coordination between local, State, county, and Federal responsibilities will be discussed.
 3. This meeting was cancelled because Jeff Miller could not attend – Will be re-scheduled. Refer to Item #2 in the General Section of this report.

MISCELLANEOUS

- A. Received a letter and prints from GRW Engineers, Inc. on February 19, 2007 requesting coordination, and easements on LCRBDC property (where flood protection has been completed west of Grant Street) to install a pump station and 30" water line to expand water service in Lake County.
 1. This will be the responsibility of the LCRBDC in the future, after all construction is completed, to coordinate any construction, easements, agreements, as part of the O&M turnover.
 2. Met with GRW on June 28, 2007 (Doug Corey) and reviewed their modified plans, real estate requirements, and did a site visit for field familiarization.
 - LCRBDC submitted a summarization of the upcoming coordination required with them, the Corps, and the LCRBDC.

3. LCRBDC received a "denial notice for construction in a floodway" from the IDNR on September 28, 2007
 - Reasons for denial listed
 - Email questioning status sent to GRW on October 27, 2007
- B. Received a letter from NIPSCO on October 11, 2007 regarding flooding to their gas line facilities west of Grant on their R/W and that they feel our project has created a problem in this area worse than it was before our construction.
 - This was forwarded to the Corps for response on November 5, 2007
 - Requested again on November 23. NIPSCO has concerns this could happen again if not remediated.

Jim Pokrajac

From: "Mike Mitsch" <mmitsch@austgen.com>
To: "Jim Pokrajac" <jpokrajac@nirpc.org>
Sent: Thursday, February 21, 2008 1:41 PM
Subject: sluice & flap gate

No work has been done. Water to high & frozen. We are going to start as soon as we can.

Thanks Mike Mitsch

2/21/2008

Jim Pokrajac

From: "Rochford, William A LRC" <William.A.Rochford@usace.army.mil>
To: "Jim Pokrajac" <jpokrajac@nirpc.org>; "Samara, Imad LRC" <Imad.Samara@usace.army.mil>;
 "Ackerson, Rick D LRC" <Rick.D.Ackerson@usace.army.mil>; "Kramer, Mark J LRC"
 <Mark.J.Kramer@usace.army.mil>; "Vowinkel, Scott G LRC"
 <Scott.G.Vowinkel@usace.army.mil>; "Schmidt, Joel L LRC" <Joel.L.Schmidt@usace.army.mil>;
 "Davis, Susanne J LRC" <Susanne.J.Davis@usace.army.mil>
Cc: "Ennis, John D LRC" <John.D.Ennis@usace.army.mil>
Sent: Sunday, January 06, 2008 8:48 PM
Subject: RE: Flood Elevation Sign East of Kennedy and Miscellaneous Emergency Response Issues
 (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

All,

To address item 4 that Jim mentions below, we need to update the project datums to be NAVD88 to consistent with Corps guidance that was issued following Katrina. The idea is to complete the final segments using the old NGVD29 datum to avoid inconsistencies between the construction segments. Then to update the overall project. We have been getting recent surveys in dual systems to simplify the conversion. We will need to develop a plan for overall conversion of the project.

Bill Rochford

(312) 846-5450

william.a.rochford@usace.army.mil

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

From: Jim Pokrajac [mailto:jpokrajac@nirpc.org]
Sent: Friday, December 28, 2007 1:46 PM
To: Samara, Imad LRC; Ackerson, Rick D LRC; Rochford, William A LRC; Kramer, Mark J LRC; Vowinkel, Scott G LRC; Schmidt, Joel L LRC; Davis, Susanne J LRC
Cc: Rampone, Rick; glh@garcia-consulting.com; jefflcema@yahoo.com; dgardner@nirpc.org
Subject: Fw: Flood Elevation Sign East of Kennedy and Miscellaneous Emergency Response Issues

To All,

Attached is an e-mail from Rick Rampone from Earthtech, who is pursuing, with Indot, concerns regarding potential floding of I-80/94. I have been working with him and Gregg Heinzman to establish some type of indicator at Kennedy Avenue, that when it reaches that level Indot will close the sluice gate. I provided them an electric sluice gate operator a few weeks back to do this. Coordination for Emergency response is ongoing, and this is just one more item that has to be addressed. From, and including this, several other

2

1/7/2008

things need to be discussed and/or addressed that involve emergency response as follows:

1. This message from Rick had several items of which they need information from you, including elevations at certain culverts, and additional outlet information along the Borman that drain their highway. If you need specifics maybe you could contact Rick.
2. We had a meeting scheduled with you scheduled for Dec. 7th that was cancelled because Jeff Miller could not attend. Are we pursuing another meeting to review, discuss, and/or revise the current Flood Warning and Preparedness Plan.
3. In previous discussions regarding sluice gate operators, the LCRBDC requested that the 11, or so, operators being provided by the Stage V- Phase 2 project, be made available as soon as possible in order that they can be distributed to municipalities or agencies to close gates in the event of a flood.
4. Bill Rochford and I had a discussion several months ago that the COE had re-visited river level elevations relative to the previously installed "staff gauges" along the river. He had indicated that the elevations needed to be re-adjusted and new gauges needed to be installed. These gauges were basically just level rods with no direct visual as to what action to take. Would it be possible to install something more "user friendly" so anyone looking at them would know exactly what action to take without any cross-referencing? Maybe something color coded such as; GREEN for no action to be taken, YELLOW for the responder to mobilize, and RED to install any closures or enact that phase of the emergency plan? Could we discuss.
5. Is there any more discussion regarding the post and panel installations of the closures at 35th and at Chase along the North line of protection? During the last event in August, the water came up pretty quickly, and fortunately drained to the East into the Chase to Grant flowage area. However, in conversations with not only Gary, but with other municipalities, the Little Calumet River flood protection is not their only priority during flood events. I think a manpower analysis needs to be done for our plan to be effective. These closures require a tremendous amount of manpower that could be used to sand bag, direct traffic, check operability of pump stations, inspect sluice/flap gates to assure they are closed, etc. We were hoping to have something as simple as a "slide-gate type of closure that could be done quickly and efficiently.

These are just some issues that are either ongoing or need immediate action. Maybe they could become part of the emergency coordination meeting.

Thanks,

Jim Pokrajac

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

From: Rampone, Rick <<mailto:Rick.Rampone@earthtech.com>>
To: Jim Pokrajac <<mailto:jpokrajac@nirpc.org>>
Sent: Friday, December 28, 2007 10:07 AM
Subject: RE: Flood Elevation Sign East of Kennedy

Jim,

I hope you had a good Christmas and are enjoying the holidays.

I also wanted to take this opportunity to see if there have been any developments regarding placement of the flood warning/action marks on or near Kennedy Avenue outlet. I also sent an earlier e-mail to Gregg Heinzman requesting any status update from him. (He just responded that you are continuing to work with Corps on this matter).

I have a couple of other items I wanted to see if you might be able to help with:

- Regarding the outlet pipe (to Little Cal) east of Indianapolis Boulevard, do you by chance have information on that outlet similar to information you previously provided for Kennedy Avenue outlet? As with Kennedy Avenue outlet, we need to verify property ownership and invert elevation at that outlet. Apparently that outlet gate also was also stuck open by debris during the August flood - for some reason that did not come to our attention until recently. I wanted to determine if you might have any information or thoughts regarding that.

- Also, we are still trying to put together locations and invert elevations of outlet structures which drain Borman Expressway. I know you have previously provided information you had to us, but wanted to see if you thought there might be any other information regarding this.

Thanks - and hope you have a great New Year!

Rick

4

1/7/2008

From: Jim Pokrajac [mailto:jpokrajac@nirpc.org]
Sent: Wednesday, December 05, 2007 1:03 PM
To: Samara, Imad LRC; Ackerson, Rick D LRC
Cc: glh@garcia-consulting.com; Rampone, Rick;
william.a.rochford@lrc02.usace.army.mil
Subject: Fw: Flood Elevation Sign East of Kennedy

Imad/Rick,

Do you have any input regarding our previous discussions with INDOT regarding emergency response coordination in reference to Kennedy Ave. sluice/flap gate coordination during a flood event. Gregg Heinzman has been working with Rick Rampone (Earthtech - Indot Consultant) to establish a mark on the flapgate, or adjacent to the gate whereby the sluicgate will be closed by Indot when the water reaches that level (Mark) during a flood event. Gregg has been coordinating with them to get that mark established and I wanted to assure that we are all on the same survey data. If the corps has any suggestions, regarding the emergency response coordination, or how to establish some kind, and what type, of mark useable for Indot, please let me know ASAP so we can move along. In addition, I think Rick Rampone presented some information regarding their installation of "Duckbill" type gates to replace existing flap gates at both Kennedy and at Indianapolis Boulevard for your review and comments. Could you give me an update on this request.

Thanks,

Jim Pokrajac

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

From: Gregg Heinzman <mailto:glh@garcia-consulting.com>

To: Jim Pokrajac <mailto:jpokrajac@nirpc.org>

Sent: Wednesday, December 05, 2007 9:54 AM

Subject: Flood Elevation Sign East of Kennedy

5

Jim,

As we discussed yesterday, we have established the elevation of the top of headwall at the gate structure east of Kennedy Avenue. Regarding the warning sign, you mentioned that you would contact Rick Ackerson and see if the Corps has a sign detail that can be used for a guide for the sign that is needed at this location. We can then prepare a sketch showing the sign and text for your use in procuring a sign.

Gregg L. Heinzman PE SE LS

Vice President

Garcia Consulting

7501 Indianapolis Boulevard 219.989.1954

Hammond, IN 46324 Fax: 219.989.3321

Classification: UNCLASSIFIED
Caveats: NONE

1/7/2008

Jim Pokrajac

From: "Rampone, Rick" <Rick.Rampone@earthtech.com>
To: "Jim Pokrajac" <jpokrajac@nirpc.org>; <mark.j.kramer@usace.army.mil>; <suzanne.j.davis@usace.army.mil>; "Imad Samara" <imad.samara@usace.army.mil>; "Ackerson, Rick D LRC" <Rick.D.Ackerson@usace.army.mil>; "Rochford, William A LRC" <William.A.Rochford@usace.army.mil>; <scott.g.Vowinkel@usace.army.mil>; "Schmidt, Joel L LRC" <Joel.L.Schmidt@usace.army.mil>
Cc: <glh@garcia-consulting.com>; <jefflcema@yahoo.com>; <dgardner@nirpc.org>
Sent: Wednesday, February 06, 2008 3:01 PM
Subject: RE: Kennedy Outfall River Level Sign

Thanks Jim for following up with this, and we and INDOT would very much appreciate if this could be addressed as soon as possible.

Just a follow up comment – based on the river conditions we have experienced since January, we are continuing to research and evaluate the flood status elevations that are referenced on the drawing. Our objective is to not have INDOT crews on constant alert for extended periods of time and mobilizing needlessly, but still providing adequate mobilization time when necessary. We are currently discussing with USGS to determine if evaluation of historic data from USGS Burr Street gage is appropriate and reasonable to establish flood status elevations. The bottom line is the flood status elevations probably will be revised from what is shown on the drawing.

We appreciate your time and consideration of this matter.

Thanks.

Rick

From: Jim Pokrajac [mailto:jpokrajac@nirpc.org]
Sent: Wednesday, February 06, 2008 3:27 PM
To: mark.j.kramer@usace.army.mil; suzanne.j.davis@usace.army.mil; Imad Samara; Ackerson, Rick D LRC; Rochford, William A LRC; scott.g.Vowinkel@usace.army.mil; Schmidt, Joel L LRC
Cc: Rampone, Rick; glh@garcia-consulting.com; jefflcema@yahoo.com; dgardner@nirpc.org
Subject: Fw: Kennedy Outfall River Level Sign

To all,

I sent an e-mail to you all back on December 28, 2007 regarding the flood elevation sign East of Kennedy and other miscellaneous emergency response issues. Please refer to item #4 in this e-mail. It mentions a suggestion for consideration for new gauges to be installed along the river that would be more "user friendly" by using colors that could be a visual for field personnel rather than cross-referencing any manuals. Attached is a suggestion for what we could use that needs review and comments. Initially, we need to address Kennedy Ave., North of the river for Indot and their concern for the Borman flooding. This type of gauge should also be considered for the rest of the project. Please let me know how to move along with Earthtech who represents Indot on this issue.

Thanks,

Jim Pokrajac

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

From: Gregg Heinzman
To: Jim Pokrajac
Sent: Tuesday, February 05, 2008 2:05 PM
Subject: Kennedy Outfall River Level Sign

Jim,

Attached is a PDF file of the river level sign for conceptual review.

Gregg L. Heinzman PE SE LS
Vice President

Garcia Consulting

7501 Indianapolis Boulevard 219.989.1954
Hammond, IN 46324 Fax: 219.989.3321

7

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LAKE | SATURDAY, FEBRUARY 23, 2008 | PAGE A4

INDOT FLOOD REPORT DELAYED

Consultants asked to investigate more problems along Calumet Avenue

BY SUSAN BROWN

sbrown@nwi.com
219.836.3780

HAMMOND | Expected last week, the state study of last August's massive flooding on the Borman Expressway again has been delayed.

Joshua Bingham, a spokesman with the Indiana Department of Transportation, offered no indication of when the report might be

released.

The study was ordered by the INDOT within days of flooding that closed the Borman for several days.

"In the state's defense, there has been additional information requested over other issues that have come up," Hammond City Engineer Stan Dostatni said Friday.

Last month's heavy rains flooded ditch lines along the Borman, causing problems north of the Borman between Indianapolis Boul-

vard and Northcote Avenue, Dostatni said.

Dostatni said there also are concerns about the design of the Calumet Avenue storm sewer project between 165th Street and Riverside Park.

"The way it functions could cause some backup issues," Dostatni said. Because of a flapgate issue, when the water is high, the water has nowhere to go, Dostatni said.

It was a malfunctioning flapgate

that contributed to August's closure of the Borman. Tree branches and other debris were found to have prevented the gate on the pipe draining water from the Borman to the Little Calumet River from closing automatically.

In late October, INDOT announced plans to replace the flapgate with a gate less prone to getting clogged. On Friday, Dostatni said he believed installation was waiting on better weather.

2.

**WORK STUDY SESSION
5 March 2008**

**LAND ACQUISITION COMMITTEE
Robert Marszalek, Chairman**

(ACTION)

We respectfully ask the Commission to approve three condemnations in Stage VIII.

DC 1314

Resub. River Plaza Blks 2,3,4 & all Blk 5 Lot 6 Ex. NW Pt. of SE'ly Pt. Lot 5
Uniform Land Offer sent 1/22/08 and landowner formally in writing rejected the Uniform Land Offer on 2/21/08.

DC 1377

Ridgeland Park 1st Addition to Munster All Lot 5
Uniform land offer sent 1/28/08. Owner reluctant to sign offer. We're in negotiations about compensation for landscaping and trees.

DC 1378

Ridgeland Park 1st Addition to Munster All Lot 4
Uniform Land Offer sent 1/28/08. Owner reluctant to sign offer. We're in negotiations about compensations for landscaping and trees.

*Probable
condemnation*

STAGE V UPDATE – (Kennedy to Northcote)

The Corps Stage V construction contract was awarded with all acquisitions complete except for two Options (easements not acquired):

DC 1112/1113 owner NIPSCo. W 150' E SW N & S of River.
LCRBDC has forwarded the easement agreement to NIPSCO to review and sign if acceptable. The amount of liability insurance is still an issue.

DC 1169 Norfolk Southern Railroad West of Kennedy Avenue
Negotiations continue between the Corps and the railroad to decide the lock mechanism issue.

Land Acquisition Report/3-5-08

STAGE VII UPDATE – (Northcote to Columbia) Of the 34 offers sent to landowners:

- 28 landowners have accepted and are recorded.
- 3 condemnations have been filed for landowners we can't locate.
- 2 utilities are reviewing engineering (BP Pipelines and NIPSCO).
- 1 private landowner is still waiting on new Corps mapping that would reduce the square footage of work limits on his property.

put in minutes

STAGE VIII UPDATE: (Columbia to Illinois state line)

The Corps has eliminated five properties from Stage VIII and added five new acquisitions. The following is an update:

- 90 acquisitions,
- 22 Uniform Land Offers have been sent (7 accepted),
- 27 properties have to be re-appraised due to changed work limits.
- 41 offers in preparation to be sent.

May 7 deadline

Dec. 2009 end of this contract

A meeting with the appraisal team was held 26 February with all 10 appraisers in attendance. The 27 re-appraisals were assigned with the expectation that all will be completed and reviewed by the third week in March.

put in min.

We're working with the appraisal firms of:

- Gorman Group Appraising
- Vale Appraisal Group
- Heritage Appraisal Services
- Valuation Services
- Bochnowski Appraising Group

1 - INDOT - 2
1 - NICTD
19 minutes
66 - residential

1000
Hwy-Kline

Black
Hawthorn

PROJECT ENGINEERING MONTHLY STATUS REPORT

For meeting on Wednesday, March 6, 2008

(Information in this report is based upon latest data provided at the time the report is put together. Dates and costs may vary depending upon ongoing design and/or coordination with the Army Corps)

Report period is from February 6 – February 27, 2008)

COMPLETED CONSTRUCTION

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

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. Project completed in September, 1998.
Rausch Construction – Contract price: \$3,288, 102
2. Received “as-built” drawings from the Corps on 11/6/06.

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

1. Project completed in December, 1998.
WEBB Construction – Contract price: \$3,915,178

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

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. Project completed in November, 2004.
Dyer Construction – Contract price: \$4,285,345

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. The only item needed to be completed is to assure turf growth in all areas.
 - 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.
 - We received a response from the Corps on January 7, 2003, addressing vegetation.
 - Currently, the entire concrete ditch bottom is filled with silt and dirt and has cattails growing. LCRBDC got a cost to clean the concrete bottom of the drainage ditch on August 18 during dry conditions in the amount of \$8,200; and wet conditions in the amount of \$11,640.

A letter will be sent to the COE requesting their participation for a design modification to prevent this sloughing from re-occurring. (The Corps suggested that this issue be addressed as part of the recently completed levee Inspection Reports in August, 2007). Awaiting Corps inspection results.

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

1. Project completed in November, 1998.
Dyer Construction – Contract price: \$3,329,464
2. Received “as-built” drawings from the Corps on 11/6/06.

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. Project completed in July, 2001.
Dyer Construction. – Contract price: \$2,228,652

STATUS (Stage V Phase 1) Wicker Park Manor:

1. Project completed on September 14, 1995.
Dyer construction – Contract price: \$998,630
2. Levee certification
 - A meeting was held with FEMA, LCRBDC, and the Corps on July 17, 2007 to review FEMA mapping
 - Minutes were distributed on July 18 (Refer to Item #6 regarding letter of certification need for record).
 - Letter of response from Highland on January 30, 2008

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%)

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. Pump station final inspection with the contractor was held on June 23, 2005, and was found to be satisfactory.

2. This pump station is in the process of being turned over to the city of Gary for O&M responsibility.

- A follow-up inspection was held with the COE and Greeley & Hansen on September 4 and 5, 2007.
- Awaiting Army Corps report to proceed with remediation (**Station was found to be operational and up to Corps standards as of September 2007**)

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. Project completed in September 2001.
Thieneman Construction – Contract price: \$2,120,730

North Fifth Avenue Pump Station:

1. The low bidder was Overstreet Construction
 - Current contract amount - \$2,518,988.44
 - Original contract amount- \$2,387,500
 - Amount overrun - \$114,276 (4.9%)
 - Project is currently 99% completed
2. Minor items have been completed.
3. A final inspection was held with the COE, town of Highland, and the LCRBDC on September 7, 2007 as part of the O&M turnover.
4. Received “as-built” drawings from the Corps on 11/6/06.
 - LCRBDC will now turn this station over to the town of Highland (Refer to O&M Report).
6. Received monthly construction status report from the COE. (Refer to handout)

STAGE III Drainage Remediation:

1. Project completed on June 23, 2005.
 - A. Dyer Construction – Contractor
 - B. Final Inspection – June 23, 2005
 - Agreement for O&M turnover to Gary is being finalized (Ongoing) (Refer to O&M Report for details) These (2) stations have been included with the other (4) Gary stations in one process.
 - C. 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%)

ONGOING CONSTRUCTION

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. Original contract completion date – October 1, 2010
4. Bids were opened on June 30 and the low bidder was ECO SYSTEMS, INC.
 - Current Contract Amount - \$648,995.23
 - Original Contract Amount - \$648,995.23
 - Percent completed – 54.7%
 - 104 acres included in bid – 100 to be herbicided, remaining 4 acres are ditches.
5. A walk-thru inspection was held with the COE and the contractor on October 25, 2005.
 - Scope of work – Approximately ½ of East Reach to plant trees, herbiciding has been completed, clean up growth in collector ditches, plant new native grasses on levees.
6. Received monthly construction status report from COE

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

1. The low bidder was Superior Construction Company
 - Original Bid Amount - \$2,301,518
 - Current Contract Amount - \$2,549,885.15
 - Amount overrun - \$248,367 (10.8%)
 - Percent completed – 99%
 - Current contract completion date – August 24, 2007
2. Received monthly construction status report from COE. (Refer to Handout)
3. Final inspection was held on May 1, 2007
 - All punch list items were addressed and project is now completed.
4. LCRBDC received a copy of the certificate of final completion by Gary on July 25, 2007 (Letter dated July 20, final signing July 23, 2007).

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

1. This portion of construction was advertised, coordinated, and facilitated by the Corps and LCRBDC as a betterment levee.
2. The Army Corps awarded the contract to Dyer Construction Company on February 28, 2007 in the amount of \$3,342,583.22.
3. A pre-construction meeting was held on April 4, 2007
4. Sheet piling across the NSRR R/W has been completed.

STATUS (Stage V Phase 2) Kennedy Avenue to Northcote

- A. The low bidder was Dyer Construction Company, Inc.
 - Original contract amount - \$15,930,348.46 (includes options)
 - Total awarded amount - \$13,140,189.41
 - Notice to Proceed issued October 17, 2007
 - Current Contract Completion Date – November 20, 2009
 - Total Government Estimate w/o profit - \$17,411,799.89
 - \$1,481,452 under estimate (8.5%)
1. A progress meeting was held with the Corps, Dyer Construction, LCRBDC, and various municipalities and utilities on February 6 and again on February 20, 2008.
- B. Received the file from the Corps of the solicitation documents on September 14

1-6

indicating a 750 day duration after the contractor receives their Notice to Proceed. (This projects to a completion date, without weather delays, to approximately November 9, 2009)

- A letter was written to the Hammond mayor by the Corps (Col. Drolet) on January 18, 2008 discussing scheduling and real estate.

1. **UTILITY CORRIDOR COORDINATION (NIPSCO R/W)**

A. **LCRBDC Participation**

1. LCRBDC completed a cost and status summary sheet (to date) as of December 20, 2007 with all the pipelines.

> Costs approved by Corps –	\$ 1,688,534
> Estimated costs by NSRR -	\$ 190,000
For a total preliminary cost of -	\$ 1,878,534

2. Utility Re-location Agreements

- Sent sample agreement to Corps on February 15, 2008 for review and comments. This is the same agreement we have been using for the last several years with NIPSCO that was acceptable to the Corps, LCRBDC, and NIPSCO.
- Re-submitted on February 25, indicating we will proceed with the agreements and keep them in the loop
- Later the same day, the Detroit Corps forwarded it to their attorney for review.

B. **Huntington District Assistance**

1. **General Coordination**

- LCRBDC completed a status summary of current costs and actions on January 18, 2008.

2. **Huntington Actions**

- Huntington & the LCRBDC put together a one page summary that was forwarded to each pipeline to clarify what their cost estimate should include on October 23, 2007.

C. **NIPSCO**

- Received memo from the Corps dated January 3 from the Huntington District indicating estimate of \$204,551 to be fair and reasonable.

D. **Conoco Phillips Pipe Line**

1. Received memo from the Corps dated January 14, 2008 from the Huntington District indicating estimate of \$333,000 to be fair and reasonable.

E. **Level 3 (formerly Wiltel)**

1. Had a conference call with the NSRR, Army Corps, and LCRBDC on September 24, 2007 to discuss concerns of the RR for their communications and fiber optic lines.
 - Locations to be verified and engineering drawings to be forwarded to the NSRR by the Corps for their review.
 - Received "as built" information from NSRR on October 30 (Danny Young) and forwarded to Corps on November 2, 2007
2. This coordination and costs should be in the scope of work for Bergmann (Army Corps consultant for NSRR)
 - At February 1, 2008 Real Estate meeting, the Corps indicated LCRBDC/

Indianapolis Blvd. and how it will impact their pump station design near the Tri-State bus terminal.

- Received an email from INDOT on July 25 indicating their project is currently "suspended" and there is no current letting date.
 - An email was sent to INDOT and their design group on November 1, 2007 requesting schedule status of their project in this area. They responded back to us on the same day
 - A letter was sent to INDOT and their consultant on January 24, 2008 requesting an update on their current schedule.
4. A letter was sent to the Highland Fire Chief (Bill Timmer) by the Corps on February 21, 2008 that access ramps for river access would be a betterment.

12

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

1. Low Bidder was Illinois Constructors Corporation (awarded September 30, 2004)
 - Original Contract Amount - \$6,503,093.70
 - Current Contract Amount - \$7,567,601
 - Amount Overrun - \$1,064,509 (16.3%)
 - Percent Completed - 99%
 - Original Completion Date - December 4, 2006
 - Current Completion Date - September 5, 2007
2. Received monthly construction status report from the COE (Refer to Handout)
3. North Drive Pump Station
 - LCRBDC working with COE, contractor, and Highland for O&M turnover to town of Highland (**Some items remain to be turned over**)
 - LCRBDC received drawings and parts turnover on September 7, 2007
 - Waiting for as-built drawings to begin turnover process to the town of Highland
4. The final inspection for this segment was held with the town of Highland, Army Corps, I.C.C. (contractor), and LCRBDC on October 12, 2007
 - LCRBDC in the process of turning over this segment. Awaiting "as-built" drawings from Corps as part of the package.

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

1. Low bidder was Illinois Constructors Corporation (awarded September 30, 2005)
 - Original Contract Amount - \$5,566,871
 - Current Contract Amount - \$5,645,118
 - Amount Overrun - \$78,247 (1.5%)
 - Percent Completed - 94%
 - Original Complete Date - July 21, 2007
 - Current Completion Date - November 27, 2007
 - Current completion date extended 65 calendar days due to unusually severe weather as per Modification #2 received on March 2, 2007 (dated February 27, 2007)
2. Received monthly construction status report from the COE (Refer to Handout)
3. Final inspection was scheduled for December 19, 2007 but was cancelled due to snow. Corps currently re-scheduling

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

1. Low bidder was Dyer Construction (awarded July 29, 2005)
 - Original Contract Amount - \$4,205,644.17
 - Current Contract Amount - \$4,219,329
 - Percent Completed - 98%

- Original Completion Date – April 11, 2007
 - Current Completion Date – June 1, 2007
 - Current completion date extended 51 calendar days due to adverse weather conditions as per Modification #1 on March 2, 2007 (dated February 20, 2007)
2. Project Description
 - Construct a levee protection system consisting of 8,250 lineal feet of earthen levee, 1,600 lineal feet of steel sheet pile floodwall, (3) gatewell structures, culverts & sewer appurtenances, and miscellaneous tree planting and seeding.
 3. Received monthly construction status report from the COE (Refer to Handout)
 4. The final inspection was held on August 22 with the Corps, Dyer Construction, town of Highland, and the LCRBDC.
 - The overall inspection found few deficiencies. Some seeding and landscaping issues and stone trail herbiciding and grading.

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. The schedule shows a June, 2008 contract award and a July, 2009 Completion.
 - The current schedule, as outlined in an email from the Corps on October 26, 2007 indicates 75% plans & specs will be ready for review on April 7, 2008, 100% on June 20, 2008, design complete July 3, 2008, advertise August 12, 2008, and award on September 26, 2008.
3. BP Amoco has been pursuing engineering coordination for (3) existing pipelines in Stage VII that will greatly impact design since mid-October, 2007.
 - Corps will begin initial coordination with Amoco early January 2008
4. All survey work on both sides of the river has been completed; appraisals are done, and offers are being made.
5. A new team has been put together to review and update the engineering (A field walk-thru on May 24, 2007).
 - The results of the final engineering review will be forthcoming.
6. Stage 7 – ALPHA (New gatewell to be installed west of Northcote and north of the river for interior drainage)
 - Submitted comments to Corps on February 21, 2008; received responses same day

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

1. Survey work has been completed and LCRBDC has divided work between DLZ, GLE, and Torrenge Engineering. (Refer to Stage VIII – Land Acq. Report.)
 - Updated real estate drawings were received from Buffalo on January 28, 2008 requiring approximately 30 of 90 surveys to be re-done (Refer to Land Acquisition Report)
2. The Chicago Corps indicated to the LCRBDC on September 11, 2006 that their Buffalo District will be doing the engineering and specs for Stage VIII.
 - Received an email from Corps on January 30, 2008 with the most recent, updated schedule for engineering design.
 - > 100% BCOE plans out for review and comments on February 11, 2008 – Comments due February 26.
 - > 100% review meeting to be scheduled at Munster Town Hall on February 28
3. SEH has been contracted out by the LCRBDC to provide utility coordination.
4. Coordination with residents from Southmoor Road
 - A. A meeting was held with the residents, the Army Corps, and the LCRBDC on October 20, 2007 to review project impacts and design.

- LCRBDC wrote a letter to the residents on November 20, 2007 giving a current update on the engineering in this area.
6. DC-1302 (Unity Church of Christ) has existing septic system behind their building that will be impacted.
 - Met with plumbing contractor on November 9, 2007 to contract out to locate septic and provide proposal to allow church to maintain sanitary.
 - Received letter on November 27 indicating both the holding tank and filter bed are underneath the existing levee and a city hook-up will be needed to allow continued service (not enough real estate is available to install a new septic system).
 - Received a letter from the plumbing contractor on January 8, 2008 indicating his opinion on construction coordination.
 7. DC-1315 (NICTD)
 - A conference call was held on November 29, 2007 to discuss the railroad bridge. (Final revised minutes were submitted including Pokrajac comments on November 30, 2007)
 - LCRBDC staff met with NICTD engineering coordinator on December 11, 2007 to field review previous sheet pile installations.
 - Cross-sectional survey data provided to Buffalo & NICTD by LCRBDC (along center line of protection).

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

1. Low Bidder was Renewable Resources, Inc. (from Barnesville, Georgia) Awarded September 29, 2002
 - Original Contract Amount - \$921,102.68
 - Current Contract Amount - \$1,405,845.29
 - Amount Overrun - \$484,742 (53%)
 - Percent Completed – 98%
 - Original Completion Date – November 7, 2007
 - Current Completion Date – November 7, 2007
2. A final inspection was held on both sites on May 12, 2004, with the Corps, LCRBDC, project A/E, and Renewable Resources and was found to be satisfactory for this portion of the overall project.
3. The 24 month monitoring period began on May 15, 2004 (Cost - \$3,000/month) (Ongoing)
4. Received monthly construction status report from the COE (Refer to Handout)

West Reach Pump Stations – Phase 1A:

1. Low Bidder was Overstreet Construction Company, Inc. (from Milton Florida). Awarded on October 5, 2000
 - Original Contract Amount - \$4,638,400
 - Current Contract Amount - \$4,262,835.48
(Refer to Attachment #17-Project Status/Major Issues) at bottom – This amount was reduced due to work not completed and de-obligations.
 - Percent Completed – 86%
 - Original Completion Date – October 21, 2004
2. The four (4) pump stations that are included in this initial West Reach pump station project are Baring, Walnut, S. Kennedy, and Hohman/Munster.
3. Received monthly construction status report from the COE (Refer to Handout)
4. HSD wants this contract completed before Pump Station Phase II can begin (Ongoing)
5. A meeting was held on February 27, 2008 with the bonding company, Corps, Theineman Construction, and the LCRBDC to discuss the scope of work and preconstruction issues

Pump Station Rehabilitation – Phase 2 (Engineering being done by the Huntington District of the Corps)

Pump Station – Phase 2A

Received an email from the Corps on November 19, 2007 indicating that the contract was broken up and that 2A will include pump rebuilds of the (2) smaller stations – Forest Avenue/173rd Street, and Tapper Avenue.

1. A plan-in-hand meeting was held on November 27 to field review the (2) pump stations in Phase 2A (Forest Avenue and Tapper).
 - An email was sent to the Corps on November 27, 2007 requesting real estate requirements and types of easements (not just work limits)
2. A letter of response was sent to the COE on January 9, 2007 from the Hammond Sanitary District indicating a number of concerns from the Pump Station 1A contract, and that they would not proceed any further until these items were answered or addressed.
 - The Army COE responded on January 24, 2007 and indicated they would resolve all of their concerns before any work would be started on this contract.
3. **LCRBDC submitted comments for the backcheck review on February 21, 2008** 20-21
 - LCRBDC contracted out SEH (Dean Button) on November 26 to review & comment on the 100% review set including field coordination and analysis, and to work with staff to submit comments.
4. LCRBDC contracted out DLZ on September 19, 2007 to do property ownership research for each station to determine what interest the HSD has at each location.
 - They provided the location surveys and easement overlays to Huntington on February 5, 2008 in order to get ROE to work on the stations.
5. Received the 61 page contract specifications from the Corps on November 19, 2007 for 100% review and comments.

Pump Station – Phase 2B

Received an email from the Corps on November 19, 2007 indicating that the contract was broken up and that 2B will include pump replacements at Indianapolis Blvd., Jackson Avenue, and Southside pump stations.

- **DLZ is also currently doing the plats and legals for these (3) stations that will be used in getting easement agreements.**

Griffith Golf Center (North of NIPSCO R/W, East of Cline Avenue)

1. LCRBDC was directed by the COE to obtain a flowage easement on the entire property in a letter dated October 7, 2005.
 - Refer to Land Acquisition Report for current update of appraisal.
2. A letter was received from the COE on January 13, 2006 indicating any construction shall not compromise our project in any manner and that compensatory flood storage would need to be provided.
3. LCRBDC was copied on a letter from U.S. Fish & Wildlife, dated December 8, 2006, indicating they concur that the proposed project is not likely to adversely affect endangered or threatened species.
4. The Army Corps sent a letter of response, and a memorandum, to the A/E for the Griffith Golf Center on March 2, 2007, regarding grading and compensatory storage calculations.
5. LCRBDC wrote a letter of support to the DNR on June 22, 2007 indicating their plan is compatible with the Little Cal flood control project and provides additional (compensatory) storage for flood waters.
6. LCRBDC received a public notice for permit application from V3 (realty agent) dated

May 7, 2007 and received May 25, 2007 (copy available upon request).

Forest Avenue Levee (Levee west of Hohman Ave. along Little Calumet River and Illinois State Line)

1. Discussion began with residents on August 22, 2006 22
2. Site visit was held with several residents on September 15, 2006 23
3. Had follow up site meeting on November 22, 2006 to discuss the line of protection, Corps requirements, FEMA re-mapping to remove from the flood plain, and LCRBDC responsibilities as local sponsor. 24-25
4. Email to Corps on December 11, 2006 requesting inspection with Corps to determine requirements for certification. (Corps responded there are tieback issues in Illinois, FEMA needs to be satisfied, and coordination call is needed) 26-27
5. Received email from Corps on December 15, 2006 indicating this project is not part of Stage VIII and was built locally in the early 1980's, was never certified, and no easements exist. 28-29
6. Requested information from Hammond City Engineer on May 4, 2007 30
7. Resident sent letter to LCRBDC on October 14, 2007 31
8. Sent "as-builts" to Corps on 2/19/08. Corps responded we need real estate. 32

Griffith Levee (EJ&E RR to Cline Avenue, north of River Drive)

1. Received a letter from the Congressman's Office on October 10, 2006 indicating this area has been declared, by the Chicago Army Corps to need structural repairs in order to meet FEMA requirements for certification.
2. Received a letter from the COE on August 2 indicating they could not be hired by the Commission to develop a design document to get FEMA certification.
 - This is due to Federal regulations regarding payment to the Corps to do design work for local entities.
3. LCRBDC in the process of putting together a scope of work and then soliciting for engineering services to determine what is required by certify this levee (as directed by the Commission at the August 1, 2007 meeting)
4. A meeting was held with the town of Griffith and the Corps on February 13 to discuss scheduling, funding, and the process of levee certification 33
 - LCRBDC sent notes of meeting to attendees on February 14, 2008 34-35
5. Received infrastructure drawings from the town of Griffith on February 18 (dated February 15) for water, storm, and sanitary lines. 36
 - Transmitted to Corps on February 19, 2008 37

Hobart Marsh – Mitigation Enhancements

1. Received an email from the COE on January 17, 2007 enclosing the proposed schedule for the Hobart Marsh area mitigation development.
 - Plan development starting February 12, 2007 and construction contract Notice to Proceed December 7, 2007.
 - Currently being re-visited by the Corps for scheduling

GENERAL (Highway Crediting)

- A. INDOT coordination for Grant St. & Broadway interchanges with I-80/94.
 1. 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 Corps, which could be credited to the LCRBDC for that portion constructed for the flood control of the Little Calumet River.
 - A letter was sent to INDOT on August 29, 2006 requesting cost and

- engineering data that could then be submitted to the COE for crediting.
 - INDOT coordination engineer was contacted on February 26, 2007 for status. They indicated the information has been put together and will be forwarded to the LCRBDC in the near future.
2. The Detroit Corps has agreed to provide assistance to the LCRBDC to get information regarding crediting of several construction projects at interchanges along I-80/94.
- A meeting, and field inspection, was held with their representative on July 31, and August 1, 2007 to familiarize them with the INDOT construction.
 - They have already obtained some data for Indianapolis Blvd., Cline Avenue, Grant Street, and Georgia.
 - A letter was sent to the Detroit Corps on August 8 discussing our meeting and upcoming coordination.
 - A conference call was held with INDOT, Chicago and Detroit Corps, and LCRBDC on November 29 to discuss the fathering of information and upcoming coordination.
- B. A meeting was held on July 17, 2006 with the LCRBDC, Corps, FEMA, and the IDNR to discuss and coordinate the Little Calumet River model review. Need IDNR approval as required by FEMA guidelines.
- Minutes of this meeting were sent out and were received on the 27th of July.
- C. **27th & Chase Street – Pump Station Remediation**
1. Preliminary design is completed, Corps submitted real estate requests, surveys completed, need right to construct (Refer to Land Acquisition Report).
 2. As part of the turnover process, the COE has been working with the GSD & United Water to remediate a drainage problem at their existing 27th & Chase pump station.
 - Design is ongoing, and the COE anticipates drawings will be ready for review by mid-September. (**Ongoing**)
 - > Received a request from Gary about getting prints to review.
- D. Question of Design (Flap gate vs. “Duckbills”)
1. Received a letter from Austgen Electric (LCRBDC contractor to remediate Gary features to “as-built” condition) on September 8 indicating the problem with existing flap gates. Keeping them clean regularly and getting access is repetitive and expensive.
- E. Received a request from Northwest Engineering on November 14, 2007 for the city of Gary to construct a pump station and force main east of Broadway and north of 33rd Avenue.
- A meeting was held with the Corps and Gary on December 21, 2007. Minutes of this meeting were provided to LCRBDC on December 26, 2007

MINUTES
PROGRESS MEETING NO. 4
February 6, 2008, 9:00 AM
LITTLE CALUMET RIVER LOCAL FLOOD PROTECTION
STAGE 5 PHASE 2
W912P6-07-C-0011
USACE Field Office, Highland, IN

1. Participants:

USACE: Sheldon Edd
Scott Babcock

Dyer: Jon Shaner
Tom O'Leary

Other Agencies:

James Mandon (Munster)
Bill Timmer (Highland Fire)
James Pokrajac (LCRBDC) (by phone)

Frank Janosi (NIPSCO)
Angelo Lamantia (ATT)

2. Progress: Actual thru February 6: 14% \$1.8M Scheduled thru Feb 6 16% \$2.0M

Original Contract Completion Date: November 5, 2009

Current Required Completion Date: November 5, 2009

Original Options Amount: \$15,930,348.46

Original Contract Amount: \$13,140,189.41

Current Contract Amount: \$13,642,680.97

Obligated Amount: \$5,000,000.00

Payments To Date: \$1,418,762.75

3. Work Since Last Meeting

- a. Clearing and grubbing has continued
- b. Munster temporary 8' Chain link fence with wind screen erected

4. Work Expected or Scheduled Within Next Two Weeks:

- a. Clearing and Grubbing finished in Wicker, Cabelas next.
- b. Driving of Metal Sheet Piling

5. Critical Work Activities in Project Schedule:

Dyer will be given the opportunity to identify one or two of the work activities that are most likely to be "critical activities," from a project-scheduling standpoint. Dyer will be given the opportunity to identify critical work activities:

- a. Submittals: Sheet piling and rebar, then concrete
- b. Clearing and Grubbing – continuing progression around site

6. Old Business:

- a. Power line and other Utility relocation: some work has been done
- b. NIPSCO and Railroad R/W is being worked on.
- c. Per Mark Knesek, the hydrant in Munster is being capped today (completed)

7. New Business:

- Amendment to contract: option work for item 0035 has been accepted, East of Kennedy Pedestrian Bridges. Contract increased by \$502,491.56
- Temporary phone line may be ready by end of week. Call Angelo 2 days before. Need to install temp. phone.
- Utilities need to work out their easement behind K-Mart, Builders square.
- NIPSCO referred to Jim Pokrajac for easement on toe of levee for their legal description.
- S. Side of Alta Vista and Hawthorne pole is not NIPSCO's -> ATT's.
- ATT at the gaging station needs a 1" schedule 80 PVC ~6" above ground riverside, buried landside sweep 90.

MINUTES

PROGRESS MEETING NO. 4

February 6, 2008, 9:00 AM

7.1 Potential Conflicts Requiring Resolution:

7.2 Potential Items of Public Interest (Opportunities for the USACE Public Affairs Officer to communicate proactively with the media and the public):

- Status of public information distribution
 - Highland
 - Clearing and grubbing, wood chips remain
 - ~3 weeks until clearing and grubbing is at Highland's N. Drive.
 - USACE/LCRBDC
 - Tom requested that a meeting be arranged prior to LCRBDC talks with the media.

7.3 Local inquiries made by the public concerning the job, press releases, and articles in the press:

- Jim Pokrajac told Barb Whitaker that the utilities are not going to be buried unless she pays the difference in the cost.

7.4 Potential Differing Site Conditions / Plan of Action to Verify and Resolve Potential Problems:

7.5 Potential problems concerning the plans or specifications

- RFI # 22 was submitted concerning ditch inverts and ramp locations. Dyer surveyor thinks that the elevations and locations shown on the plans differ from how it needs to be built.
- W. Reach ramps for emergency / rescue discussed, road will need to go into the river for boats to launch.
- Temp access to river: Extend stone (RipRap?) into river for ramp. This will provide for rescue during and after construction.

7.6 Other Concerns/Actions/Discussions:

- Local sponsor and community issues
 - Contracting Officer / Imad, LCRBDC may have a meeting in the future for acceleration of schedule.
- Local citizen concern
 - Beverly (Munster) contacted Scott and Munster Engineer and Dan Garner regarding 'holes' from tree removal regarding a possible compromise of levee integrity. Scott (USACE) investigated and did not think there was a problem with the levee's integrity.
- Safety of present operations
 - Metal Sheet Piling
 - Avoiding pinch points, using flame safely, and avoiding overhead loads
 - Clearing and grubbing
 - Machinery – be clear of moving equipment and parts, stay clear of thrown debris
 - Chainsaw – Wear PPE including Chaps, Hearing, and Eye protection. Avoid falling limbs and trees.

8. Submittal Status:

Outstanding Submittals:

- The schedule needs to be updated.

Key Submittals in Review:

The Calumet Area office/Chicago District office is currently reviewing the following submittals:

- Rebar submittals (ongoing)
- Concrete related submittals

MINUTES

PROGRESS MEETING NO. 4

February 6, 2008, 9:00 AM

Note: USACE turnaround of submittals to date has occurred at a timely pace that meets or exceeds the contract requirements and is not cause of delays in progress.

Upcoming Submittals:

- More rebar submittals as suppliers complete drafting/shop drawings

9. Field Changes/Modifications:

- Access ladder cages, fence to remain and to be removed, North Drive sheet piling lengths, USGS phone, changes in the trail - deletion

The next progress meeting is scheduled for February 20, 2008, at 9:00 a.m. Central Time at the temporary field office on Kennedy in Highland. Dyer Construction will email participants of the meeting.

NOTE: Any comments or questions concerning this document should be directed to the USACE representative Sheldon Edd at 219-923-1763/4 or sheldon.d.edd@usace.army.mil or the Dyer Construction representative Jon Shaner at 219-865-2961 or jshaner@dyerconstruction.com.

SAFETY NOTE: All prime and sub contractors, representatives of agencies public and private including city employees, utility companies' employees, and other guests to the site are reminded that they must wear a helmet, steel toed footwear, and hi-vis vests while within the work limits regardless of work performed or visit duration.

MINUTES
PROGRESS MEETING NO. 5
February 20, 2008, 9:00 AM
LITTLE CALUMET RIVER LOCAL FLOOD PROTECTION
STAGE 5 PHASE 2
W912P6-07-C-0011
USACE Field Office, Highland, IN

1. Participants:

USACE: Sheldon Edd
Scott Babcock
Doug Anderson
Kent Smith
Ana Petkova

Dyer: Jon Shaner
Tom O'Leary

Other Agencies:

James Pokrajac (LCRBDC)
Bill Timmer (Highland Fire)

Frank Janosi (NIPSCO)

2. Progress: Actual thru February 20: 15% \$2.0 M Scheduled thru March 5 16% \$2.2 M

Original Contract Completion Date: November 5, 2009
Original Options Amount: \$15,930,348.46
Original Contract Amount: \$13,140,189.41
Obligated Amount: \$5,000,000.00

Current Required Completion Date: November 5, 2009
Current Contract Amount: \$13,642,680.97
Payments To Date: \$1,418,762.75

3. Work Since Last Meeting

- a. Clearing and grubbing has continued behind K-Mart/ Builders Square, and begun behind Cabela's, suspended until ground thaws due to slippery slopes. Materials will still be hauled off.
- b. Sheet pile installed in Munster from Pilaster 3 heading East; Wicker Park; now on Hawthorne (Hart Ditch)

4. Work Expected or Scheduled Within Next Two Weeks:

- a. Driving of Metal Sheet Piling to continue on Hawthorne. Dyer to begin driving piling near Baring Avenue pump station, possibly on Friday. NOTE: Hammond Sanitary district will shut off the pumps @ Baring when the coffer dam is installed.

5. Critical Work Activities in Project Schedule:

Dyer will be given the opportunity to identify one or two of the work activities that are most likely to be "critical activities," from a project-scheduling standpoint.

- a. Submittals: Sheet piling sealant and rebar, then concrete. Need to submit cold weather concrete plan prior to placing concrete below 40 degrees.
- b. Sheet Pile installation

6. Old Business:

- a. Power line and other Utility relocation: Munster's power has been relocated, Fire hydrant capped
- b. NIPSCO and Railroad R/W being worked on by USACE District personnel. Per Jim Pokrajac, getting the agreement with the pipelines will probably be the activity that takes the longest to accomplish.
- c. Utilities need to work out their easement behind K-Mart, Builders square. NIPSCO referred to Jim Pokrajac for easement on toe of levee for their legal description. This issue will be handled outside of the contract. Phones need to be located behind Builders Square, K-Mart.

4

MINUTES

PROGRESS MEETING NO. 5

February 20, 2008, 9:00 AM

- d. Temporary phone line for USGS gaging station – no action has been taken since last progress meeting by ATT.
- e. W. Reach ramps for emergency / rescue, road will need to go into the river for boats to launch. Extend stone (RipRap?) into river for ramp. This will provide for rescue during and after construction. Town of Highland will take care of this issue by letter of request to the USACE. This issue is outside of the contract concern unless an RFP and modification is issued. Bill Timmer will send the request to the Chicago District Office.
- f. The LCRBDC got the temporary easement for this contract by the Builders Square and K-Mart buildings. It is not known if this area will become a permanent easement.
- g. Jim Pokrajak requested if the portable operators for sluice gates are ready, that they be delivered. Dyer has not yet received the shop drawings, and was informed that the operators are on back order.

7. New Business:

- Various RFI's
- USACE to check on the width of the trail by Optimist Lake. Utilities, LCRBDC need to ensure access is adequate.
- Discussion was held regarding grubbing along Hart Ditch, grubbing to remain in contract requirements unless specifically changed in the future. Jim Pokrajak was concerned about any possible changes in the Ditch cross section profile and issues related to permits for same. General discussion was held.
- On North Drive, house power and phone services are entwined in the trees. Clearing can stop at the power lines, clarified by Sheldon.

7.1 Potential Conflicts Requiring Resolution:

- Phone to the USGS gaging station – Sheet pile will break (cut) the line if it is not relocated. Angelo was notified last week, he has not yet responded.
- Sheet pile lifting hole – patching: USACE received request for equitable adjustment on February 19, 2008, pending review.

7.2 Potential Items of Public Interest (Opportunities for the USACE Public Affairs Officer to communicate proactively with the media and the public):

7.3 Local inquiries made by the public concerning the job, press releases, and articles in the press:

- Local resident/community official Inquiries

Hammond Times published an article concerning Wicker Park.

7.4 Potential Differing Site Conditions / Plan of Action to Verify and Resolve Potential Problems:

7.5 Potential problems concerning the plans or specifications

7.6 Other Concerns/Actions/Discussions:

- Safety of present operations
 - Metal Sheet Piling
 - Avoid pinch points, using flame safely, and avoiding overhead loads

8. Submittal Status:

Outstanding Submittals (submittals not returned within 30 days):

- None

5

MINUTES

PROGRESS MEETING NO. 5

February 20, 2008, 9:00 AM

Key Submittals in Review:

The Calumet Area office/Chicago District office is currently reviewing the following submittals:

- Schedule
- Metal sheet piling sealant (just submitted)
- Rebar submittals (ongoing)
- Borrow material – Krooswyk
- Concrete related submittals – water stops

Note: USACE turnaround of submittals to date has occurred at a timely pace that meets or exceeds the contract requirements and is not cause of delays in progress.

Upcoming Submittals:

- More rebar submittals as suppliers complete areas' drafting/shop drawings
- Cold Weather Concrete plan
- Sampling plan – Wicker Park

9. Field Changes/Modifications:

- Access ladder cages – need RFP
- Fence in Wicker Park – 5' chain link & Barb wire to become 6' no barb wire. Contractor to leave fence on North side of Wicker Park such that North Township can secure the area. Need RFP
- North Drive sheet piling lengths – USACE sent Dyer the lengths, RFP issued February 14, 2008.
- USGS phone – need relocation, attempting to schedule temporary relocation with ATT.
- Changes in the levy top trail – deletion. USACE to clarify, then need RFP

The next progress meeting is scheduled for March 5, 2008, at 9:00 a.m. Central Time at the temporary field office on Kennedy in Highland. Dyer Construction will email participants of the meeting.

NOTE: Any comments or questions concerning this document should be directed to the USACE representative Sheldon Edd at 219-923-1763/4 or sheldon.d.edd@usace.army.mil or the Dyer Construction representative Jon Shaner at 219-865-2961 or jshaner@dyerconstruction.com.

SAFETY NOTE: All prime and sub contractors, representatives of agencies public and private including city employees, utility companies' employees, and other guests to the site are reminded that they must wear a helmet, steel toed footwear, and hi-vis vests while within the work limits regardless of work performed or visit duration.

PIPELINE RE-LOCATION COSTS SUMMARY

STAGE V PHASE 2

Following are costs, and estimates, from the different pipelines on the NIPSCO R/W that will be impacted with our sheet pile installation both north and south of the Little Calumet River as part of the recently-awarded contract by the Army Corps of Engineers for work on both sides of the river between Kennedy Avenue and Northcote Avenue in Hammond, Highland, and Munster.

A. Costs submitted by the pipeline company that have been reviewed and approved by the Army Corps of Engineers and have been determined to be fair and reasonable:

1. Buckeye Partners (10")	\$ 117,456
2. Buckeye Partners (14")	\$ 117,456
3. Buckeye Partners (8")	\$ 60,878
4. Buckeye Partners (8")	\$ 145,878
5. BP Amoco (8")	\$ 119,668
6. BP Amoco (22")	\$ 119,668
7. Conoco Phillips Pipeline (8")(8")	\$ 333,000
8. NIPSCO (8")(12")(36")	\$ 204,551
9. Explorer Pipeline (24")	\$ 187,779
10. Wolverine Pipeline (16")(18")	\$ 102,200
11. Marathon Pipeline, LLC(12")(16")	\$ 180,000
Total Cost	\$ 1,688,534

B. Costs not submitted by the Norfolk Southern Railroad and Level 3 Communications, but estimated by LCRBDC based upon similar scopes of work from other pipelines:

1. NSRR (6" steel conduit)	\$ 75,000
2. Level 3 Communications (10" PVC)	\$ 115,000
Total Cost	\$ 190,000

Overall projected cost summary for pipeline companies to oversee construction adjacent to their lines, pipeline reinforcement, earthwork, and quality control:

A.	\$ 1,688,534
B.	\$ 190,000
	\$ 1,878,534

(February 14, 2008)

Jim Pokrajac

From: "Jim Pokrajac" <jpokrajac@nirpc.org>
To: "Kotwicki, Victor L LRE" <Victor.L.Kotwicki@usace.army.mil>
Cc: "Imad Samara" <Imad.Samara@usace.army.mil>; "Louis M. Casale" <lcasale@cwblawfirm.com>;
 "Sandy Mordus" <smordus@nirpc.org>; "Craddock, Russell W LRH" <Russell.W.Craddock@usace.army.mil>; <dgardner@nirpc.org>
Sent: Monday, February 25, 2008 2:54 PM
Subject: Re: NIPSCO Utility Relo Agreement

Vic,

I sent you a copy of the agreement we would like to use back on February 15th indicating that this was reviewed previously by NIPSCO and is the same basic format we have been using with pipeline companies for the past several years. Lou Casale also concurs that this language is satisfactory. I have a very limited time frame to get these agreements executed and need to proceed immediately using a simple, but effective format, as we have done before. We are getting close to getting the easement agreements in place for both the NSRR and NIPSCO, but that won't matter until we get the utility re-location agreements in place. We have all re-location costs approved by not only Russell but Imad wrote to say they were fair and reasonable and were a creditable cost, with the exception of final review of Marathon, T-Cubed, and the 6" steel conduit adjacent to the NSRR rails. As part of the agreements, the pipelines have reviewed the engineering and concur with our design. Their costs reflect not only this design, but what they indicated all throughout our coordination with their participation prior and during construction. Otherwise we are OK. I need to begin the process immediately and need to start working individually with each of them. We are going to proceed using this agreement with the pipelines that provided costs that have been approved and will keep you in the loop as to how they are proceeding. Once again, it is imperative to begin this process if we intend on removing the 2 options from the Stage V- Phase 2 project.

Thanks again,

Jim Pokrajac

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

From: Sandy Mordus
To: Kotwicki, Victor L LRE
Cc: Imad Samara ; Louis M. Casale ; Dan Gardner ; Jim Pokrajac
Sent: Friday, February 15, 2008 3:16 PM
Subject: NIPSCO Utility Relo Agreement

Vic:

Attached is the proposed utility relocation agreement with NIPSCO for the Stage V Phase 2 pipeline corridor. This agreement covers the 3 NIPSCO pipelines on the right-of-way. It is the same agreement we have used in the past with NIPSCO that has been previously approved. The reference to the subordination is included in Section V and again this is the same agreement we have successfully used in the past. We have forwarded this to Lou Casale, who also concurs that the wording of this agreement should meet our needs and is satisfactory to submit to NIPSCO.

Will you please review this? Upon receiving your approval, we will use this agreement as the format for the other pipelines. As you know, we have a very tight time schedule to obtain the necessary pipeline relocation agreements.

We'll wait to hear from you.

Jim Pokrajac, Agent
 Engineering/Land Management

8

2/25/2008

Jim Pokrajac

From: "Sabo, Kimberly J LRC" <Kimberly.J.Sabo@usace.army.mil>
To: "Samara, Imad LRC" <Imad.Samara@usace.army.mil>
Cc: "Jim Pokrajac" <jpokrajac@nirpc.org>; "Kotwicki, Victor L LRE" <Victor.L.Kotwicki@usace.army.mil>; "Erwin, Don C LRE" <Don.C.Erwin@usace.army.mil>; "Lou Casale" <lcasale@cwblawfirm.com>
Sent: Tuesday, February 26, 2008 8:11 AM
Subject: RE: NIPSCO Utility Relo Agreement (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Thanks. I'll review this, and give you a response by COB tomorrow. Thanks.

Kim J. Sabo
District Counsel, Chicago District, US Army Corps of Engineers
111 N. Canal St., #600, Chicago, IL 60606-7206
Phone: (312) 846-5350 Fax: (312) 353-8710
Email: kimberly.j.sabo@usace.army.mil

Attorney-Client Privileged Communication Attorney Work Product Not
Releaseable under FOIA Do Not Copy Do Not Forward

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

From: Samara, Imad LRC
Sent: Monday, February 25, 2008 3:58 PM
To: Sabo, Kimberly J LRC
Cc: 'Jim Pokrajac'; Kotwicki, Victor L LRE; Erwin, Don C LRE; 'Lou Casale'
Subject: FW: NIPSCO Utility Relo Agreement (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Kim can you please review this agreement. This is an agreement that the Commission will inter with NIPSCO to provide ROI and compensation for relocation charges.

Vic suggested that you review this agreement. Let me know if you need anything else.

Imad N Samara
Project Manager
U S Army, Corps of Engineers
111 N Canal Street
Chicago IL, 60606
(W) 312.846.5560
(Cell) 312.860.0123

Jim Pokrajac

From: "Jim Pokrajac" <jpokrajac@nirpc.org>
To: "Bandy, Ryan" <rbandy@F-W.com>
Cc: <dlwoodsmall@marathonpetroleum.com>; "Craddock, Russell W LRH" <Russell.W.Craddock@usace.army.mil>
Sent: Thursday, February 14, 2008 2:54 PM
Subject: Re: Little Calumet River - MPL Inspection Cost Estimate

Thanks Ryan,

I forwarded this estimate to the army corps for review. They will see if the costs are fair and reasonable, and will indicate to me in writing that they concur. If there are any questions, a gentleman named Russell Craddock, from the Huntington Army Corps Branch, will contact you to discuss. Once we receive the OK I will then work with the appropriate representative from your company to get together a utility re-location agreement that will provide for your reimbursement as well as provide language for subordination. Would you also let me know who that point of contact is and how I could contact them.

Thanks for getting this estimate together,

Jim Pokrajac

— Original Message —

From: Bandy, Ryan
To: jpokrajac@nirpc.org
Cc: Woodsmall, David ; Steve Woods (SMWoods@MarathonPetroleum.com)
Sent: Thursday, February 14, 2008 12:04 PM
Subject: Little Calumet River - MPL Inspection Cost Estimate

Jim –

Attached please find Marathon's Cost Estimate for the subject project. If you have any questions about the Scope of Work or the estimate itself please feel free to give me a call.

Thanks!

Ryan M. Bandy | Pipeline Engineer II

Farnsworth Group, Inc. www.f-w.com
 20 Allen Avenue, Suite 200 | St. Louis, Missouri 63119
 314.962.7900 x225 t | 314.962.1253 f | 314.409.5836 c

10

2/14/2008

**MARATHON PIPE LINE LLC
WABASH LOOP 16"/12" LINES
LITTLE CALUMET RIVER LEVEE IMPROVEMENTS
COST ESTIMATE
FEASIBILITY PHASE
AFE: 271104**

SUMMARY

Scope: Inspect the construction of a levee wall along both sides of the Little Calumet River by the US Army Corps of Engineers. The wall will cross both the Wabash 12" & 16" Loop lines in two locations (16" - ROW 109, Sta. 277+49 & Sta. 280+85 & 12" - ROW 109, Sta. 277+44 & Sta. 280+80). Prior to construction of the levee wall, the pipelines will be excavated 20' each direction from the centerline of the proposed levee wall to have the coating inspected and test stations installed.

Assumptions:

1. The levee wall construction will not require either pipeline to be rerouted.
2. The lines will be exposed during the construction of the levee wall - reduced operating pressure may be required per MPLMNT005.
3. A contract inspector will be onsite for the entire construction of the levee walls over the lines in addition to the backfilling to ensure the pipelines are not damaged.
4. Pipelines will be excavated and coating inspected prior to any levee wall construction.
5. Test stations will be installed outside the levee walls on both sides of the river.
6. Estimate based on 2008 dollars, and includes a total contingency of 20 %

Category	Budget	Committed	Additional Estimated	Estimated Final
Contracts	\$100,000	\$0	\$100,000	\$100,000
PM Contracts	\$14,000	\$0	\$14,000	\$14,000
Materials	\$2,500	\$0	\$2,500	\$2,500
Other	\$1,000	\$0	\$1,000	\$1,000
Labor & Burden	\$13,365	\$0	\$13,365	\$13,365
MPL Misc	\$3,000	\$0	\$3,000	\$3,000
Contingency	\$26,773		\$26,773	\$26,773
TOTAL	\$170,000	\$0	\$170,000	\$170,000
Total w/ Ind. Overhead 11.8%				
	\$180,000	\$0	\$180,000	\$180,000

Huntington to get costs and forward to Bergmann for review.

F. Explorer Pipe Line

- Received memo from the Corps dated January 16, 2008 from the Huntington district indicating estimate of \$187,779 to be fair and reasonable.

G. Wolverine Pipe Line Company

- Received memo from the Corps on 1/18/08 from the Huntington District indicating estimate of \$102,200 to be fair and reasonable.

H. Buckeye Partners

- Received a memo from Corps on December 6, 2007 and an email from Imad concurring that the Buckeye cost estimate for the two (2) 8" pipe lines is fair and reasonable in the total amount of \$441,669.

I. BP Amoco Pipelines

- Received a memo from the Corps on December 6, 2007 and an email from Imad concurring that the BP Amoco pipelines cost estimate for their 8" and 22" pipelines is fair and reasonable in the total amount of \$239,335.

J. Marathon Pipeline LLC

- Received cost estimate from Marathon on February 14, 2008 and forwarded to Huntington Corps to review on February 15, 2008

10-11

2. Norfolk Southern Railroad coordination

- The Army Corps contracted Bergman Associates to do the design for the railroad closures north and south of the river, west of Kennedy Avenue, on the NSRR, as part of the V-2 construction.
- Engineering design issues resolved and agreed upon and are included in the current plans and specs.
- Received a letter from Bergmann Associates dated November 9, 2007 with a cost estimate from the NSRR & comments. NSRR track work estimate was \$258,000 – over \$200,000 not necessary due to elevation considerations. Also received cost of \$300,000 from NSRR for electronic lock system (with no breakdown). May be able to use existing features along line to eliminate majority of cost. Total estimate \$629,600.
- Received a follow-up letter from Bergmann dated December 7, 2007 with cost information and general comments.
 - > Track work – NSRR estimate \$258,000; Bergmann says \$62,000
 - > Communication and Signal – NSRR estimate \$300,000; Bergmann agrees based upon similar Missouri installation in 1994 and with no detailed cost summary to review.
 - > If we follow current Bergmann comments, the cost for re-location would be \$362,000
- Received a letter from the Corps to the LCRBDC attorney on February 22, 2008 with their comments regarding the agreement (Refer to land Acq. Report)

3. INDOT Coordination

- A. A meeting was held with INDOT, Army Corps, and LCRBDC on August 31, 2006 to discuss COE design and project scheduling and funding in the area west of



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

REPLY TO
ATTENTION OF

February 21, 2008

Planning & Project Management Division
Project Management Branch

William Timmer
Fire Chief
City of Highland

Dear Mr. Timmer,

I am writing this letter in response to your February 20, 2008 letter in regards to the access to the river. The US Army Corp of Engineers is sympathetic to your need for the fire department rescue boats to access the Little Calumet River, unfortunately due to the project's funding authority limitations we are unable to allocate additional funds to provide water access as part of the federal project. The project is only authorized to restore exiting access and to provide access over the levee/floodwall.

The requested work is considered as betterment and is the responsibilities of the local sponsor, the Little Calumet River Basin Development Commission, or the entity that has requested the change to fund. This being said we would be happy to work with you to amend the plans to incorporate your design to accommodate your need for water access. Funds will have to be provided before we can request the change to the contract.

If you have any questions regarding this project please let me know. You can reach me at (312) 846-5560 or on my Cell 312-860-0123.

Sincerely,

Imad N Samara
Project Manager

Enclosure
CF: Dan Gardner, Little Calumet River Basin Development Commission



Jim Pokrajac

From: "Cunningham, Matthew W LRC" <matthew.w.cunningham@usace.army.mil>
To: "Jim Pokrajac" <jpokrajac@nirpc.org>
Cc: "Samara, Imad LRC" <Imad.Samara@usace.army.mil>
Sent: Thursday, February 21, 2008 12:55 PM
Subject: RE: Pick Up of the LCR Gatewell 7-Alpha Plans & Specs (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

Jim,

It's no problem. We are finalizing this job as we speak. Here are some answers to you questions:

1. It looks like by the time we get this wrapped up and sent out for a contractor to give us his proposal we might be awarding the job in mid April. We are sending this job out to a small business for a proposal. Corps Contracting Office requirement.
2. The intent of the structure is to be permanent. It is actually a small portion of the floodwall and Stage 7 will tie into this structure. It is to help drain the area west of Northcote Ave.
3. Stage 7 plans and specs will be updated to show a tie in to this structure. There are no ditches in this area in the Stage 7 plans.
4. I received NO comments back from any of the local agencies.
5. We will show the bolts for the fencing to be peened. Peening will make the nut impossible to be threaded off once installed.
6. Robert Sevenoz is in charge of making the decision on providing an operator for the structure. I will check with him, but I believe we were going to provide one under this contract.
7. NO utility relocates are necessary for this work. The structure does not interfere with any existing utilities.
8. This structure is a bit different than the ones Jim Mandon commented on for Stage 8. So his comments do not apply.
9. The recreation trail on top of the existing levee will have to remain closed after this structure is built. The trail will be relocated in Stage 7.
10. The formliner will probably be used on Stage 7 where ever homes or the trail will be.
11. We need temporary fencing around the site to keep people out while work

is being done. We also have mesh on it so the residents can't see into the site.

Thanks

Matt

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

From: Jim Pokrajac [mailto:jpokrajac@nirpc.org]

Sent: Thursday, February 21, 2008 10:35 AM

To: Cunningham, Matthew W LRC

Cc: Samara, Imad LRC

Subject: Re: Pick Up of the LCR Gatewell 7-Alpha Plans & Specs (UNCLASSIFIED)

Matt,

I'm awfully sorry I didn't respond sooner, things have been very hectic. If it's not too late, I would like to make a few general comments and have a few questions.

1. What is the current schedule and the corps estimate on cost for this project.
2. What is the intent of the structure? My brief understanding is that it is necessary to help with landside drainage problems that have incurred since the installation of the Cabela's levee East of Northcote. Is that true?
3. By installing this prior to the flood protection system for Stage VII, has this been addressed in that set of plans and specs? Will there be any provisions in the Stage VII plans to tie any type of landside drainage ditches or tiles to tie into this.
4. I submitted the plans and specs to several different Hammond agencies way back; have you received any comments to date?
5. Regarding the fencing. We have done something similiar to this with the fastening feature to the concrete and had some problems in Griffith as part of the Burr Street- Phase I project. Make sure you note that the nuts are tack welded, or provide some feature that will prohibit the removal of the fencing. Seems like a small detail, but over half of the nuts were removed by vandals in their attempt to steal the fencing and have to be replaced.
6. Are you providing an electric operaror, handcrank, or any other type of equipment with this unit? We could still use all the electric operators possible as part of our emergency response plan. Currently we only have 6 for the entire project, and some additional ones for V-2 that will be forthcoming. These have to be distributed to a large number of different participants, and to be effective, more are better than less.
7. Will there be any utility re-locates required due to this work? Do any of the BP Amoco pipelines go into this area?

8. I noticed that we will be using a "duckbill" type check valve. With all the discussions we have had over the years with the pluses and minuses I'm glad to see us use this in our construction. In Gary and past projects we have had numerous calls to clean out the old steel flap gates that seem to get stuck open with silt or debris every time we have any significant event.

A. When we did some recent review with the Town of Munster, Jim Mandon, the Town Engineer, suggested some modification to the actual installation whereby the valve would not be installed on the river, but be set back in some type of valve pit that would allow easier maintenance and cleaning of this valve without being effected by water levels

B. I think he may have suggested this as part of his Stage VIII or Stage VII review. It may have been to reverse the actual position of the sluice gate relative to the "duckbill".

C. Has this been considered for this particular use, or even possibly for upcoming construction in Stage VII or Stage VIII?

9. Being that this will interrupt the existing recreation trail, will the re-location of the trail be done as part of this work, or will it be done later as part of the Stage VII work?

10. I noticed we will be using a formliner type of finish on the concrete, good touch. In the future, being that it is adjacent to the recreation trail, it is a plus.

11. Sorry if I don't understand, but why are we providing temporary fencing in this area. Have we ever done this in the past with any other structure?

Once again, I'm sorry for responding so late. I did a cursory look and am sure I may have missed some of the concepts, or misunderstood the intent.

Jim

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

From: "Cunningham, Matthew W LRC" <Matthew.W.Cunningham@usace.army.mil>

To: "Jim Pokrajac" <jpokrajac@nirpc.org>

Cc: "Samara, Imad LRC" <Imad.Samara@usace.army.mil>

Sent: Friday, January 25, 2008 3:25 PM

Subject: Pick Up of the LCR Gatewell 7-Alpha Plans & Specs (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

Jim,

I have sent the Little Cal Gatewell 7-Alpha 100% BCOE Review Plans & Specs down to the Calumet Field Office for you to pick up. I included 6 copies as you requested. Please distribute these to the local agencies for their review and comment. The official 100% BCOE Review Period is January 28 through February 8. Please make sure any comments that the local agencies

15

2/21/2008

have get back to me in a timely fashion so that the Design Team can review and answer them.

Thanks

Matt

Classification: UNCLASSIFIED

Caveats: NONE

Classification: UNCLASSIFIED

Caveats: NONE



US Army Corps
of Engineers
Chicago District

LETTER OF TRANSMITTAL

To: Jim Pokrajac
Little Calumet River Basin
Development Commission

Date 4-Feb-08

Thru:

Project No: Little Calumet River Flood
Control Project

Re: Stage VIII Levee 100% BCOE Review

Attn:

X

No. of Copies	
10	Half Size 100% BCOE Review Plans
10	100% BCOE Review Specifications

Sent to you for the following reason:

For Approval

Review Completed

Revise and Resubmit

For Your Use

Not Reviewed

Returned

X For Review and Comment

Other:

Remarks: Please review and comment on the enclosed plans and specifications for Stage VIII. Please provide your comments in Dr. Check by February 26, 2008. The 10 copies included should be sufficient to coordinate these plans and specification with the local municipalities and utilities. It is very important that you provide most of your written comments in Dr. Checks by February 26, 2008. A plan-in-hand meeting will be held on February 28, 2008, it would help the design team to review the comments on the week of February 26 so that they can develop an agenda for the meeting based on the comments. Everyone's comments have to be interred in Dr. Checks you need to contact Cam Marranca 716-879-4238 to add you in the system.

Copy To: File

Signed:

U.S. Army Corps of Engineers, Chicago District
111 North Canal Street, Chicago, Illinois 60606-7206, (312) 846-5560, FAX (312) 353-4256

LRC FORM 1110-1 (RE), June 1997

17

Jim Pokrajac

From: "Jim Pokrajac" <jpokrajac@nirpc.org>
To: "Jim Mandon" <jmandon@munster.org>; <tdeguilio@munster.org>;
 <dostatnis@gohammond.com>; <gordishm@gohammond.com>; <blainec@gohammond.com>;
 "Dean Button" <dbutton@sehinc.com>; <chris.tkonieczny@indot.in.gov>;
 <mlpasyk@nisource.com>; <fjanosi@nisource.com>; <jcarr@nisource.com>; "LAMANTIA,
 ANGELO C (INB)" <al1242@att.com>
Cc: "Imad Samara" <imad.samara@usace.army.mil>; <frank.t.lewandowski@usace.army.mil>;
 <janet.r.lane@usace.army.mil>; "Marranca, Carm LRB" <Carm.Marranca@usace.army.mil>;
 <dgardner@nirpc.org>; "Anderson, Douglas M LRC" <Douglas.M.Anderson@usace.army.mil>;
 "Ackerson, Rick D LRC" <Rick.D.Ackerson@usace.army.mil>; "Cunningham, Matthew W LRC"
 <Matthew.W.Cunningham@usace.army.mil>
Sent: Friday, February 08, 2008 2:27 PM
Subject: Stage VIII - 100% Plan and Spec Rewview Meeting

To all,

I just confirmed that we will be having coordination meetings regarding the 100% plan and spec review on Thursday, February 28, 2008 at the Munster Town Hall, located at 1005 Ridge Road in Munster, Indiana (directions available upon request). The first meeting will involve the municipalities and their departments. This will include parks depts., water depts., sanitary depts., or any other departments that you feel need to attend. This meeting will begin at 10:00A.M. The second meeting will be held at the same facility at 1:00P.M. and will involve all utility and non-municipal entities. This would include NIPSCO, AT&T, Indot, NICTD, or any others that are impacted. The intent is to have all of you review the 100% plans and specs which were delivered, or mailed, to you on Feb. 7th or 8th, and submit your comments to the Corps for their use no later than Feb. 26th. These will be the general basis for discussion in these meetings. Also, a "plan-in-hand" will be done as required to field address any concerns or questions that can not be entirely addressed in the meeting. The Buffalo and Chicago corps offices and the LCRBDC will be represented to work with you and answer any of your questions. If you have any questions, please let me know.

Thanks to the Town of Munster for the use of their facilities to have these meetings.

Jim Pokrajac
 Little Calumet River Basin Development Commission
 Agent, Engineering/ Land Management
 Ph. - (219) 763-0696
 Cell # - (219) 805-9397
 Fax - (219) 762-1653

Jim Pokrajac

From: "Anderson, Gary R LRC" <Gary.R.Anderson@usace.army.mil>
To: <jpokrajac@nirpc.org>
Sent: Tuesday, February 26, 2008 3:38 PM
Attach: meeting.ics
Subject: FW: LCR Pump 1A Surety Takeover - Scope Discussion/Preconstruction Meeting

When: Wednesday, February 27, 2008 8:30 AM-11:30 AM (GMT-06:00) Central Time (US & Canada).
Where: USACE Calumet Area Office - 906 Griffith Boulevard, Griffith IN

~~*~*~*~*~*~*~*

From: Anderson, Gary R LRC
Sent: Tuesday, February 19, 2008 12:18 PM
To: Anderson, Gary R LRC; Anderson, Douglas M LRC; Anderson, Gary R LRC; Ott, Monica A LRC; Blair, Regina G LRC; Samara, Imad LRC; Craib, Robert A LRC; Smith, Kent A LRC; Flanagan, Pete C LRC; LRC-CONF-CALUMET
Cc: Abou-El-Seoud, Shamel LRC
Subject: LCR Pump 1A Surety Takeover - Scope Discussion/Preconstruction Meeting
When: Wednesday, February 27, 2008 8:30 AM-11:30 AM (GMT-06:00) Central Time (US & Canada).
Where: USACE Calumet Area Office - 906 Griffith Boulevard, Griffith IN
Importance: High

This is the rescheduled date for the meeting originally scheduled for 2/19/2008.
 This meeting will be chaired by the bonding company, The Hartford, who describes the purpose of the meeting as scope discussion. Some preconstruction issues may be discussed or a separate meeting devoted entirely to preconstruction may be scheduled.

Jim Pokrajac

From: "Jim Pokrajac" <jpokrajac@nirpc.org>
To: "Ott, Monica A LRC" <Monica.A.Ott@usace.army.mil>; <jdevine@netnitco.net>; <rsutton@netnitco.net>; "Schmidt, Joseph J LRC" <Joseph.J.Schmidt@usace.army.mil>; "Treharne, Stephen R LRC" <Stephen.R.Treharne@usace.army.mil>; "Rochford, William A LRC" <William.A.Rochford@usace.army.mil>; "Ackerson, Rick D LRC" <Rick.D.Ackerson@usace.army.mil>; "Go, Ernesto T LRC" <Ernesto.T.Go@usace.army.mil>; "Mrozek, Kallan K LRC" <Kallan.K.Mrozek@usace.army.mil>; "Samara, Imad LRC" <Imad.Samara@usace.army.mil>; "Shinbori, Yuki J LRC" <Yuki.J.Shinbori@usace.army.mil>; "Smith, Kent A LRC" <Kent.A.Smith@usace.army.mil>; "Simpkins, Anita R LRC" <Anita.R.Simpkins@usace.army.mil>; "Ibrahim, Mohammed F LRC" <mohammed.f.ibrahim@usace.army.mil>; "Craib, Robert A LRC" <Robert.A.Craib@usace.army.mil>; "Anderson, Douglas M LRC" <Douglas.M.Anderson@usace.army.mil>; "Druzicki, David E LRC" <David.E.Druzicki@usace.army.mil>; "Burnsed, Mary J LRC" <Mary.J.Burnsed@usace.army.mil>; "Wietecha, Ronald O LRC" <Ronald.O.Wietecha@lrc02.usace.army.mil>; "Hughes, Steven J LRC" <Steven.J.Hughes@usace.army.mil>; "Moore, Gregory LRC" <Gregory.Moore@usace.army.mil>; "Flanagan, Pete C LRC" <Pete.C.Flanagan@usace.army.mil>
Cc: "White, Darin H LRH" <Darin.H.White@usace.army.mil>; "Witten, Russell P JR LRH" <Russell.P.Witten.JR@usace.army.mil>; "Scruggs, Alicia L LRH" <Alicia.L.Scruggs@usace.army.mil>; "Blair, Regina G LRC" <Regina.G.Blair@usace.army.mil>; "Samara, Imad LRC" <Imad.Samara@usace.army.mil>; "Sezonov, Robert C LRC" <Robert.C.Sezonov@usace.army.mil>
Sent: Thursday, February 21, 2008 12:33 PM
Subject: Re: Backcheck Review - Little Cal, West Reach Pump Rehab, Phase 2A P&S (UNCLASSIFIED)

My apologies to all for a late response. Things have been pretty busy lately. If its not too late, I would like to ask some general questions and ask some questions regarding the 100% plans and specs. Some may have already been addressed, but help clear a few things.

1. I know we have broken this contract up into 2 separate contracts. Phase 2A includes both Tapper and Forest Avenue Pump Stations, and Phase 2B will include the Indianapolis Blvd. Pump Station, the Southside Pump Station, and Jackson Avenue Pump Station. Currently, what is the schedule for both and what is the current estimate to complete these projects?

2. Currently, the LCRBDC is completing the plats and legals to get easement agreements with the Hammond Sanitary District based upon the work limits included in this set. We will forward the completed legals and drawings to you for review and approval to assure we have the lands necessary to do all these segments.

A. I need to assure that if any of these segments are within work limits of upcoming levee segment projects that I do not overlay these legals with those requested of the corps for those segments.

3. On Page G-04 regarding fencing why are we going with a double bayonet design for barbed wire? Normally one set of barbed wire pointing out is sufficient. Is a 10' height necessary, normally a 6' or 8' height is sufficient. (Has the HSD commented on this)

4. When we met on Nov. 27th, we discussed the possible extension of the

20

2/21/2008

concrete deck at the Tapper Station extending out from the building, moving the existing fencing, and possibly modifying the work limits. Is this indicated on work limits on sheet TAP-C2?

5. We also discussed the possibility of electric upgrades; who will be responsible, the contractor or the LCRBDC as a utility re-locate.

6. I don't remember if we discussed any exterior or structural improvements to the building. Will any deteriorated exterior panels or concrete be included in this contract?

7. Just to confirm, I thought we were going to replace existing pumps with all new. I think this was agreed upon. Also, has the sequencing of downtime for pumps, and the needed pumping capacity been coordinated with the HSD? Will any temporary pumps be provided as part of this project?

8. At the Forest Ave. Pump Station, please remind me which items will be done as part of this project and which items will be done as part of the Stage VIII project. I thought we agreed that all of the work would be done on this project.

A. The drawing FOR-C2 shows the work limits extending slightly to the West of the existing building. Stage 8 had some work they were going to do with the discharge and the replacement of a flap gate with a "duckbill" type of closure. Once again, please clarify for me.

9. On sheet FOR-M2 it indicates that both SWPs will be re-built. From past experiences with Pump Station 1A I thought all future pump station work would avoid this because of scheduling, downtime, and problems with the manufacturers being able to rebuild old pumps.

Once again, I'm sorry I didn't get these questions to you sooner.

Jim Pokrajac

8/22/2006

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

Dear Dan:

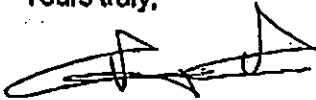
It was nice speaking with you on the telephone.

As we discussed, the letter that I received from you will be followed up by a second letter to correct the record on your requirements from our property.

We look forward to receiving your follow-up letter in a week or so.

Thank you.

Yours truly,



Paul Dombrowski

cc: Kenny and Kenny C.P.A. PC

Paul J Dombrowski
7258 FOREST AVE
HAMMOND IN 46324
TEL: 219-933-7777
FAX: 219-932-7777
pauldombrowski@mac.com

9/15/2006

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

Dear Dan:

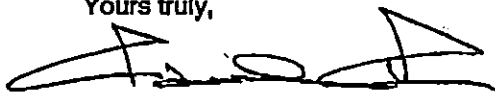
At your earliest convenience please call and reschedule your site visit.

How is the following for our agenda? As I mentioned, I have a topographical survey of my site.

- * levy plans
- * water entering basement under dining room (3')
- * foundation cracked in same area where water is flooding
- * standing groundwater in yard (2")
- * pool house floods (6")

Thank you.

Yours truly,



Paul Dombrowski

cc: Kenny and Kenny C.P.A. PC

Paul J Dombrowski
7258 FOREST AVE
HAMMOND IN 46324
TEL: 219-933-7777
FAX: 219-932-7777
pauldombrowski@mac.com

11/22/2006

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

Dear Dan:

This is a follow-up to your letter received August 2006, and our meeting this morning.

Today you and Jim Pokrajac met with David and Caroline Waite and myself. Thank you in advance for sharing our discussion this morning and your plans going forward directly with Forest Avenue property owners located at the toe of the levee (Forest Avenue property owners). Names of Forest Avenue property owners are attached to this letter.

The Little Calumet River Basin Development Commission (Commission) is the local sponsor responsible for acquiring easements from Forest Avenue property owners. You described your findings that the levee West of Hohman Avenue and along Forest Avenue was likely built to U.S. Army Corps of Engineers (US Corps) standards. However, Forest Avenue property owners did not agree to a permanent easement at the time the levee was built. You mentioned that the Commission now wants to acquire an easement from Forest Avenue property owners. You indicated that this easement would be for the purpose of inspection and maintenance of the levee. This easement acquisition requires a survey, title work, appraisal, and restrictions.

To identify the specific needs of Forest Avenue property owners related to your proposed easement you will ask the US Corps to immediately conduct a "levee and site assessment" (my words). What does the assessment include? For example, Caroline and David Waite and I each described our unique experiences with surface water drainage.

Action expected from the Commission, US Corps, and Forest Avenue property owners:

- * Commission will request US Corps to complete its levee and site assessment for Forest Avenue property owners;
- * US Corps will mail its written assessment to Forest Avenue property owners;
- * In response to US Corps assessment, Forest Avenue property owners submit written questions to Commission;
- * Commission and US Corps meet with Forest Avenue property owners and address questions.

We appreciate your eagerness to move this along without delay. You will communicate the schedule to us. Timing for the US Corps assessment is not likely to be before December 9, 2006.

Laura and I offered to host the meeting with the Commission, US Corps, and Forest Avenue property owners at your earliest convenience.

Yours truly,



Paul Dombrowski

Paul J Dombrowski
Laura Morrison
7258 FOREST AVE
HAMMOND IN 46324
TEL: 219-933-7777
FAX: 219-932-7777
pauldombrowski@mac.com

24

Caroline Waite
David C. Waite
7326 Forest Avenue
Hammond IN 46324

Lisa Swalwell
John Swalwell
7306 Forest Avenue
Hammond IN 46324

Laura Morrison
Paul Dombrowski
7258 Forest Avenue
Hammond IN 46324

Sandee Rosenband
Phillip Rosenband
7248 Forest Avenue
Hammond IN 46324

Susan Dimoploulos
Sam Dimoploulos
7221 Forest Avenue
Hammond IN 46324

Trotter Family
7346 Forest Avenue
Hammond IN 46324

25

Jim Pokrajac

From: "Ackerson, Rick D LRC" <Rick.D.Ackerson@lrc02.usace.army.mil>
To: "Rochford, William A LRC" <William.A.Rochford@lrc02.usace.army.mil>; "Jim Pokrajac" <jpokrajac@nirpc.org>
Cc: "Samara, Imad LRC" <Imad.Samara@lrc02.usace.army.mil>; "Lavicka, Kelsey W CPT LRC" <Kelsey.W.Lavicka@lrc02.usace.army.mil>; "Davis, Susanne J LRC" <Susanne.J.Davis@lrc02.usace.army.mil>
Sent: Monday, December 11, 2006 4:19 PM
Subject: RE: Stage VIII-West of Hohman Ave.(Existing Levee) (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

All,

There are going to be tieback issues to work out at that end of the project to satisfy FEMA. The Hammond levee would need to be certified, however, the tieback to the Hammond levee is the levee on the Illinois side which is also not certified. Looking at recent aerial photos looks like a lot of trees close to and maybe on the Hammond levee. The Hammond Levee shows up on the Phase II GDM plan set on the 1984 topo, but is not conclusive whether or not it is on the 1976/1978 orthophotos.

Rick D. Ackerson
 Hydraulic Engineer
 U.S. Army Corps of Engineers
 Chicago District
 111 N. Canal St.
 Chicago, IL 60606
 Phone: (312)-846-5511
 e-mail: rick.d.ackerson@usace.army.mil
 Fax: (312)-353-2156

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

From: Rochford, William A LRC
Sent: Monday, December 11, 2006 2:27 PM
To: 'Jim Pokrajac'
Cc: Samara, Imad LRC; Lavicka, Kelsey W CPT LRC; Ackerson, Rick D LRC
Subject: RE: Stage VIII-West of Hohman Ave.(Existing Levee) (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

Hi Jim,

This is a little out of the blue, so I am somewhat uncertain of what is required. Give me a call and we can discuss. A conference call on Wednesday would be best, as tomorrow is rather booked. The basic item will need to be what the role of this levee segment is, with regards to the project and if it is covered as a project cost. If it is not a part of the project, then the

process becomes complicated.

William A. Rochford, P.E.
Chief, Geotechnical & Survey Section

U.S. Army Corps of Engineers, Chicago District
111 North Canal Street, Ste. 600
Chicago, IL 60606-7206
(312) 846-5450
william.a.rochford@usace.army.mil

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

From: Jim Pokrajac [mailto:jpokrajac@nirpc.org]
Sent: Monday, December 11, 2006 2:11 PM
To: Rochford, William A LRC
Cc: Samara, Imad LRC; Lavicka, Kelsey W CPT LRC; Ackerson, Rick D LRC
Subject: Stage VIII-West of Hohman Ave.(Existing Levee)

Bill,

As per a conversation with Imad several weeks ago, regarding the existing levee West of Hohman Ave. in Stage VIII, he suggested I contact you to schedule an inspection to review this segment.

Currently, this segment is not included as part of the real estate, nor as part of the engineering. To clarify this request, which could be very confusing, would you please give Dan Gardner and myself a call. If you would like to involve Imad, Kelsey, Ackerson, or anyone else please let me know and we could set up a conference call.

Thank you,

JIM POKRAJAC
Classification: UNCLASSIFIED
Caveats: NONE

Classification: UNCLASSIFIED
Caveats: NONE

Jim Pokrajac

From: "Samara, Imad LRC" <Imad.Samara@lrc02.usace.army.mil>
To: "Ackerson, Rick D LRC" <Rick.D.Ackerson@lrc02.usace.army.mil>; "Lane, Janet R LRB" <Janet.R.Lane@lrb01.usace.army.mil>; "Lavicka, Kelsey W CPT LRC" <Kelsey.W.Lavicka@lrc02.usace.army.mil>; "Cunningham, Matthew W LRC" <Matthew.W.Cunningham@lrc02.usace.army.mil>; "Roach, Nicole L LRC" <Nicole.L.Roach@lrc02.usace.army.mil>; "Jim Pokrajac" <jpokrajac@nirpc.org>
Cc: "Lewandowski, Frank T LRB" <Frank.T.Lewandowski@lrb01.usace.army.mil>; "Marranca, Carm LRB" <Carm.Marranca@lrb01.usace.army.mil>; "Green, Daniel N LRB" <Daniel.N.Green@lrb01.usace.army.mil>
Sent: Friday, December 15, 2006 11:00 AM
Subject: RE: DRAFT meeting minutes 13DEC2006 (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

Just to be clear the section 104 levee is not part of Stage VIII. This is a levee that was built by the local sponsor and they would be responsible for any work on that levee. Any work that is part of stage VIII regarding the pump station is to continue as part of stage VIII.

Imad N Samara
 Project Manager
 U S Army, Corps of Engineers
 111 N Canal Street
 Chicago IL, 60606
 (W) 312.846.5560
 (Cell) 312.860.0123

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

From: Ackerson, Rick D LRC
Sent: Friday, December 15, 2006 9:47 AM
To: Lane, Janet R LRB; Lavicka, Kelsey W CPT LRC; Samara, Imad LRC; Cunningham, Matthew W LRC; Roach, Nicole L LRC; 'Jim Pokrajac'
Cc: Lewandowski, Frank T LRB; Marranca, Carm LRB; Green, Daniel N LRB
Subject: RE: DRAFT meeting minutes 13DEC2006 (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

All,

Here is my take on the Hammond levee discussion. Please review and comment.

Thanks,

Rick Ackerson

Item 2-J:

There was some discussion about the Hammond Levee and pump station built in the early 1980's in response to flooding from the 1981 flood event. The levee was constructed to Corps standards and is an essential part of the Corps project. The Corps and LCRBDC both have some back up documents regarding the levee and pump station. It has not been maintained well over the years and there appear to be many trees around portions of the levee. The levee will need to be brought up to current standards to be certified by FEMA. LCRBDC has requested as-builts from Hammond. LCRBDC has also requested that the Corps inspect the levee. Another issue that will need to be resolved in regard to the westerly tieback at the state line is that the Hammond levee ties into and is dependent on the Calumet City levee in Illinois which is not a certified.

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

From: Lane, Janet R LRB

Sent: Friday, December 15, 2006 9:20 AM

To: Lavicka, Kelsey W CPT LRC; Samara, Imad LRC; Cunningham, Matthew W LRC; Ackerson, Rick D LRC; Roach, Nicole L LRC; 'Jim Pokrajac'

Cc: Lewandowski, Frank T LRB; Marranca, Carm LRB; Green, Daniel N LRB

Subject: DRAFT meeting minutes 13DEC2006 (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

Attached are the draft meeting minutes from our 13-Dec bi-weekly meeting. I apologize for the lack of info on item 2-J. Frank and I got on little sidebar during that discussion so if Matt, Rick and Jim could please fill that in it would be appreciated.

Please review and provide comments by COB 19-Dec. Jim - I don't have Dan Gardner's email so please forward these minutes to him for his review.

Thanks and have a great weekend!

Janet R. Lane
U.S. Army Corps of Engineers
Buffalo District
1776 Niagara Street
Buffalo, New York 14207
PH: (716) 879-4241
FAX: (716) 879-4355

Classification: UNCLASSIFIED

Caveats: NONE

Classification: UNCLASSIFIED

29

Jim Pokrajac

From: "Jim Pokrajac" <jpokrajac@nirpc.org>
To: <dostatnis@gohammond.com>
Cc: <dgardner@nirpc.org>
Sent: Friday, May 04, 2007 11:29 AM
Subject: Easements for Forrest Ave. Levee- Status

Stan,

In recent discussions with the COE, the subject has been brought up again regarding the existing levee West of Forrest Ave. in Hammond. The first step is to assure whether or not Hammond has any easements on the back of these residents properties. Would you please research and let us know at your earliest convenience whether or not they can be found. Maybe it's possible agreements exist, but were never recorded. We did a cursory look down at the county and it appears that nothing is recorded. If you indicate that nothing can be found, we need to start a process whereby easements need to be obtained. Also, the army corps will need to schedule a field inspection to assure constructibility to be in compliance with Federal regulations. Could you also check to see if there are any "as-built" drawings, any specifications, correspondence, record of inspection, or any other documentation that might help us resolve this issue?

Thanks for your help,

Jim Pokrajac
LCRBDC Agent, Engineering/Land Management
Ph.- 763-0696
E-mail- jpokrajac@nirpc.org

30

5/4/2007

10/14/2007

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

Dear Dan:

Policy Number: 3000085172
Claim Number: 71237
Date of Loss: 08/25/2007
Insured: Paul Dombrowski
7258 Forest Avenue
Hammond IN 46324
219-933-7777
Agent: Jack Ogren & Company, Inc.
Proof due: 10/25/2007


You and the representatives from U.S. Army Corps of Engineers have permission to walk the levee behind our homes on Forest Avenue.

During the big flood of the Little Calumet River on August 25, 2007, the levee behind our home was breached causing flood damage to the cabana building and other damage to A/C equipment.

Please take steps at your earliest convenience to exam the levee for your purposes.

Also, I need an opinion from the U.S. Army Corps of Engineers as to why the levee behind our home was breached. I need to know what steps should be taken to prevent this in the future and my contractor needs guidance for reconstruction planning.

Yours truly,



Paul Dombrowski

CC:
National Flood Insurance Program
U.S. Department of Homeland Security
Claims Processor - Covansys Corporation - Attention: Supplements
PO BOX 2965
701 College Blvd.
Shawnee Mission, KS 66201-1365

Paul J Dombrowski
7258 FOREST AVE
HAMMOND IN 46324
TEL: 219-933-7777
FAX: 219-932-7777
pauldombrowski@mac.com

Jim Pokrajac

From: "Samara, Imad LRC" <Imad.Samara@usace.army.mil>
To: <jpokrajac@nirpc.org>; "Rochford, William A LRC" <William.A.Rochford@usace.army.mil>
Cc: <dgardner@nirpc.org>; <dostatnis@gohammond.com>; <gordishm@sbcglobal.net>
Sent: Wednesday, February 20, 2008 8:13 AM
Subject: Re: Forest Avenue "As-Built" Drawings Turnover

Again I know you don't like this statement but we can't do anything until the real estate issue is resolved.

Imad Samara
 312-860-0123

 Sent from my BlackBerry Wireless Handheld

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

From: Jim Pokrajac <jpokrajac@nirpc.org>
To: Samara, Imad LRC; Rochford, William A LRC
Cc: dgardner@nirpc.org <dgardner@nirpc.org>; dostatnis@gohammond.com <dostatnis@gohammond.com>;
 gordishm@sbcglobal.net <gordishm@sbcglobal.net>
Sent: Tue Feb 19 15:15:00 2008
Subject: Forest Avenue "As-Built" Drawings Turnover

Imad,

At the meeting Dan Gardner and myself had at the Hammond City Hall on February 15th, 2008, the city found a set of "As-Built" drawings for the Forest Avenue Levee. This is located on the Indiana side of the Little Calumet River from Hohman Avenue going West, and continuing North to the Illinois State line. They are dated December 16, 1983 and were designed by TenEch Environmental Engineers, Inc. It is an 11 sheet set. It appears that the first 6 sheets apply to the aforementioned area, and the last 5 sheets apply to the levee segment between what is now the NSRR and Kennedy Avenue, North of the Little Calumet River.

We realize this is a start, and that an inspection needs to be done by the corps to determine what needs to be done to get this segment certified. The Hammond Eng. Dept. said they would look further to see if they can find any other documents, such as specs, easements, or any other pertinent data that would preliminarily help us move onward. This is notification that I transmitted these drawings to you today (February 19, 2008).

Any questions please let me know,

Thanks, Jim

Jim Pokrajac

From: "Jim Pokrajac" <jpokrajac@nirpc.org>
To: "Imad Samara" <imad.samara@usace.army.mil>
Cc: <roberto.a.paredes@usace.army.mil>; <dgardner@nirpc.org>
Sent: Monday, February 11, 2008 2:56 PM
Subject: Upcoming Meeting With Town of Griffith

Imad,

Dan and I have a meeting scheduled this Wednesday, February 13th, at the Griffith Town Hall at 10:30A.M. to discuss several issues with Rick Konopasyk, Stan Dobosz, and George Jerome. Among the issues is the Griffith Levee. We intend on discussing the scheduling, funding, and the process whereby we get to the point of levee certification. You had asked us to get as much information ahead of time as possible, and to get the remaining data ourselves, then forward it to the corps. Could you please send me something general that we could use as part of our agenda. Also, I plan on briefly discussing upcoming O&M responsibilities, and emergency response coordination. You are also invited to attend if you feel it would be beneficial to the project. If there are any other issues let me know, and please send me a response as soon as you can so I can present an agenda.

Thanks,

Jim

Jim Pokrajac

From: "Jim Pokrajac" <jpokrajac@nirpc.org>
To: "Jim Pokrajac" <jpokrajac@nirpc.org>; <griffithpublicworks@comcast.net>
Cc: "Samara, Imad LRC" <Imad.Samara@lrc02.usace.army.mil>; <dgardner@nirpc.org>; <william.a.rochford@lrc02.usace.army.mil>
Sent: Friday, February 15, 2008 4:34 PM
Subject: Re: Griffith Levee - Initial Coordination Meeting

Please note #6 was modified to state the LCRBDC could contact the surveyor directly and if they needed corps authorization, Bill would assist us. Also, a change was made to #7 by adding a bullet stating what is required by the commission for rights after construction is completed.

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

From: Jim Pokrajac
To: griffithpublicworks@comcast.net
Cc: Samara, Imad LRC ; dgardner@nirpc.org ; william.a.rochford@lrc02.usace.army.mil
Sent: Thursday, February 14, 2008 4:16 PM
Subject: Griffith Levee - Initial Coordination Meeting

Rick,

Thank you for arranging for our meeting yesterday (February 13th) to discuss the certification of the levee between Cline Avenue and the EJ&E RR, South of the NIPSCO R/W. The intent was to discuss with the corps and yourselves how we will proceed from here to get this segment certified. My general notes are as follows:

1. The LCRBDC requested all the information available from the Town of Griffith to assist us in providing data to the corps to determine what will be necessary to certify this segment and get FEMA to ultimately remove that portion of Griffith on the landward side from the floodplain.
2. You had presented several drawings showing the water lines, sewer lines, and information on the pump station, including manholes, water and sewer line data showing size and type of pipe, and locations where they penetrate the existing levee. You agreed to send me this information and thought you might have elevations of the rims, inverts, and depths of manholes. Send me what you have.
3. The army corps indicated they would schedule an inspection of this segment in April, 2008, including the tie-back East of Cline, and make recommendations as to what additional information or data may be needed.
 - * The LCRBDC would be responsible for getting the rest of the data not provided by Griffith, and what was requested by the corps.
 - * Dan Gardner asked if Griffith could contact Lawson-Fisher to see if they had any more data from the three previous segments being that they were engineers on at least some of the work in that area.
 - * Jim Pokrajac pointed out that they were aware that this area was constructed in three segments. Kortenhoven on the Eastern 600' (2001), The middle section of 700' (1978), and the Western segment of approx. 1200' which abuts Cline Avenue and serves as access to the roadway going to the new pump station to the North (1996)
4. Dan Gardner mentioned that the current levee was built to DNR standards and was permitted accordingly.
 - * Imad Samara said that if this segment were to be included as part of the corps project, it would have to be built to federal standards rather than DNR standards. By the corps including this as part of their project they would assume responsibility to rebuild or repair any damages to the flood protection system caused by flooding.
 - * Jim Pokrajac mentioned that this segment would then fall under the requirements established by the corps for O&M including inspections, repairs, and all maintenance that is necessary to keep this segment in compliance to stay out of

the floodplain.

5. Jim Pokrajac mentioned that he had met in the field with the BP AMOCO field personnel who were working on re-activating their lines East of the EJ&E RR. They mentioned that they were going to do some directional boring under the levee and would be willing to work with the corps to get information on how deep to bore to be in compliance with corps guidelines. (At their cost)

6. The corps had their surveyor (Bollinger, Lach, & Associates, Inc.) provide a topographical survey of the existing levees along Cline Avenue and River Drive. This was done in September of 2005.

* Jim Pokrajac asked if this information could be made available to the LCRBDC surveyor. Bill Rochford said we could request

this survey directly from BLA, and if they ask for corps authorization Bill said to contact him.

7. Imad suggested we get property ownership data for this area.

* Bill added that the LCRBDC needs to have authority over the levee in order to perform required maintenance, do inspections, floodfight if necessary, and provide

any necessary repairs. Following acceptance by the corps, no modifications of the flood protection system will be permitted without approval by the corps.

8. The LCRBDC had been directed to assume responsibility for this segment as part of their overall responsibility as local sponsor. This would include acquisitions, utility re-locations, and construction costs. The corps indicated that they would not participate because they only provided for floodproofing in this area and that only that money for floodproofing could be made available for this segment.

9. Letters dated August 2, 2007, and January 29, 2008 were passed out at the meeting. These letters were from the corps to the LCRBDC indicating their restrictions with being able to help develop a design document, and that it would be prudent to use another consultant. Also, that they would be available to provide an inspection to determine the acceptability of the levee which would eventually be incorporated into the Little Calumet River Flood Protection Project.

10. The LCRBDC distributed copies of the report from Lawson-Fisher Associates dated May, 2006 for the Phase I portion of what would be required for issues pertaining to the certification process for this segment.

I will be working with you directly, and if you have any questions regarding our request for data, or if I may assist you in any way please let me know. Thanks again for your help. Would you also provide a copy of this to Mr. Stan Dobosz and George Jerome who also attended this meeting. If anyone has any revisions, additions, or clarifications, please let me know in order that I may make the necessary changes.

Jim Pokrajac
Little Calumet River Basin Development Commission
Agent, Engineering/Land Management
ph. - (219) 763-0696
Cell - (219) 805-9397
Fax - (219) 762-1653
e-mail - jpokrajac@nirpc.org

35

2/15/2008

Director of Public Works

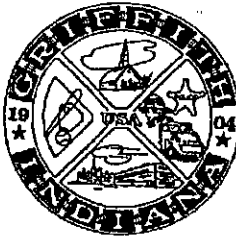
Rick Konopasek

Administrative Assistant

Tricia Kistler

Phone
(219) 924-3838

Fax
(219) 924-3840



Supervisors

Streets & Sanitation
Fred Boggs

Inflow & Infiltration
Ron Cooper

Water
Rick Kuna

Town of Griffith

111 N. Broad St., Griffith, IN. 46319-2294

February 15, 2008

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

RE: River Road Levy - Griffith

Jim:

Enclosed are three (3) separate infrastructure maps (Water, Sanitary & Storm) of the River Road area located in Griffith. Storm and Sanitary maps include pipe sizes and some elevations. I am still trying to locate as-built we may have on the small sanitary lift station located on the North side of River Road at approximately Lafayette Court. At this time I wanted to get you the information I had readily available.

As-far-as as-built for the levy portion (service road) built in 1996 in conjunction of the Griffith Cline Ave. Sanitary pump station, I do not have or cannot locate. Dennis Zebell of Lawson-Fisher Associates (LFA) may have those. LFA does have the permission of the Town of Griffith to release any and all records in relation to this area with regards to as-built plans, construction documents, infrastructure plans or documents, etc... However, it would be LFA discretion as to charges for research and copy fees that may be incurred on their part to provide this information.

Hopefully the enclosed information helps. Please call or e-mail with any questions.

Sincerely;

Rick Konopasek
Director, Griffith Public Works

Cc Griffith Town Council file
Dennis Zebell, Lawson-Fisher Associates

Griffithpublicworks@comcast.net

Jim Pokrajac

From: "Jim Pokrajac" <jpokrajac@nirpc.org>
To: "Samara, Imad LRC" <Imad.Samara@lrc02.usace.army.mil>;
<william.a.rochford@lrc02.usace.army.mil>
Cc: <dgardner@nirpc.org>; <griffithpublicworks@comcast.net>
Sent: Tuesday, February 19, 2008 3:32 PM
Subject: Griffith Levee- Transmittal of Infrastructure Maps

Imad,

On February 19th, 2008, I received 3 separate infrastructure maps from the Town of Griffith for water, sanitary, and storm lines along the Griffith Levee, located South of the NIPSCO R/W between Cline Avenue and the EJ&E RR. the letter is dated February 15, 2008 and is enclosed for your information. As the letter indicates they are still looking for some as-builts for the small sanitary lift station.

It was also indicated in the letter that any as-builts for the actual levee portion could not be found in the possession of the Town and that Lawson-Fisher was the engineer and may have those drawings. Griffith has authorized them to release any of this information to us, but Lawson-Fisher would use it's discretion as to charging us for their research and copy fees. As we receive any other information we will forward it to you.

As you indicated at our coordination meeting with the Town of Griffith on February 13, 2008 you will be scheduling an inspection of this area sometime in April of this year to determine what needs to be done to get this section certified according to army corps standards to assure it can become part of the overall flood control project and be under the supervision of the corps. This e-mail is notification that I transmitted these drawings to you today (February 19, 2008)

Any questions, please let me know,

Thanks, Jim

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION ATTENDANCE ROSTER

NAME OF MEETING: LCRBDC

DATE: March 5, 2008

LOCATION:

CHAIRMAN:

PLEASE SIGN IN

	NAME (PLEASE PRINT)	ORGANIZATION, ADDRESS, PHONE NUMBER
1	RUTH MORES	Southmoor Rd - Hammond
2	KAREN LORENZ	SOUTHMOOR RD HAMMOND
3	Elizabeth Johnson	Crynsman Visclosky
4	Imad Samara	15 CoE
5	Bill Petrities	Highland resident
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Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

Sandy

WORK STUDY SESSION

March 5, 2008

5:30 – 6:00 p.m.

ACTION ITEMS:

Finance:

- Approval of claims for February 2008
- Approval of O&M claims for February 2008

\$91,292.32
\$282.90

Report of Finance Committee recommended action:

- Approval of NIRPC contract for administrative services
- Approval of independent Contractors' contracts
 - Engineering/Land Management Agent contract
 - Land Acquisition Agent contract
 - Crediting Technician Services contract

March 12 meeting

Land Acq:

- Action on condemnations

DC 1314
1377
1378

IMPORTANT DISCUSSION:

Stage VIII Acquisition/Relocation Progress Update

LAND ACQUISITION REPORT

For meeting on Wednesday, March 5, 2008

(Information in this report is based upon latest data provided at the time the report is put together. Dates and costs may vary depending upon ongoing design and/or coordination with the Army Corps.

Report period is from February 6 – February 27, 2008)

EAST REACH – REMAINING ACQUISITIONS

1. This stage still has about 25 flowage easements that need to be acquired. They are not high-priority and can be acquired as time permits.
 - Emphasis now is on finishing Stage VII and VIII. Any East Reach parcels left will be “cleaned-up” after construction of the project is completed.
2. A condemnation hearing was held on 10/19/07 for the WLTH Radio Station. Court awarded landowner \$8,300. LCRBDC offer was \$4,000. Money has been paid into court.

STATUS (Stage V-Phase 2) Kennedy Avenue to Northcote, both North and South levees

1. Right-of-entry was signed 7/11/07. Eleven options were attached. Since July, we have acquired 9 of those acquisitions. Two remain:
 - A. NIPSCO – Conference call was held 10/29/07. Substantial progress was made to agree on insurance and liability issues. **(Ongoing)**
 - LCRBDC is looking into insurance liability costs that NIPSCO has requested. Negotiations continue **(Ongoing)**
 - B. NSRR Status
 - **The engineering review is completed, and agreed upon, and is included in the plans and specs**
 - Railroad engineering is now negotiating the costs of construction. Agreement between NSRR, Corps, and LCRBDC should finalize the settlement. (Received a letter on December 7, 2007 from Bergmann Associates with cost breakdowns and comments). No final action as of December 31, 2007.
 - **As part of the final agreement review process, the Corps wrote a letter with comments to the LCRBDC attorney on February 22, 2008.**
- 1-5

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

Land Acquisition deadline April 30, 2005

1. Final inspection scheduled in mid-January, 2008 pending weather – Has been rescheduled for mid-February, pending weather.

STATUS (Stage VII) – Northcote to Columbia: The designation for this Stage is Stage VII – Hammond (North of the river) and Stage VII-Munster (South of the river)

1. All 14 offers for easements north of the river have been made. Two of three private landowners have accepted.
 2. The easements to be signed by all (3) Hammond entities were presented to Hammond at a meeting in the city Engineer's Office on February 15, 2008
 - February 21 – Easements signed by Hammond Board of public Works
 - March 5 – Hammond Redevelopment Commission meeting scheduled to review
 - March 11 – Hammond Park & Recreation Board meeting scheduled to review
- 6-7

3. All 33 offers for Munster on the south side of the river were delivered in August 2007. We are in negotiations with one private landowner; three landowners cannot be located and are in condemnation to clean up the chain of title; and NIPSCO and B.P.Amoco are reviewing our engineering plans.

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

1. Our team of seven appraisers and one reviewer have completed 73 appraisals since October 2007. Thirty acquisitions were put on hold while the Corps modified the real estate requirements.
2. On January 28, we received the final drawings from the Buffalo Corps. Another 4 acquisitions have been added to Stage VIII and need to be appraised.
3. On February 26, a meeting was held with the appraisal team to decide the format of the re-appraisals to be compliant with Federal Land Acquisition and Uniform Appraisal Practices Rules.
4. The following are DC numbers in appraisal or in re-appraisal status:

1300	-	Riverside Park
1302	-	Unity Church of Christ
1303	-	Private
1304	-	Private
1306	-	City of Hammond
1310	-	New Acquisition – INDOT
1311	-	Hammond Sanitary District
1315	-	NICTD
1320	-	Private
1321	-	Private
1322	-	Private
1323	-	Private
1324	-	Private
1326	-	Private
1334	-	Private
1335	-	Private
1336	-	Private
1337	-	New Acquisition – INDOT
1340	-	Private
1342	-	Private
1343	-	New Acquisition – INDOT
1344	-	New Acquisition – NICTD
1349	-	Munster
1350	-	Munster
1384	-	Munster
1394	-	Munster
5. To date, 22 offers have been sent to landowners with three acceptances. Three landowners are reluctant to sign and could be possible condemnations.
6. FYI – We have been using Stewart Title Company because of their accuracy and prompt reply to title orders. Stewart is now closing its northwest Indiana branch. We've researched and negotiated lower prices with Meridian Title and Ticor Title to be used in the future.

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

Land Acquisition deadline is September, 2005

1. The ROE was signed by the LCRBDC on July 24th, 2006, and forwarded to the Army Corps.
2. Construction started mid June 2007.
3. Current construction completion date is July 20, 2008.

PUMP STATION REHABILITATION – CONTRACT 2

1. Received an email from the Corps on November 19, 2007 indicating that the contract was broken up and that 2A will include pump rebuilds of the (2) smaller stations – Forest Avenue/173rd St., and Tapper Avenue.
2. Received 100% engineering review set
 - LCRBDC contracted SEH on a cost/hour basis to submit comments.
 - LCRBDC contracted out DLZ on **February 26, 2008** to do property **legals and easement drawings** for each station.
 - **Property identification has been completed by DLZ and they are currently doing plats and legals for all (5) stations.**
 - Received final PDF files for all (5) stations for real estate on February 1, 2008.
 - Forwarded to Huntington to confirm real estate easements on February 4, 2008.
 - A plan-in-hand meeting was held on November 27, 2007 to field review the (2) pump stations in Phase 2A (Forest Avenue and Tapper)

GRIFFITH GOLF CENTER (North of NIPSCO R/W, East of Cline Avenue)

1. LCRBDC was directed by the COE to obtain a flowage easement on the entire property in a letter dated October 7, 2005. Appraisal was completed and reviewed. Offer was sent 8/16/06, landowner rejected offer and requested modifications to the design for future development.
2. Landowner met with Corps and LCRBDC on 1/10/07 to discuss modifications to the real estate requirements. Owner’s possible buyer submitted plans that address hydrology concerns and the CORPS has approved.
3. LCRBDC wrote a letter of support to the IDNR on June 22, 2007 indicating that the landowner’s plan is compatible with the Little Calumet River Flood Control Project and provides additional (compensatory) storage for flood waters. (Ongoing)
 - LCRBDC received a public notice for permit application from V3 (Realty agent) dated May 7, 2007 and received May 25, 2007. (Ongoing.)

CREDITING:

1. INDOT CREDITING

- A. LCRBDC has requested credit to the project for the bridges reconstructed as part of the project - Indianapolis Blvd., Cline Avenue, Grant and Georgia Streets.
 - B. The Army Corps from Detroit agreed to help the LCRBDC with INDOT bridge crediting coordination.
 - A meeting, and field inspection, was held with their representative on July 31 and August 1, 2007, to familiarize them with the INDOT construction.
 - They have already obtained some data for Indianapolis Boulevard, Cline Avenue, Grant St., and Georgia. (Ongoing)
 - C. A conference call with INDOT and Chicago/Detroit Corps, and the LCRBDC was held on November 29, 2007 to discuss points of contact for information and coordination. (Ongoing)
2. Cabela’s has donated the amount for their easements and we do receive credit. A previous appraisal valued the easements as Cabela’s on the property for \$3.3 million. Corps has

refused the appraisal and requested a second appraisal valuing the land as the Woodmar Golf Course. The easements are now valued as \$1,875,000. We will continue to discuss this matter to a resolution. (Appraisals totaling a land value of \$1,000,000 or more must be reviewed and approved by headquarters in Cincinnati.) (Ongoing)



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

February 22, 2008

Mr. Louis M. Casale
Casale, Woodward & Buls, LLP
9223 Broadway, Suite A
Merryville, IN 46410

Re: Comments on the proposed Project Agreement Between Norfolk Southern Railway Company and the Little Calumet River Basin Development Commission

Dear Mr. Casale,

The purpose of this letter is to provide comments on the draft document titled "Project Agreement to Cover Construction of Project Affecting Norfolk Southern Railway Company Tracks and Property Between the Little Calumet River Basin Development Commission and Norfolk Southern Railway Company" (hereinafter "Agreement"). Although the US Army Corps of Engineers (hereinafter "Army Corps") is not a party to the Agreement, the Agreement contains provisions that purport to bind certain Army Corps' contractors.

While we do not concede that a third party agreement can affect the contractual relationship between the Army Corps and its contractors, we are providing comments on certain provisions in the Agreement which are unacceptable to the Army Corps. Generally, the specific comments below identify two main problems with the Agreement:

First, there are several provisions which allow the Railway to directly order Army Corps' contractors to undertake or desist from certain actions. This could result in a constructive change to the contract between the contractor and the Army Corps, and may result in additional costs to the government. The Norfolk Southern Railway Company ("Railway") is not authorized to make contract changes which would bind the United States. This would create an unauthorized commitment on behalf of the Government which is prohibited by law. See Federal Acquisition Regulations ("FAR") §§ 1.601(a), 1.602-2, 1.602-3, and 43.102. Thus, all such provisions need to be altered or deleted as discussed in detail below.

Second, the Agreement references Exhibit 2 which states that the Railway will install two electric locking mechanisms on the gates. The Army Corps has significant concerns with allowing the Railway to put a locking mechanism on emergency flood control gates. Moreover, it is our understanding that the Railway wants to control the operation of the locks, and thus, the local sponsor would not be able to unlock and close the gates by themselves in an emergency flood event. Such an arrangement may result in a situation where the Local Sponsor does not have the requisite authority needed to operate and maintain the gates. Thus, we have asked that the reference to the electric locking gates be removed from this Agreement unless/until the Army Corps has reviewed and approved the locking mechanism installation and operation procedure.

Specific Comments:

1. Agreement, Section 1, Paragraph 1(D) – Delete the phrase “and made a part hereof,” because this clause essentially incorporates the entire text of Exhibit 3 into the Agreement. Exhibit 3 appears to be a standard railroad document designed to address a different factual situation, and thus the Army Corps believes that only the safety provisions of Exhibit 3 should be incorporated into the Agreement. Section 2, Paragraph 2 already contains a sufficient and more accurate reference to the “safety requirements of the Railway” in Exhibit 3.
2. Agreement, Section 1, Paragraph 9, Page 4 -- The language in this Paragraph must be revised, because the Railway cannot directly order the Army Corps’ contractors to stop a work activity. Only an authorized Army Corps Contracting Representative can order the contractors to stop work activities, because such an order may give rise to additional costs associated with delay under the government contract. Thus, this paragraph should be modified, so that, if the conditions set forth in this Paragraph arise, then the Railway will submit a request to the Army Corps’ Contracting Representative to order the contractor to alter or stop the problematic activity. The Army Corps believes that the provision set forth in Section 4, Paragraph 4, concerning instructions from flagmen, is sufficient to address safety and emergency situations.
3. Agreement, Section 2, Paragraph 4, Page 5 – Delete the words “and direct the” in the last phrase. The Railway can not “direct the contractor’s activities on Railway property.” Only an authorized Army Corps Contracting Representative can direct the actions of a government contractor, because ordering a contractor to undertake or desist from certain actions may be considered a constructive change to the terms of the contract, and may result in additional costs under the contract.
4. Agreement, Section 3, Paragraph 1(F), Page 6 -- The language in this Paragraph must be revised, because this requires the contractor to undertake certain cleaning activities “when so directed by the Railway.” As discussed above, the Railway cannot direct the activities of the Army Corps’ contractors. The language should be modified so the Railway will submit a request to the Army Corps’ Contracting Representative to provide directions to the contractor to address the situation. In addition, the third sentence in this paragraph must be deleted because it allows the Railway to direct that certain contractors “be dismissed from Railway property and not allowed to return without the Railway’s permission.” Any problems with the contractor should be addressed through the Army Corps’ Contracting Representative. The provision in the current government contract which requires site clean up by the contractor (a

copy of which is enclosed for your convenience), is sufficient to address any concerns the Railway may have with regard to site cleanup.

5. Agreement, Section 3, Paragraph 1(G), Page 6 – For the reasons discussed above, the language in this Paragraph should be revised so the Railway will submit a request to the Army Corps' Contracting Representative to provide directions to the contractor to address the situation. We have enclosed the provision in the current government contract which requires final site clean up by the contractor, and the Army Corps believes this language is sufficient to address any of the Railways concerns.
6. Agreement, Section 4, Paragraph 3, Page 7 – The last sentence of this Paragraph should be deleted. While the Army Corps agrees that flagging is necessary, the Army Corps does not agree that the Railway should receive a complete waiver for all delay costs associated with failing to provide flagmen. The Railway's failure to provide flagmen could result in significant delays to the Project, and the Railway is already receiving 10 days notice before it must provide flagmen.
7. Agreement, Section 4, Paragraph 5, Page 7 – This paragraph should not be included in this agreement and thus should be deleted, because it deals with the operation of the gates during "a declared emergency flood-fighting event." Instead, the procedures concerning gate closure during emergency flood events should be located in the Operations Plan.
8. Agreement, Section 4, Paragraph 7, Page 7 – This Paragraph should be deleted. As discussed above, the Corps does not agree that the Railway should receive a complete waiver for all delay costs associated with failing to provide flagmen within a reasonable time frame.
9. Agreement, Section 10, Paragraph 1, Page 11 – This Paragraph references Exhibit 2 which includes an estimate of the cost of work that the Railway proposes to perform. Exhibit 2 includes a line item which states that the Railway will "[i]ninstall two electric locks on sliding gate". The Army Corps has not agreed to allow the use of electric locks on the Project gates. Whether electric locks will be used, and who would control the locking mechanism is still being discussed, and is of significant concern to the Army Corps as discussed above. Any construction undertaken by the Railway that may affect the Project must first be approved by the Army Corps and the Commission. If discussion of Railway work is going to be a part of this Agreement, a provision requiring approval of the plans and specs for the Railway work by the Commission and the Corps must be included. Moreover, the reference to the locking gates in Exhibit 2 must be deleted until or unless the Army Corps agrees to allow locking gates to be implemented at this Project.

10. Agreement, Section 11, Paragraph 1 – The phrase “Special Provisions for the Protection of Railway Interest attached as Exhibit 3 hereto” should be deleted, because this clause essentially incorporates the entire text of Exhibit 3 into the Agreement. Exhibit 3 appears to be a standard railroad document designed to address a different factual situation, and thus the Corps believes that only the safety provisions of Exhibit 3 should be incorporated into the Agreement. Section 2, Paragraph 2 already contains a sufficient and more accurate reference to the “safety requirements of the Railway” in Exhibit 3.
11. Agreement, Section 12, Paragraph 3, Page 13 – This Paragraph must be deleted, because it is inconsistent with the terms of the Deed of Easement. In addition, the language in the Deed of Easement speaks for itself and does not need to be reiterated here.
12. Exhibit 3, Section 5(A) – The phrase “and approval” should be deleted from Section 5(A)(1) of the Exhibit, because the Railway cannot approve the “construction work and operations” of Army Corps’ contractors as they proceed. Such approval suggests that the Railway could order the contractors to stop construction work, which could lead to additional expenses to the government under the contract as discussed above.
13. Exhibit 3, Section 7(B)(3) -- The last sentence of this Paragraph must be deleted, because it requires that the contractor pay for any delay to the Project caused by the Railway’s failure to provide flagmen. The Railway does not have the right to charge the contractor for delay to the Project, and the Army Corps does not agree that the Railway should receive a complete waiver for all delay costs associated with failing to provide flagmen. There should be some reasonable time period within which the Railroad will provide flagmen.
14. Exhibit 3, Section 15 – This Section must be either deleted or revised. Section 15(A) must be deleted because it states that the Railway “may require that the Contractor vacate Railroad property.” The Railway cannot directly order the Contractor to stop work and vacate the premises as discussed above. Section 15(A) could, alternatively, be revised so that if any non-compliance occurs, then the Railway will request that the Army Corps’ Contracting Representative address the situation with the contractor. Section 15(B) also needs to be deleted or clarified, because it states that the “Engineer” may withhold money due to the contractors if the provisions of Exhibit 3 are violated. If the term “Engineer” is referring to the Railroad or the Commission, this provision is inappropriate because only the Army Corps has the authority over payments to its contractors. If the term “Engineer” is referring to the Army Corps, then this provision should be deleted because the terms of the Army Corps’ contract govern and do not need to be augmented.

Please note that the Army Corps' provision of comments on this Agreement does not in any way make the Army Corps a party to the Agreement, nor in any way bind the Army Corps to the terms of the Agreement. In addition, this letter does not provide a legal opinion on how this Agreement will affect the rights and obligations of the Commission, and the Army Corps is not providing a legal opinion on whether the costs incurred by the Commission under this Agreement will be reimbursed by the Army Corps. Such costs will be only be reimbursed in accordance with applicable laws, regulations, and policies.

Please call me if you have any questions about the comments above. We would like to set up a meeting to discuss these comments at your earliest convenience. Please let us know your availability.

Sincerely,

A handwritten signature in black ink, appearing to read 'Imad N Samara', with a long horizontal flourish extending to the right.

Imad N Samara
Project Manager

CF: Dan Gardner, Little Calumet River Basin Development Commission
Mark Lopez, Congressman Visclosky Office



Little Calumet River Basin Development Commission

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WILLIAM BILLER, Chairman
Governor's Appointment

ROBERT MARSZALEK, Vice Chairman
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MARK GORDISH, Secretary
Mayor of Hammond's Appointment

ARLENE COLVIN
Mayor of Gary's Appointment

STEVE DAVIS
Dept. of Natural Resources' Appointment

ROBERT HUFFMAN
Governor's Appointment

JOHN MROCZKOWSKI
Governor's Appointment

CHARLIE RAY
Porter County Commissioners' Appointment

DR. MARK RESHKIN
Governor's Appointment

VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

Mr. Stan Dostatni
City Engineer
City of Hammond
5925 Calumet Avenue
Hammond, Indiana 46320

February 11, 2008

Re: Stage VII easements needed from the City of Hammond

Dear Stan:

Enclosed please find two copies each of the Uniform Easement Acquisition Offer that accompanies two copies of each respective easement needed for the Little Calumet River flood control/recreation project. These are easements that are needed from several, various departments of Hammond for the levee segment in Stage VII (Northcote to Columbia, north of the river). I have enclosed an overall map showing where these properties are located. All of the properties are identified with DC numbers, which is our way of tracking the easements. The enclosed easements are:

	<u>Easement needed</u>	<u>Owner</u>
DC-1204-A	Flood Protection Levee Easement	City of Hammond
DC-1212	Flood Protection Levee Easement Temporary Work Area Easement	City of Hammond
DC-1213	Closure Structure Easement Temporary Work Area Easement	City of Hammond
DC-1202-A&B	Flood Protection Levee Easement Temporary Work Area Easement	City of Hammond, Parks & Recreation
DC-1209	Flood Protection Levee Easement Temporary Work Area Easement	City of Hammond, Parks & Recreation
DC-1205	Flood Protection Levee Easement Temporary Work Area Easement	City of Hammond, Redevelopment Comm.
DC-1207	Flood Protection Levee Easement Temporary Work Area Easement	City of Hammond, Redevelopment Comm.

We respectfully request the City of Hammond, the Hammond Parks & Recreation Department, and the Hammond Redevelopment Commission donate these easements to the Development Commission to enable the Federal construction to move forward. The donation would show considerable municipal support and help in leveraging the 75% Federal construction dollars being secured by Congressman Visclosky. The donation of Hammond easements in the past have helped the Commission considerably and are very much appreciated.

If agreeable to a donation, kindly draw a line through the Acceptance Offer (page 5 of the offer) and write "Reject" on the offer page and sign it. This will acknowledge the rejection of the offer. Then, on page 2 of the levee and temporary work area easements, please have the appropriate person sign and date the easements, including the notary. Please return all documents back to our office and, after recording the easements, we will return a full set of each easement back to you for your records.

Mr. Stan Dostatni
February 11, 2008
Page 2

The Development Commission appreciates your willingness to work with us and thank you for your consideration of our request. The Commission is working on an accelerated schedule and would appreciate whatever you could do to expedite the execution of these agreements. If you have any questions or need any other information, please feel free to call me at any time.

Sincerely,



Dan Gardner
Executive Director

/sjm
Encl.

cc: Elizabeth Johnson, *Congressman's Office*
Tom McDermott, *Mayor of Hammond*
William Biller, *LCRBDC Chairman*
Lou Casale, *LCRBDC attorney*

7