Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

MEETING NOTICE

THERE WILL BE A MEETING OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION AT 6:00 P.M. WEDNESDAY, AUGUST 6, 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 July 2, 2008
5. Chairman's Report
   - City of Hammond meeting on July 8 regarding Stage V-2 exercising of option
   - Follow-up meeting scheduled for August 20
6. Action Required:
   - Finance:
     - Approval of claims for July 2008
     - Approval of O&M claims for July 2008
     - Approval of Munster claim
   - Land Acq:
     - Action required on condemnations
       - DC-1399A
       - DC-1399B
   - Engineering:
     - Action on Griffith levee engineering proposal

7. Executive Director's Report
   - Public Information meeting for Stage VIII held July 21 at Wicker Park Club House
   - Update of RDA draw request - $1.8 million

8. Standing Committees
   A. Finance Committee – Report by Treasurer Kent Gurley
      - Financial status report for end of June 2008
      - Finance committee discussion held July 16

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

   Land Acquisition
      - Appraisals, offers, acquisitions
      - Status of Stage V-2
      - Status of Stage VII
      - Status of Stage VIII

   Land Management
      - Status of ± 26 acres agreement with LEL – Attorney Casale
      - Status of NRCS wetland reserve program

   C. Project Engineering Committee – Committee Chair Bob Huffman
      - Status of Stage V-2 pipeline corridor
      - Griffith levee engineering services status
      - Updated status of VII & SVIII utilities
      - Forest Avenue levee status
      - Status of Pump Stations 2A & 2B contracts

   D. Operation & Maintenance – Committee Chair Bob Huffman
      - Mowing for upcoming inspections completed
      - Levee Inspections scheduled August 12 & 13
      - Status on sluice gate/flap gate repairs
      - City of Gary O&M turnover meting held July 17 – Attorney Casale

   E. O&M Funding Committee – Committee Chair Kent Gurley

   F. Legislative Committee – Committee Chair
      - Upcoming State legislative session 2009/2011 - Issues

   G. Environmental Committee – Committee Chair
      - Little Calumet River Western Branch Watershed Management Plan

   H. Recreational Development Committee – Committee Chair Bob Huffman

   I. Policy Committee – Committee Chair Bob Marszalek

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, JULY2, 2008 6100 SOUTHPORT ROAD PORTAGE, INDIANA

Chairman William Biller called the meeting to order at 6:10 p.m. Eight (8) Commissioners were present. Pledge of Allegiance was recited. Guests were recognized.

Development Commissioners:
Mark Gordish
Robert Huffman
Steve Davis
William Biller
Robert Marszalek
Kent Gurley
David Burrus
John Mroczkowski

Staff:
Dan Gardner
Sandy Mordus
Lou Casale
Judy Vamos

Visitors:
Bill Petrites – Highland resident
Ron Albin
Doug & Karen Lorenz – Southmoor Group
Imad Samara – Corps of Engineers
Erik Potter – Post Tribune
Susan Brown – The Times
Mike Zarantarello – Southmoor Road
Tina Kutkoski – Southmoor Group
David Haas – Christopher Burke Eng.
Brian McKenna – Christopher Burke Eng.
Lynne Whelan - USACOE
Vanessa Villarrel - USACOE
Stacy Broutman – Southmoor Group
Kevin Cappo – River Drive Group
Ruth Mores – Southmoor Group
Carolyn Marsh – Sand Ridge Audubon

The minutes of the meeting held on June 4, 2008 were approved by a motion from Bob Marszalek; motion seconded by Bob Huffman; motion passed unanimously.

Chairman's Report **– Chairman Biller announced that the Change of Command ceremony at the Chicago District Army Corps was held on July 1. Dan Gardner and Sandy Mordus attended. The new colonel is Colonel Vincent V. Quarles. He will be coming to a Commission meeting to meet the Board members.**
• Chairman Biller stated that Dan Gardner attended the Mayor's Night Out in Hammond on June 26. He gave a power point presentation of the project.

Action Required **– Treasurer Kent Gurley presented items for action. He referred to the Recommendation for Fund Transfer into the Administrative Account. He made a motion to approve the transfer out of three accounts: $5,789.72 from interest monies received on the Chase high balance savings account; $20,720.62 from escrow account interest monies; and $38,054.35 from in-house project funding monies remaining the $700,000 note that we were directed to spend down back in mid-2005; the total being $64,564.69 to be transferred into the administrative account; motion seconded by Bob Huffman; motion passed unanimously.**
• Mr. Gurley will schedule a Finance Committee meeting to discuss future funding of the administrative account.
• Mr. Gurley referred to the "corrected" monthly budget report which was distributed to members. In May, the report listed expenditures of $208,177.53 in Budget Code 5840 Professional Services line. The "corrected" copy broke down that figure with $58,099.53

being expended for professional services and $150,078.00 being expended in Budget Code 5860 Project Land Purchase Expense.

• Mr. Gurley made a motion to approve the claim sheet for June in the amount of $144,251.42; motion seconded by Bob Huffman; motion passed unanimously. A correction was made that in Budget Line 5882 for Dyer Construction Company in the amount of $36,662.00 was for utility work in Stage V-2 and not in Stage VIII as listed.

• Mr. Gurley made a motion to approve the O&M claims in the amount of $6,795.29; motion seconded by Bob Huffman; motion passed unanimously.

• There was an increased offer on DC-1303. Original offer was for $260,000; new offer includes a 15% increase to $299,000 to avoid condemnation costs (because owner believes original offer is below fair market value). Bob Marszalek made a motion to approve the increase; motion seconded by Dave Burrus; motion passed unanimously.

• There was an increased offer on DC-1342. Original offer was for $520; new offer reviewed and approved by the Corps is $2,000 (because owner believes original offer is below fair market value). Bob Marszalek made a motion to approve the increase; motion seconded by Dave Burrus; motion passed unanimously.

Executive Director's Report – Mr. Gardner discussed the project status on Stage V-2, Stage VII, and Stage VIII. Regarding Stage V-2, Mr. Gardner stated that construction is currently ongoing in V-2. The biggest issue has been the two options to the V-2 right-of-entry, which were NSRR and NIPSCO. We have now reached an agreement with them and they are in the process of being signed. The Army Corps is working with FEMA to remove the floodplain designation from this area once construction is complete. The city of Hammond has contracted with Christopher Burke Engineering to help them with the process. The goal is for the Army Corps to be able to certify the V-2 levee so FEMA can remove the area.

• Mr. Gurley asked what Christopher Burke will do for us in regard to the Griffith levee. Mr. Gardner answered that the Griffith levee, as is, was not constructed to Federal specifications. It needs to be in compliance with Federal design so the Army Corps can certify. Without certification, the area east of Cline Avenue to Martin Luther King Drive cannot come out of the floodplain. The firm will identify and prepare whatever plans and specs are necessary for a contractor to proceed with the actual work. The Army Corps has done an "Initial Eligibility Inspection Report" of the Griffith levee already. The report we would receive from Christopher Burke would further enhance that report and bring us to a point of soliciting for bids. They will send us a scope of work identifying cost and time schedule.

• Mr. Gardner stated that in Stage VII, there were 34 offers sent to landowners; 28 have accepted; 2 are in condemnation; 1 utility is reviewing the engineering; 3 residential have accepted and we are in the process of closing. All public lands have been donated. Mr. Gardner stated that there are some utility agreements that have to be put in place. SEH has been coordinating some of the field work with the utilities, as well as Garcia Inc.

• In Stage VIII, Mr. Gardner reported that, out of 92 properties, 66 have closed. 8 are in condemnation; 4 residential have accepted and we are in the process of closing; the remainder are in negotiations (have not filed condemnations yet). A public informational meeting will be scheduled shortly with the Southmoor Group and the River Drive Group

(Monaldi sub-division). The intent of this informational meeting is to have the Commission and the Army Corps make a final presentation of their design to the residents and answer questions. Mr. Gardner stressed that we are at a critical stage and must move forward; utility agreements also have to be addressed to allow advertisement of the construction contracts by the Army Corps.
The Corps has written the Congressman a letter updating them on project status.
• Resident Ruth Mores asked the Commission to make sure any letter goes to all residents.
• Mr. Gardner referred to a draft letter to the RDA requesting the Commission's second draw of $1.8 million, which is the estimated amount of utility relocation work that will be done in Stage V-2. Now that we are obtaining the easements from the NSRR and NIPSCO and getting utility relocation agreements, that segment of construction can be removed as an option. It is critical to have the funds to make payment to the utility/ pipeline companies.
• Mr. Gardner stated that a meeting was held at Wicker Park on June 10 for the Stage V-2 residents on Hawthorne Drive. The residents requested the meeting; North Township, the town of Munster, the Army Corps, and the Commission were represented.

Finance Committee – Committee Chairman Kent Gurley referred to the financial statement for May in the agenda packet. Finance action has already been taken. A Finance Committee meeting will be scheduled before the next Board meeting.
• Mr. Gurley referred to the State Board of Accounts audit report for years 2006 and 2007. Mr. Gardner added that all funds were properly accounted for and there were no findings of significance. There were two comments regarding bookkeeping procedure, i.e. there was not a central control ledger because manual records were being kept rather than a computerized fundware program; and receipts need to be written for all income even state draws. The Commission did respond back to those comments.
• Mr. Gurley referred to the Corps letter requesting the withdrawal of $720,000 from the escrow account.

Land Acquisition/Land Management Committee – Committee Chairman Bob Marszalek referred to attorney Casale regarding the outstanding agreements in V-2. Mr. Casale said that it has been a lengthy process, negotiating and working out issues with NIPSCO and the NSRR. Mr. Marszalek made a motion authorizing the Chairman to sign the agreement with NIPSCO for DC-1112-1113; motion seconded by Dave Burrus; motion passed unanimously. Mr. Marszalek then made a motion authorizing the Chairman to sign the agreement with NSRR for DC-1169; motion seconded by Dave Burrus; motion passed unanimously.
Mr. Burrus asked if the contractor had been held up because these easements were not in place. Mr. Gardner answered that since they were an option to the V-2 ROE, we had until September to obtain them under the contractor's existing agreement (one year from the contract award date). The contractor has been working in other areas but will be able to work in the utility area, after the Corps executes the paperwork to remove the option.
• Attorney Casale stated that the LEL agreement for the ± 26 acres of surplus land in Lake Station is in the LEL's attorney's hands for review. Once the final agreement is agreed upon, it will come before the Board for approval.

Project Engineering Committee – Committee Chairman Bob Huffman gave the committee report. He reported that the committee met with the two representatives from Christopher Burke prior to tonight's meeting.
• Mr. Gardner stated that the daylighting for Stage VII & Stage VIII is almost complete. Dean Button from SEH Engineering has been coordinating it. Utility spreadsheets of the daylighting were distributed to Commission members.
• Surveys are ongoing for the Forest Avenue levee segment. The residents want the Army Corps and Commission to meet onsite with them to determine what needs to be done to get this levee segment certified. Mr. Gardner added that we have seen the city's as-built drawings and the levee looks stable; the down side is that no public easement was preserved after construction. This easement must be re-established.

Operation & Maintenance Committee – Committee Chairman Bob Huffman stated that inspections should be scheduled in late July or early August.
• Mr. Gardner informed the Board that a follow-up meeting with the city of Gary is scheduled for July 17 regarding the O&M turnover process. We are working toward a sign able draft agreement by August. The Burr Street East project construction is almost complete. Next we need to focus on bringing the Griffith levee up to certification. Mr. Huffman asked about the tie-in between the Gary levee and Griffith levee. Mr. Gardner replied that FEMA does not recognize the railroad as a tie back. The Griffith levee is one of the conditions that FEMA said we had to have before certification.

O&M Funding Committee – There was no report but Mr. Gardner stated that it would be discussed at the Finance Committee meeting.

Legislative Committee – Mr. Gardner stated that the pending legislation on H.R. 3121 is currently not a signed bill. Although it has passed the House and Senate, it now needs to go to conference committee. It appears that Senators Lugar and Bayh, as well as the Congressman, voted for it. Although the residents are opposed to it and have looked to us to do something about it, it is a federal bill that we have no control over. Imad Samara stated that it has zero impact on this project.

Environmental Committee – There was no report.
Recreation Committee –There was no report.
Policy Committee - There was no report.
Other Business – There was none.

Statements from the Floor – -Mike Zarantonello of Southmoor Avenue in Hammond brought up several issues. He said he was still awaiting some answers to his questions; he is still uncertain why the Corps plans require as much of his property as is proposed; he is opposed to proposed bill H.R. 3121 and the affect it would have on residents; he questioned the proposed rip-rap in the area where trees are supposed to be left.
• Mr. Gardner reiterated that H.R. 3121 is a bill before Congress. A conference committee must first reconcile differences even before the President's signature. Congressman Visclosky issued a statement that he would report to the conference committee to represent

the interests of the 1st district residents. Imad Samara added that this project is a flood protection project and getting areas out of the flood plain is just a plus.

- **Resident Ron Albin stated his concern about a proposed roadway on his property. Imad Samara stated he would check with his office to confirm what will be on the property.**
- **Stacey Broutman expressed her concern about the proposed legislation 3121. She said that people were reluctant to sign the easement offer until they knew how this bill would affect them. Imad Samara added that FEMA will have to determine who will pay and how much would be paid and the difference it would be if you were protected by a levee. It was stated that the bill is being proposed to fund FEMA.**
- **Resident Kevin Cappo, representing several residences in the Monaldi sub-division, reiterated his concern about the Corps taking so much of their property. He prefers a floodwall but the plans show a levee behind their houses. He also expressed concern about the sediment that builds up in the river and even though it gets cleaned out, it comes back and the project will probably make it worse; thinks the river needs to be dredged. He agrees that the proposed legislation says everyone will have to flood insurance. He also questioned the elevation of the proposed levee since the Thornton Quarry is in place, maybe the levee in his area is actually "over-built".**
- **Mr. Gardner reiterated that the Commission is not the designers of the flood system. We are mandated to acquire the easements identified by the federal government, the U.S. Army Corps of Engineers. They have designed the project as close to the river as they can and still accomplish protection. Dredging of the river will not provide enough flood storage and flow capacity due in part to the high water table and the need to greatly expand river width. Further discussion can take place when an informational public meeting is scheduled.**

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

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION

MONTHLY BUDGET REPORT

	2008 BUDGET	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	ALLOCATED TOTAL	UNALLOCATED BUDGETED BALANCE
5801 PER DIEM EXPENSES	7,000.00	0.00	0.00	0.00	0.00	0.00	2,250.00	2,250.00	4,750.00
5811 LEGAL EXPENSES	3,500.00	283.33	283.33	283.33	283.33	283.33	283.33	1,699.98	1,800.02
5812 NIRPC SERVICES	149,000.00	13,001.37	0.00	14,085.52	14,033.34	15,022.21	26,479.89	82,622.33	66,377.67
5821 TRAVEL/MILEAGE	2,000.00	36.40	7.60	28.80	30.00	30.80	544.00	677.60	1,322.40
5822 PRINTING/ADVERTISING	1,000.00	985.04	0.00	0.00	0.00	0.00	0.00	985.04	14.96
5823 BONDS/INSURANCE	8,000.00	257.00	0.00	6,406.25	0.00	0.00	0.00	6,663.25	1,336.75
5824 TELEPHONE EXPENSES	6,500.00	793.07	561.95	530.28	478.15	622.82	582.55	3,568.82	2,931.18
5825 MEETING EXPENSES	3,000.00	0.00	0.00	0.00	0.00	59.20	70.00	129.20	2,870.80
5840 PROFESSIONAL SERVICES	842,539.00	84,750.52	67,775.93	114,554.88	90,076.24	58,099.53	49,047.65	464,304.75	378,234.25
5860 PROJECT LAND PURCHASE EXP.	842,539.00	15,545.00	21,510.00	25,369.00	29,019.00	150,078.00	25,272.00	266,793.00	575,746.00
5882 UTILITY RELOCATION EXP.	1,250,000.00	0.00	1,153.51	42,592.12	0.00	0.00	39,722.00	83,467.63	1,166,532.37
5883 PROJECT LAND CAP. IMPROV.	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5884 STRUCTURES CAP. IMPROV.	0.00	0.00	0.00	0.00	0.00	0.00	0.00	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	203,850.18	133,920.06	224,195.89	144,251.42	913,161.60	3,427,941.40

	2008 BUDGET	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	ALLOCATED TOTAL	UNALLOCATED BUDGETED BALANCE
5801 PER DIEM EXPENSES	7,000.00	0.00						2,250.00	4,750.00
5811 LEGAL EXPENSES	3,500.00	283.33						1,983.31	1,516.69
5812 NIRPC SERVICES	149,000.00	13,413.74						96,036.07	52,963.93
5821 TRAVEL/MILEAGE	2,000.00	38.28						715.88	1,284.12
5822 PRINTING/ADVERTISING	1,000.00	0.00						985.04	14.96
5823 BONDS/INSURANCE	8,000.00	0.00						6,663.25	1,336.75
5824 TELEPHONE EXPENSES	6,500.00	527.04						4,095.86	2,404.14
5825 MEETING EXPENSES	3,000.00	0.00						129.20	2,870.80
5840 PROFESSIONAL SERVICES	842,539.00	87,634.54						551,939.29	290,599.71
5860 PROJECT LAND PURCHASE EXP.	842,539.00	109,821.00						376,614.00	465,925.00
5882 UTILITY RELOCATION EXP.	1,250,000.00	35,448.79						118,916.42	1,131,083.58
5883 PROJECT LAND CAP. IMPROV.	0.00	0.00						0.00	0.00
5884 STRUCTURES CAP. IMPROV.	0.00	0.00						0.00	0.00
5892 PROJECTCOSTSHARE/ESC ACCT	**1,226,025.00**	0.00						0.00	1,226,025.00
	4,341,103.00	247,166.72	0.00	0.00	0.00	0.00	0.00	1,160,328.32	3,180,774.68

CLAIMS PAYABLE FOR JULY 2008

ACCT	VENDOR NAME	AMOUNT	EXPLANATION OF CLAIM
5811	CASALE ,WOODWARD & BULS LLP	283.33	MONTHLY RETAINER THROUGH JULY 24, 2008
5812	NIRPC	13,413.74	SERVICES PERFORMED JUNE 2008
5821	SANDY MORDUS	38.28	JULY MILEAGE
5824	VERIZON	167.41	BILLING PERIOD 7/16/08-8/16/08(TOTAL 292.96 KRBC 125.55)
5824	AT & T	359.63	BILLING PERIOD 6/14/08-7/13/08(TOTAL BILL 372.70,KRBC 13.07)
5841	GORMAN GROUP	2,400.00	APPRAISAL RE: DC-1397 & DC-1398
5841	VALE APPRAISAL GROUP	1,200.00	APPRAISAL RE: DC-1367
5843	MERIDAN TITLE CORP	100.00	TITLE WORK RE: DC-1227
5843	MERIDIAN TITLE CORP	100.00	TITLE WORK RE: DC-1340
5843	MERIDIAN TITLE CORP	120.00	TITLE WORK RE: DC-1246
5843	MERIDIAN TITLE CORP	120.00	ADDITIONAL TITLE WORK RE: D1246
5843	MERIDIAN TITLE CORP	100.00	TITLE WORK RE: DC-1321
5843	MERIDIAN TITLE CORP	100.00	TITLE WORK RE: DC-1322
5843	MERIDIAN TITLE CORP	100.00	TITLE WORK RE: DC-1324
5843	MERIDIAN TITLE CORP	100.00	TITLE WORK RE: DC-1325
5843	MERIDIAN TITLE CORP	100.00	TITLE WORK RE: DC-1326
5843	MERIDIAN TITLE CORP	100.00	TITLE WORK RE: DC-1328
5843	MERIDIAN TITLE CORP	100.00	TITLE WORK RE: DC-1329
5843	MERIDIAN TITLE CORP	100.00	TITLE WORK RE: DC-1330
5843	MERIDIAN TITLE CORP	100.00	TITLE WORK RE: DC-1331
5843	MERIDIAN TITLE CORP	100.00	TITLE WORK RE: DC-1332
5843	MERIDIAN TITLE CORP	100.00	TITLE WORK RE: DC-1334
5843	MERIDIAN TITLE CORP	100.00	TITLE WORK RE: DC-1335
5843	MERIDIAN TITLE CORP	100.00	TITLE WORK RE: DC-1374
5843	MERIDIAN TITLE CORP	105.00	TITLE WORK RE: DC-1358 INV#204913
5843	MERIDIAN TITLE CORP	522.00	TITLE WORK RE: DC-1358 INV#204917
5843	MERIDIAN TITLE CORP	425.00	TITLE WORK RE: DC-1327 INV#204954
5843	MERIDIAN TITLE CORP	105.00	TITLE WORK RE: DC-1327 INV#204943
5843	MERIDIAN TITLE CORP	425.00	TITLE WORK RE: DC-1392 INV#204601
5843	MERIDIAN TITLE CORP	425.00	TITLE WORK RE: DC-1392 INV#204600
5843	MERIDIAN TITLE CORP	105.00	TITLE WORK RE: DC-1392 INV#204599
5843	MERIDIAN TITLE CORP	105.00	TITLE WORK RE: DC-1314 INV#204968
5843	MERIDIAN TITLE CORP	425.00	TITLE WORK RE: DC-1420
5843	MERIDIAN TITLE CORP	105.00	TITLE WORK RE: DC-1389
5843	MERIDIAN TITLE CORP	425.00	TITLE WORK RE: DC-1389
5843	MERIDIAN TITLE CORP	255.00	TITLE WORK RE: DC-1366
5843	MERIDIAN TITLE CORP	590.00	TITLE WORK RE: DC-1366
5843	MERIDIAN TITLE CORP	105.00	TITLE WORK RE: DC-1390
5843	MERIDIAN TITLE CORP	425.00	TITLE WORK RE: DC-1390
5843	MERIDIAN TITLE CORP	475.00	TITLE WORK RE: DC-1355
5843	MERIDIAN TITLE CORP	105.00	TITLE WORK RE: DC-1355
5843	MERIDIAN TITLE CORP	425.00	TITLE WORK RE: DC-1224
5843	MERIDIAN TITLE CORP	105.00	TITLE WORK RE: DC-1224
5843	MERIDIAN TITLE CORP	105.00	TITLE WORK RE: DC-1130A
5843	MERIDIAN TITLE CORP	425.00	TITLE WORK RE: DC-1130A
5843	MERIDIAN TITLE CORP	425.00	TITLE WORK RE: DC-1130A
5843	MERIDIAN TITLE CORP	105.00	TITLE WORK RE: DC-1356
5843	MERIDIAN TITLE CORP	425.00	TITLE WORK RE: DC-1356
5843	MERIDIAN TITLE CORP	105.00	TITLE WORK RE: DC-1357
5843	MERIDIAN TITLE CORP	425.00	TITLE WORK RE: DC-1357
5843	MERIDIAN TITLE CORP	105.00	TITLE WORK RE: DC-1107
5843	MERIDIAN TITLE CORP	405.00	TITLE WORK RE: DC-1107
5843	JAMES E POKRAJAC	2,364.00	ENGINEERING/LAND AGENT 6/16/08-1-6/30/08
5844	JAMES E POKRAJAC	3,841.50	ENGINEERING/LAND AGENT 7/1/08-715/08
5844	JUDITH VAMOS	2,821.00	LAND ACQUISITION AGENT SERVICES 6/16/08-6/30/08
5844	JUDITH VAMOS	25.20	JUNE MILEAGE
5844	JUDITH VAMOS	3,623.90	LAND ACQUISITION AGENT SERVICES 7/1/08-7/15/08
5844	G. LORRAINE KRAY	1,066.38	CREDITING TECH & LAND ACQUISITION ASST 6/16/08-6/30/08
5844	G. LORRAINE KRAY	987.80	CREDITING TECH & LAND ACQUISITION ASST 7/1/08-7/15/08
5844	SANDY MORDUS	265.00	CREDITING TECHNICIAN SERVICES 6/16/08-6/30/08
5844	SANDY MORDUS	225.25	CREDITING TECHNICIAN SERVICES 7/1/08-7/15/08

ACCT	VENDOR NAME	AMOUNT	EXPLANATION OF CLAIM
5847	DLZ	1,110.00	PROFESSIONAL SERVICES RE: SVII (COLUMBIA & NORTHCO)
5847	DLZ	1,150.00	PROFESSIONAL SERVICES RE: SVII (COLUMBIA & NORTHCO)
5847	TORRENGA SURVEYING LLC	700.00	PROFESSIONAL SERVICES RE: DC-1361
5847	TORRENGA SURVEYING LLC	600.00	PROFESSIONAL SERVICES RE: DC-1363
5847	TORRENGA SURVEYING LLC	2,500.00	PROFESSIONAL SERVICES RE: DC-1397
5847	TORRENGA SURVEYING LLC	2,500.00	PROFESSIONAL SERVICES RE: DC-1398
5847	GARCIA CONSULTING	297.50	PROFESSIONAL SERVICES RE: DC-1201
5847	GARCIA CONSULTING	297.50	PROFESSIONAL SERVICES RE: DC-1202
5847	GARCIA CONSULTING	325.00	PROFESSIONAL SERVICES RE: DC-1203
5847	GARCIA CONSULTING	435.00	PROFESSIONAL SERVICES RE: DC-1204
5847	GARCIA CONSULTING	962.50	PROFESSIONAL SERVICES RE: DC-1209
5847	GARCIA CONSULTING	972.50	PROFESSIONAL SERVICES RE: DC-1210
5847	GARCIA CONSULTING	835.00	PROFESSIONAL SERVICES RE: DC-1212
5847	GARCIA CONSULTING	752.50	PROFESSIONAL SERVICES RE: DC-1213
5847	GARCIA CONSULTING	1,270.00	PROFESSIONAL SERVICES RE: DC-0592
5847	GARCIA CONSULTING	1,034.50	PROFESSIONAL SERVICES RE: DC-1015
5847	GARCIA CONSULTING	902.50	PROFESSIONAL SERVICES RE: DC-1173
5847	GARCIA CONSULTING	3,307.00	PROFESSIONAL SERVICES RE: DC-1174
5847	GARCIA CONSULTING	65.00	PROFESSIONAL SERVICES RE: DC-1301
5847	GARCIA CONSULTING	27.50	PROFESSIONAL SERVICES RE: DC-1304
5847	GARCIA CONSULTING	630.00	PROFESSIONAL SERVICES RE: DC-1317
5847	GARCIA CONSULTING	155.00	PROFESSIONAL SERVICES RE: DC-1320
5847	GARCIA CONSULTING	255.00	PROFESSIONAL SERVICES RE: DC-1321
5847	GARCIA CONSULTING	180.00	PROFESSIONAL SERVICES RE: DC-1322
5847	GARCIA CONSULTING	215.00	PROFESSIONAL SERVICES RE: DC-1323
5847	GARCIA CONSULTING	415.00	PROFESSIONAL SERVICES RE: DC-1324
5847	GARCIA CONSULTING	80.00	PROFESSIONAL SERVICES RE: DC-1325
5847	GARCIA CONSULTING	322.50	PROFESSIONAL SERVICES RE: DC-1340A
5847	GARCIA CONSULTING	1,665.00	PROFESSIONAL SERVICES RE: DC-1399
5847	GARCIA CONSULTING	10,517.50	PROFESSIONAL SERVICES RE: DC-13 utilrties
5847	GARCIA CONSULTING	165.00	PROFESSIONAL SERVICES RE: DC-12 utilrties
5847	GARCIA CONSULTING	3,427.50	PROFESSIONAL SERVICES RE: DC-12 UTILITIES
5849	CASALE ,WOODWARD & BULS LLP	20,125.01	LAND ACQUISITION/LEGAL SERVICES THROUGH 7/24/08
5849	CASALE ,WOODWARD & BULS LLP	121.00	UTILITY RELOCATION LEGAL SERVICES THROUGH 7/24//08
5849	HOEPPNER, WAGNER & EVANS LLP	575.00	LEGAL COST INCURRED-MEDIATION FEE ON DC-1175
5861	ANNE NAWOJSKI	8,707.00	PURCHASE PRICE OF DC-1370
5861	CENTIER BANK TRUSTEE UNDER TRUST 1533	30,000.00	PURCHASE PRICE OF DC-1304
5861	KAREN ZACNY	7,250.00	PURCHASE PRICE OF DC-1359
5861	DORTHY DOLNICS	3,265.00	PURCHASE PRICE OF DC-1322
5861	NORFOLK SOUTHERN RAILWAY COMPANY	16,350.00	PURCHASE PRICE OF DC-1169
5861	NIPSCO	36,100.00	PURCHASE PRICE OF DC-1112/1113
5861	SCHOOL CITY OF HAMMOND INDIANA	5,490.00	PURCHASE PRICE OF DC-1208
5861	GERRY CUELLER	2,500.00	PURCHASE PRICE OF DC-1387
5861	LAKE COUNTY RECORDER	144.00	TO RECORD EASEMENTS RE: DC-1302,1323,1362,1371, & 1388
5861	LAKE COUNTY RECORDER	15.00	TO RECORD EASEMENTS RE: DC-813
5882	TLC PLUMBING INC	9,574.00	UTILITY RELOCATION DAYLIGHTING SERVICES FOR SVIII
5882	TLC PLUMBING INC	15,904.50	UTILITY RELOCATION DAYLIGHTING SERVICES FOR SVIII
5882	SEH	9,970.29	UTILITY RELOCATION COORDINATION SERVICES RE: SVIII
	TOTAL	**247,166.72**	

APPROVAL TO PAY THE FOLLOWING INVOICES FROM O&M FUND AUGUST 6, 2008

- **$92.65 to T-Mobile for costs incurred for cell phone for engineer field work; monthly service 6/11/08 – 7/10/08**

STAGE VII – MUNSTER
(Northcote to Columbia, south of the river)

CLAIMS PAYABLE FOR JUNE &JULY 2008
TO BE DRAWN FROM MUNSTER – UP TO $302,000

Budget Code	DC Number	Amount
5860	DC-1229	$ 553
	TOTAL	$ 553

(Claim total previously approved and paid out - $ 211,467)

(After this payout, remaining monies from town of Munster - $ 90,533)

Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

PUBLIC INFORMATION MEETING

The Little Calumet River Basin Development Commission
and
The U. S. Army Corps of Engineers, Chicago District

are holding a joint meeting

WHEN: **Monday, July 21, 2008**

TIME: **6:30 – 8:30 p.m.**

WHERE: **Wicker Park Club House**
Highland, IN

PURPOSE: **Discuss with affected residents the engineering plans, river hydrology, and real estate easements needed in the Southmoor Road area of Hammond and the Monaldi Subdivision on River Drive in Munster.**

Offers have been made to owners of needed easements and questions have arisen that will be answered by Commission and Corps of Engineers officials/staff.

A project schedule for acquisition and construction bidding will be presented.

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
FINANCIAL STATEMENT
JANUARY 1, 2008 - JUN3 30, 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	
			376,712.54
RECEIPTS - JANUARY 1, 2008- JUNE 30, 2008			
LEASE RENTS		17,826.24	
INTEREST INCOME(FROM CHECKING)		781.54	
LAND ACQUISITION		889,941.64	
ESCROW ACCOUNT INTEREST		**8,876.81**	
MISC. RECEIPTS		49,828.80	
KRBC REIMBURSEMENT RE: TELEPHONE CHARGE		692.36	
TRANSFERRED FROM SAVINGS		12,089.76	
CITY OF MUNSTER FOR PROPERTIES		18,917.00	
TOTAL RECEIPTS			998,954.15
DISBURSEMENTS - JANUARY 1, 2008 - JUNE 30, 2008			
ADMINISTRATIVE			
2007 EXPENSES PAID IN 2008	68,261.17		
PER DIEM		3,400.00	
LEGAL SERVICES		1,699.98	
NIRPC		54,090.14	
TRAVEL & MILEAGE		872.00	
PRINTING & ADVERTISING		1,160.91	
BONDS & INSURANCE		6,738.25	
TELEPHONE EXPENSE		4,420.94	
MEETING EXPENSE		113.50	
LAND ACQUISITION			
LEGAL SERVICES		55,764.19	
APPRAISAL SERVICES		104,100.00	
ENGINEERING SERVICES		16,454.02	
LAND PURCHASE CONTRACTUAL		24,850.00	
FACILITIES/PROJECT MAINTENANCE SERVICES		0.00	
OPERATIONS SERVICES		52,660.00	
LAND MANGEMENT SERVICES		119,645.59	
SURVEYING SERVICES		102,123.22	
MISCELANEOUS EXPENSES		0.00	
ECONOMIC/MARKETING SOURCES		0.00	
PROPERTY & STRUCTURE COSTS		205,948.76	
MOVING ALLOCATION		0.00	
TAXES		0.00	
PROPERTY & STRUCTURES INSURANCE		0.00	
UTILITY RELOCATION SERVICES		61,626.21	
LAND CAPITAL IMPROVEMENT		0.00	
STRUCTURAL CAPITAL IMPROVEMENTS		0.00	
BANK CHARGES HARRIS BANK		22.00	
PASS THROUGH FOR SAVINGS		57,771.81	
PAYBACK TO SAVINGS			
TOTAL DISBURSEMENTS			873,461.52
CASH POSITION - JUNE 30, 2008			
CHECKING ACCOUNT			
LAND ACQUISITION		378,808.87	
GENERAL FUND		11,446.26	
TAX FUND			
TOTAL FUNDS IN CHECKING ACCOUNT		**390,255.13**	
CHASE SAVINGS ACCOUNT BALANCE		**78,374.91**	
(LAND ACQ IN HOUSE PROJECT FUNDS)	*38,054.35		
(O & M MONIES)	**34,417.78		
SAVINGS INTEREST	5,902.78		
TOTAL SAVINGS		78,374.91	
ESCROW ACCOUNT INTEREST AVAILABLE		22,445.49	
TOTAL OF ALL ACCOUNTS		**491,075.53**	

(-38,054.35)

(-5789.72)

(-20,720.62)

*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

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

Post Tribune
Thursday, July 3, 2008

Visclosky secures $27M for water infrastructure

Post-Tribune staff report

WASHINGTON — U.S. Rep. Pete Visclosky, D-Merrillville, announced that he has secured $27.15 million for Northwest Indiana's water infrastructure.

The funding is included in Visclosky's Fiscal Year 2009 Energy and Water Development Appropriations Act.

The Little Calumet River flood control project will receive $14 million for the construction of levees between Northcott Avenue and the Illinois line. Once complete, the project will include 22 miles of levees and flood walls that protect the residents and businesses of Gary, Griffith, Hammond, Highland and Munster.

The U.S. Army Corps of Engineers estimates that flooding on the Little Calumet River causes $11 million in damages annually.

The $950,000 for the Burns Waterway Small Boat Harbor will be used to dredge the approach channel, inner harbor and river. Natural sediment is clogging the waterway, impeding the flow of boat traffic. The dredged channel will allow recreational boaters to smoothly, safely navigate the waterway.

The $11.4 million for Indiana Harbor will be used for environmental cleanup efforts, with $8.4 million going toward the Confined Disposal Facility and $3 million going toward operations and management. The funding will help continue the ambient air monitoring and the operation of the groundwater treatment plant, complete construction of the groundwater gradient control system, and begin construction of the permanent waste water treatment plant.

The $800,000 for the Grand Calumet River will go toward an environmental dredging effort. The funding will be used to complete the feasibility study for the project, which is intended to improve water quality and enhance the aquatic and terrestrial habitats along the river.

Visclosky tabs funds for waterway projects

BY CHAS REILLY
creilly@nwitimes.com
219.662.5324

Four regional water infrastructure projects are poised to receive a total of $27.15 million, U.S. Rep. Pete Visclosky, D-Ind., announced Wednesday.

Visclosky secured funds for the Little Calumet River, Burns Waterway Small Boat Harbor, the Indiana Harbor and Canal Confined Disposal Facility and the Grand Calumet River, a statement from the congressman's office indicates.

"These investments in Northwest Indiana's infrastructure will increase public safety through improved flood protection and clean the bodies of water that support the area's economy," Visclosky said in the statement.

The Little Calumet River flood-control project will receive $14 million to construct levees to protect residents and businesses in Gary, Griffith, Hammond, Highland and Munster from flooding.

Another $950,000 will be used to dredge the approach channel, inner harbor and river at the Burns Waterway Small Boat Harbor.

The Indiana Harbor looks to receive $11.4 million, with $8.4 million of the funds going to the Confined Disposal Facility while $3 million will be used for operations and management.

The remaining $800,000 will be used for environmental dredging at the Grand Calumet River, Visclosky said.

The $27.15 million that Visclosky secured is part of the 2009 Energy and Water Development Appropriations bill.

The U.S. House Appropriations Committee approved the bill June 25, and the House and Senate now must approve it before it can be signed into law by the president.

14

Post Tribune
Thurs, July 3, 2008

Flood insurance reform looming for homeowners

New legislation may require coverage despite levee work

BY SUSAN BROWN
sbrown@nwitimes.com
219.836.3780

HAMMOND – As the federal levee project enters its last and largest phase, federal legislation passed 92 percent by the U.S. Senate in May has some Hammond home owners questioning whether they will have to pay flood insurance despite the levee coming their way.

Southmoor Road homeowners who oppose the levee project last month brought sections of the flood insurance reform legislation to the attention of the Little Calumet River Basin Commission. The commission is charged with overseeing the land acquisition and other requirements of the flood protection project now on a fast track for completion after 20 years of effort.

While the primary goal of the

See INSURANCE, A9

NEW LAWS

The flood insurance reform legislation would require at-risk areas, including those behind levees, to pay flood insurance.

LAWMAKER SUPPORT

Those lawmakers voting in favor of H.R. 3121 include Indiana U.S. Sens. Dick Lugar and Evan Bayh as well as U.S. Rep. Pete Visclosky.

The Times
Thurs. July 3, 2008

Insurance

Continued from A1

new levee system is to prevent damage from flooding, a potent side issue is the removal of thousands of property owners from the flood plain, relieving the property owners of the need to buy flood insurance.

But the flood insurance reform legislation would require at-risk areas, including those behind levees, to pay flood insurance.

Those lawmakers voting in favor of H.R. 3121 include Indiana U.S. Sens. Dick Lugar and Evan Bayh as well as U.S. Rep. Pete Visclosky.

Visclosky in recent years has been pushing hard for the levee project to come to a swift conclusion not only to ensure the safety of homeowners along the Little Calumet River but to lift the burden of having to buy flood insurance.

Flood insurance currently cost property owners some $1,200 annually or more.

Most recently, Visclosky and local officeholders also have encouraged completing the project to spur interest by developers.

But the reform package encourages communities to keep their flood insurance as a hedge against flooding damages. It also provides the potential for annual increases of 15 percent in premiums.

The legislation, prompted by flooding since 2005, includes a bailout for FEMA, which is more than $17 million in debt.

Dan Gardner, the commission's executive director, said the commission will continue its mission as mandated but he did not discount the homeowners' concerns.

Southmoor Road homeowners have strongly opposed the levee project, in part because they already have been excluded from the flood plain. They fear they will resume having to not only pay flood insurance but higher premiums when the levee is completed.

"Is this fair?" asked Southmoor homeowner Mike Zarantonello.

Commissioners refrained from speculating about the legislation, saying it was still open to interpretation.

"We'll just have to wait and see," said Commissioner Robert Huffman.

15

BILL THWARTING RELIEF EFFORTS

Visclosky to seek compromise to help lift flood insurance costs

BY SUSAN BROWN
sbrown@nwitimes.com
219.836.3780

HAMMOND | U.S. Rep. Pete Visclosky, D-Ind., on Saturday reaffirmed his support for flood insurance reform legislation while noting important differences between the House version he supported in September and the Senate version that passed in May.

Unlike the House bill, the Senate bill contains a provision that could mandate property owners living in special flood hazards, including areas behind levees and dams, to purchase flood insurance.

That potential runs counter to a major selling point behind the flood control project overseen by the Little Calumet River Basin Development Commission.

See FLOOD, A4

U.S. REP. PETE VISCLOSKY

THE PLAN

The flood control project has been perceived as not only a way to minimize flooding damage but also to lift property owners out of the flood plain, freeing them from having to buy flood insurance.

Flood

Continued from A3

More than 20 years in the making, the flood control project has been perceived as not only a way to minimize flooding damage but also to lift property owners out of the flood plain, freeing them from having to buy flood insurance. At Visclosky's urging, the project, which involves the construction of 22 miles of levees and flood walls in Gary, Hammond, Munster, Highland and Griffith, is on a fast track for completion by December 2009.

Visclosky in September had voted in favor of the House version of the reform package, which did not contain the provision that would require property owners along the levee to hold flood insurance. This May, Indiana lawmakers U.S. Sens. Dick Lugar and Evan Bayh voted in favor of the Senate version, which does include the provision.

Southmoor Road homeowners, who for a variety of reasons oppose the federal levee project now moving toward their Hammond neighborhood, recently took their concerns regarding the pending legislation to meetings of the Little Calumet River Basin Development Commission.

The homeowners already have successfully petitioned the Federal Emergency Management Agency to remove their properties from the flood plain so they are not required to purchase flood insurance. The homeowners foresee a Catch-22 situation: having an unwanted levee in their backyards and yet having to resume paying flood insurance. "Is this fair?" homeowner Mike Zarantonello asked the Little Cal River commission last Wednesday.

On Saturday, Visclosky sought to reassure residents of his commitment to the region's best interests.

"On Sept. 27, 2007, I voted for, and the House of Representatives passed, H.R. 3121, the Flood Insurance Reform and Modernization Act, which provides overdue and much-needed reforms to the National Flood Insurance Program and updates the program to meet the needs of our communities," he said in a prepared statement. "The bill has since been passed by the Senate with amendments that alter some of its key provisions. Given the differences between the House and Senate versions of the bill, and the impact the law would have on many residents of Northwest Indiana, I will do everything I can to make sure that the final House-Senate compromise is in the best interest of our area."

Visclosky said he believes a flood control system that protects people's homes and businesses is critical to ensuring a high quality of life and a positive business environment in the region. "An effective flood control system not only saves lives, but also reduces flood-related costs stemming from flood insurance premiums and post-flood recovery efforts," he said.

Visclosky said his commitment to flood control is evident in the federal funding he has regularly secured for the Little Calumet River and other flood control projects in Northwest Indiana.

Last week, Visclosky announced approval of an appropriations bill for 2009 allocating $27.15 million for critical water infrastructure in the area. The bill, which still must pass the House and the Senate, includes another $14 million for the Little Calumet River flood protection project. Last year, Visclosky secured $14.76 million for the project.

"The finished project will increase safety, protect people's property and reduce the high costs of flood insurance," he said in announcing the funding. "It cannot be completed soon enough."

16

CITY OF GARY
Department of
Environmental Affairs
839 Broadway N206
Gary, Indiana 46402
(219) 882 3000 / Fax (219) 882 3012

Rudolph Clay
Mayor

Geraldine B. Tousant
Deputy Mayor

Dorreen Carey
Director
dcarey@ci.gary.in.us

MEMORANDUM

TO: Little Calumet River Western Branch Watershed Management Plan Stakeholders

FROM: Dorreen Carey, Director, Environmental Affairs
GSWMD Watershed Management Plan Project Coordinator

DATE: July 1, 2008

RE: Thank You for Your Participation

Thank you for participating in the planning process for the Little Calumet River Western Branch Watershed Management Planning initiative. The Plan has been completed and is available on disk or for review at the City of Gary Department of Environmental Affairs office. If you would like to receive a copy of the final plan on disk, please contact me at the above telephone number.

Please find enclosed the Little Calumet River Western Branch Watershed Management Plan Brochure developed for public education and outreach as part of the planning process.

The Gary Storm Water Management District and the Department of Environmental Affairs look forward to working with you and other interested parties to identify a Coordinating Entity that can bring together governments, organizations, and the general public to implement the watershed plan.

If you wish to have additional copies of the brochure for distribution we will send them out or have them available in our office for pick up.

PROJECT ENGINEERING
MONTHLY STATUS REPORT

For meeting on Wednesday, August 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)
(Any additional data, or information, regarding modifications to contracts, pay requests, or changes in completion dates is available upon request) Handout to Commissions at April 2, 2008 meeting.
Report period is from May 30 – July 30, 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.
3. **INDOT Construction at I-65 and I-80/94**
   - INDOT submitted an email to the Corps on March 6, 2008 indicating their construction may impact some Little Cal culverts in this area.
   - Corps indicating they may only prevent backflow and could possibly be abandoned.
   - LCRBDC requested Corps review to abandon these because of inaccessibility for inspections or during flood fighting.
   - Corps is checking with IDNR permits to get concurrence to abandon.
   - **Sent email to Corps on July 25 requesting if these are abandoned and whether or not we should include these in our upcoming inspections.**
   - **Corps responded they need to amend an old permit. They indicated we could forego these inspections this year.**

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.
5. Some minor items need to be addressed before turnover.
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.
   - Received approval for incremental funding in the amount of $141,995 on March 11, 2008.
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.

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).
5. "As-built" drawings turned over to city of Gary on March 12, 2008 (Refer to O&M Report).
6. Received a letter from the Griffith Corps office on May 7, 2008 indicating the seeding and vegetation were unsatisfactory (This was within one year of substantial completion).

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. Corps approved request for total progress payment in the amount of $2,276,535.02 (paid to date) on March 11, 2008. Balance due date is December 17, 2007.

4. Received Modification #2 to contract on March 11, 2008 extending completion date by 10 days due to severe weather (Current date is July 30, 2008)
5. **Requesting cost information breakdown from Corps on July 25. Received information there is currently approximately a $53,623 running credit and an undetermined extra of approximately $111,348 (to be resolved)** 2-3

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 9includes options)
- Total awarded amount - $13,140,189.41
- Notice to Proceed issued October 17, 2007
- Current required Contract Completion Date – November 5, 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 **July 23**, 2008. (Minutes are attached) 4-7

B. Received the file from the Corps of the solicitation documents on September 14 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.

C. Received approved DNR permit (amendment) for Hart Ditch on April 14, 2008, allowing rip-rap and bank stabilization. (Additional information available upon request.)
- **Received IDEM public notice regarding Section 401 Clean Water Act on June 26, 2008** 8-9

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

A. LCRBDC Participation

1. LCRBDC completed a cost and status summary sheet (to date) as of May 7, 2008 with all the pipelines.
   > Costs approved by Corps – $ 1,737,334
   > **This cost is final summarization**

   NOTE: As of July 14, 2008 all agreements for the pipelines have been signed with the exception of T-Cubed (NSRR telecommunications line in conduit).
2. A current summarization table for the V-2 pipeline corridor **has been updated as of July 22, 2008.** 10-11

B. Huntington District Assistance

1. General Coordination
   - LCRBDC completed a status summary of current costs and actions on January 18, 2008.
   - **Their assistance greatly helped to do the multiple coordination tasks.**
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 (Completed)
1. Received memo from the Corps dated January 3 from the Huntington District indicating estimate of $204,551 to be fair and reasonable.
2. NIPSCO agreement sent out on March 4, 2008
3. Signed NIPSCO agreement was received on March 25, 2008

D. Conoco Phillips Pipe Line (Completed)
1. Received memo from the Corps dated January 14, 2008 from the Huntington District indicating estimate of $333,000 to be fair and reasonable.
2. Conoco Phillips agreement sent out on March 14, 2008
3. **Signed agreement dated July 11, 2008 was received on July 14, 2008** 12

E. T-Cubed (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.
   - Received cost estimate (in letter form) on March 11, 2008, in the amount of $18,800 to protect their fiber optic line and provide "on site" supervision during construction.
   - Received email response from "T-Cubed" engineering reviewer/facilitator that design is approved; sent to NSRR attorney on May 27, 2008.
   - **A letter was sent to NSRR attorneys on July 17, 2008 along with proposed agreement for review.** 13

F. Explorer Pipe Line (Completed)
1. Received memo from the Corps dated January 16, 2008 from the Huntington District indicating estimate of $187,779 to be fair and reasonable.
2. Explorer agreement sent out on March 10, 2008
3. **Signed agreement dated July 14, 2008 was received on July 14, 2008**

G. Wolverine Pipe Line Company (Completed)
1. Received memo from the Corps on 1/18/08 from the Huntington District indicating estimate of $102,200 to be fair and reasonable.
2. Wolverine agreement sent out on March 18, 2008
3. **Signed agreement on July 2, 2008; was signed on June 23, 2008** 14-15

H. Buckeye Partners (Completed)
1. 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.
2. Buckeye agreement sent out on March 17, 2008
3. Signed Buckeye agreement was received on May 15, 2008

I. BP Amoco Pipelines (Completed)
1. 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.
2. BP Amoco agreement sent out on March 7, 2008
3. Signed BP Amoco agreement was received on May 19, 2008

J. Marathon Pipeline LLC (Completed)

1. Received cost estimate from Marathon on February 27, 2008 concurring that the Marathon pipeline cost estimate for their 12" and 16" pipelines if fair and reasonable in the total amount of $210,000.
2. Signed Marathon agreement received April 25, 2008.

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 Indianapolis Blvd. and how it will impact their pump station design near the Tri-State bus terminal.
      - **Received an INDOT "18 month construction letting list" as of May 1, 2008 showing different phases/dates for their project.**

   B. Pump Station Coordination
      - United Consulting sent a letter to the Corps on February 29, 2008 regarding their design, and asked for review and comments regarding impacts to our construction.
      - The Corps responded back on March 21, 2008 indicating what compliances will be required and provided details regarding penetrations.
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.
      - A meeting was held with Highland and their representatives, the Corps, and the LCRBDC on March 24.
      - Several options were discussed including jib cranes, access ramps, and zodiacs. Corps will consider. (Ongoing)
5. Miscellaneous Utility Coordination
   A. Garcia L.E. completed the location survey behind K-Mart for the trench for NIPSCO and AT&T on May 22, 2008 at the request of the Corps to determine any modifications to design.
      1. **The Army Corps indicated that the cost to install sheet piling in lieu of the original proposed levee was prohibitive and wanted us to proceed with the relocation on June 4, 2008.**
      2. **Met with NIPSCO and Torrenga Engineering (representing property owner for development).**
         - **NIPSCO will need to get utility easement from property owner.**
      3. **Torrenga presented comprehensive plan to Corps on June 18 for engineering review and comment.** 17-18
         - **Coordination completed. Torrenga presented plan to Hammond on July 21; should get final approval next meeting on August 18.**
      4. **NIPSCO easement is part of that approval. Design, ordering material, providing cost estimates, and scheduling re-location are pending this approval.**

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

1. Low Bidder was Illinois Constructors Corporation (awarded September 30, 2004)
   - Original Contract Amount - $6,503,093.70
   - Current Contract Amount – $7,563,971
   - Amount of Total Payments, to date - $7,038,697.33 (as of 1/21/08)
   - 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
   - **With miscellaneous issues remaining, a second final will be scheduled.**
   - **Had progress meeting with I.C.C. and the Corps on July 245, 2008 to review remaining items.** 19-22

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 - $5,734,158
   - Amount of Total Payments, to date, $5,238,794 (as of 12/12/07)
   - 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
   - **With miscellaneous issues remaining, a second final will be scheduled.**
   - **Had progress meeting with I.C.C. and the Corps on July 24, 2008 to review remaining items.** 19-22
   - **Discussion of non-conforming levee embankment material (Sta. 7N23+00 to Sta. 38+00-1500 lin.ft) requires contractor to comply with Army Corps letter dated May 29, 2008.** 23-25
4. Received a copy of a letter from Krosan Development dated March 5, 2008 (received March 10) applying for permits to construct from Hammond.

STATUS (Stage VI – Phase 2) Liable 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. Correction will be done in the spring of 2008.

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.
   - A letter was sent to BP Amoco on May 5, 2008 requesting response to 50% review drawings where (3) pipeline cross throughout this stage.
4. 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.
5. The 50% BCOE engineering review drawings and specs were received from the Corps on April 30, 2008 and distributed to all reviewers on May 1.
   - The Corps had an engineering meeting for 50% review with the LCRBDC in the morning (including a field visit), and an utility coordination meeting in the afternoon on May 19, 2008.
6. **Received 100% review plans & specs from Corps on July 29. Distributed for final comments & review July 30, 2008.**
7. Stage VII Utilities
   - **A. A summarization table was comprised showing five (5) different entities that will require agreements regarding easement impacts, and three (3) actual utility re-locations.**
     - **Location information is currently being obtained for each of the 5 utilities showing easement locations.**
   - **B. The Army Corps requested daylighting (expose pipes to get GPS elevations and locations) for 11 different locations to complete 100% drawings for information to contractor and proximity to line of protection.**
     - **A spreadsheet was completed and sent to the Army Corps**
     - **Agreement was signed and daylighting started June 16.**

26 27 28

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

1. 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.
   - Received an updated Stage VIII project schedule for the Buffalo Corps regarding design, dates for advertising, completing plans & specs, and overall project schedule (updated as of 2/15/08)
2. SEH has been contracted out by the LCRBDC to provide utility coordination.
   - A. After approval by the Commissioners at the April 9, 2008 meeting, the contract was amended to include additional work, as requested by the Corps, in the amount of $19,586.
     - The spreadsheet for underground utilities was submitted to the LCRBDC on May 21 (There are 12 locations – 2 NIPSCO, 3 Munster Water Works, and 7 combined

sewer with HSD)

B. Contracted out TLC Plumbing to do daylighting to get elevations and location of a 12' NIPSCO pipeline for design as requested by the Buffalo Corps
   - **This work was completed and data was forwarded to the Corps**
   - **To switch from levee to I-wall in this area would cost approximately $140,000 additional. The utility re-locate would cost approximately $200,000. Corps agreed to make change.** 29

C. Daylighting contract for Stage VII & Stage VIII underground utilities
   - **A spreadsheet was put together for Stage VIII daylighting. There are (12) different locations with 3 different entities: NIPSCO, HSD, and town of Munster.** 30

3. 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.
      - **A letter was sent to the residents of Southmoor Road on June 4, 2008 by the LCRBDC addressing a series of questions and concerns from the residents. (city of letter and attachments available upon request)**
      - **A final informational meeting with the Corps and LCRBDC was held at Wicker Park on July 21 to answer questions and address concerns with the Southmoor and Monaldi sub-division residents.** 31
4. DC-1315 (NICTD)
   - A meeting was held with NICTD on April 22, 2008, to present easement agreements (see Land Acquisition report).
   - Final engineering data was sent to NICTD on 5/29/08 which should complete their request.
5. DC-1300 (Riverside Park)
   - A field meeting was held with the Hammond Parks Dept., City Engineer's office, Army Corps, and the LCRBDC on April 2, 2008.
   - Notes of this meeting were forwarded to all attendees on April 10, 2008, requesting any questions or clarifications.
   - An email was sent by Hammond Parks attorney on May 21 requesting a meeting on site to determine boundaries for staging area.

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 word and preconstruction issues
   - A follow-up email was sent to the Corps on March 21, 2008 requesting status, or if minutes were distributed. (Status report not received.)

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.

- Received an email from the Corps indicating proposals for this project are due by the end of May; contract to be awarded by the end of June.

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. 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.
   - LCRBDC used past format for pump stations in getting easements signed & approved on March 19, 2008. Existing legals for permanent levee easements have been modified to exclude the actual pump station buildings as a "Perpetual Pump Station Easement".
3. The easement agreements for both Forest Ave. and Tapper were presented to the HSD for signatures on April 15, 2008 and are now signed 32-33
4. A pre-bid conference was held by the Corps on April 30, 2008, including site visits.
5. **ROE for both pump stations signed on April 16, 2008. Forwarded to Corps on June 11, 2008.** 34-36

Pump Station – Phase 2B

1. 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.
2. Easement agreements are now signed (Refer to Land Acquisition Report)
3. Received the 100% BCOE review set from the Army Corps Huntington district on 3/21/08.

- The 100% review meeting and plan-in-hand check were held on April 3, 2008 (memo for record was issued on April 18, 2008).

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
2. Site visit was held with several residents on September 15, 2006
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.
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)
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.
6. Requested information from Hammond City Engineer on May 4, 2007
7. Resident sent letter to LCRBDC on October 14, 2007
8. Sent "as-builts" to Corps on 2/19/08. Corps responded we need real estate.
9. Submitted agreements to GLE Surveying on April 17, 2008, for ten (10) separate parcels (received signed agreement on April 22, 2008).
    - Letter sent to residents on May 1, 2008 informing them of upcoming acquisition, engineering process, and general information.
10. **Field survey work completed July 16, 2008. Final layouts being completed and will forward to Corps.**

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. Received infrastructure drawings from the town of Griffith on February 18 (dated February 15) for water, storm, and sanitary lines.
    - Transmitted to Corps on February 19, 2008
    - Received past correspondence, soils information, drawings, permits, IDNR approvals, etc. from the town of Griffith (as prepared by Lawson-Fisher Associates) on February 27, 2008.
    - This was submitted to the Corps on March 14, 2008. It can supplement previous information that can be part of the Corps review after the April inspection.
4. An inspection was held on the Griffith levee on April 10 with representatives from Griffith, the Army Corps, and the LCRBDC.
    - **Received the final copy of the Army Corps "Initial Eligibility Inspection Report " on July 14, 2008.** 37-38
5. **An initial meeting was held with Christopher Burke Engineering on July 2 to discuss the process and scope of work necessary to certify the Griffith levee as discussed in the review set of the USACE levee certification report.** 39-40
6. **A follow-up conference call was held on July 10, 2008 to discuss certification as part of the Corps levee system. Anticipated tasks (sheet) was discussed for responsibilities.** 41-43
7. **A proposal was submitted to the LCRBDC dated July 18, 2008 (received July 24) for professional engineering for this levee in the amount of $85,000**
    - **This will be discussed at the August 6 LCRBDC board meeting for approval.** 44-46

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. Received an email (and details) from the Corps on May 15 indicating the use of pre-cast concrete panels that will be included for the contractor to bid on for Stage VII and VIII

- Good option. Takes less time to install on site and is less invasive to the property owners

Jim Pokrajac

From: "Ackerson, Rick D LRC" <Rick.D.Ackerson@usace.army.mil>
To: "Jim Pokrajac" <jpokrajac@nirpc.org>; "Rochford, William A LRC" <William.A.Rochford@usace.army.mil>
Cc: "Schmidt, Joel L LRC" <Joel.L.Schmidt@usace.army.mil>
Sent: Friday, July 25, 2008 12:05 PM
Subject: RE: I-80/94 Cross Pipe (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Jim,

Jomary from permits sent an e-mail a while back after she looked into the archives regarding these culverts. Per her e-mail we would need to put together an ammendment to the old permit. We would need to show that removing the gates would have no impact per Indiana requirements - 0.15 ft).

Joel has been looking into the INDOT plans for the I-80/94/ I-65 interchange regarding tieback issues on the east end and it looks as though these two issues are related so will need to be resolved together.

Timewise it will not be possible to resolve the issue with Indiana permits before our inspections. At this point, in my opinion we could forego the inspection on the sluice gate on the pipe that crosses I-65 for this year. Regarding the three flapgates north of I-80, they probably should be checked to be sure they are not blocked and can open.

Thanks,

Rick

-----Original Message-----
From: Jim Pokrajac [mailto:jpokrajac@nirpc.org]
Sent: Friday, July 25, 2008 10:45 AM
To: Rochford, William A LRC; Ackerson, Rick D LRC
Cc: Schmidt, Joel L LRC
Subject: Re: I-80/94 Cross Pipe (UNCLASSIFIED)

Has this issue been resolved? With our upcoming inspections, and ongoing O&M, I ,was hoping we could eliminate these culverts/flap gates from the project. They are so isolated that they almost take a half a day to visit to inspect. Also, with all the work going on right now for the Indot- I-80/94 and I-65 work maybe they are not even needed any more. Please let me know if we should include these in our upcoming inspections.

Thanks,

Jim

Jim Pokrajac

From: "Edd, Sheldon D LRC" <Sheldon.D.Edd@usace.army.mil>
To: "Jim Pokrajac" <jpokrajac@nirpc.org>
Cc: <dgardner@nirpc.org>; "Sandy Mordus" <smordus@nirpc.org>; "Samara, Imad LRC" <Imad.Samara@usace.army.mil>; "Smith, Kent A LRC" <Kent.A.Smith@usace.army.mil>; "Lavicka, Kelsey W CPT LRC" <Kelsey.W.Lavicka@usace.army.mil>; "Craib, Robert A LRC" <Robert.A.Craib@usace.army.mil>
Sent: Friday, July 25, 2008 1:18 PM
Subject: RE: Burr Street Phase 2 East (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

The following mod is finalized:

Deleting outlets at Sta 58+40 and 82+67
Credit of 297,117.71

The following mods are negotiated and in paperwork process

Rubble, piping and soft foundations Stations 64+00 to 70+00 Add
of $15,665.56
Extra stripping of muck and backfill South of NSRR Add
of $187,829.00

The following mod is mostly negotiated, assume this for now

Miscellaneous, ramp width, grading west of Burr, etc. Add
of $40,000.00

Subtotal of changes so far, prior to subject change
credit of $53,623.15

Now please be aware that we have not figured final quantities as of yet, and these projects have a way of growing, have never seen one shrink. The largest part of this project is the dirt work, and we have not seen the final surveys and quantities yet.

Therefore, at this time, if all goes as above and we are not able to cut their price on the additional sheeting at the West RR Closure:

Running credit of $53,623.15 plus the add of $111,348.02 (as below) equals net ADD of $57,724.87 PLUS FINAL QUANTITIES VARIATIONS.

Hope that helps.

Some issues that have driven the 16 feet of sheet piling up and the reason for the high $111,348.02 proposal

Traffic control on Burr
Insurance because of the nearby RR
Working under high voltage wires (probably the most expensive part of the job, in my mind)
Small amount of work, always expensive to do small complicated jobs.
Have to mobilize back in and out since equipment has been off site since this mod process started
High price of steel
Etc.

As always, we will negotiate to the best of our abilities.

Sheldon

-----Original Message-----
From: Jim Pokrajac [mailto:jpokrajac@nirpc.org]
Sent: Friday, July 25, 2008 11:40 AM
To: Edd, Sheldon D LRC
Cc: dgardner@nirpc.org; Sandy Mordus
Subject: Re: Burr Street Phase 2 East (UNCLASSIFIED)

Sheldon,

I do recall something of this nature from last year, but it has been so long ago and so busy since. We discussed a series of major changes that seemed to balance out the final contract cost; something about eliminating some control structures, ramp modifications, something with drainage, etc. Could you help me out with the final, or current charges relative to the original contract amount? As you know, the LCRBDC is responsible for this segment as a "Betterment" and the corps has made some money available from "Floodproofing". Money is such a key issue with us right now, and we have provided the corps money ahead of time for escrow, but we need to know about money right now. Offhand I don't recall seeing modifications to the project as they progressed and we have had no progress meetings

Jim

From: "Edd, Sheldon D LRC" <Sheldon.D.Edd@usace.army.mil>
To: "Jim Pokrajac" <jpokrajac@nirpc.org>
Cc: "Lavicka, Kelsey W CPT LRC" <Kelsey.W.Lavicka@usace.army.mil>; "Samara, Imad LRC" <Imad.Samara@usace.army.mil>; "Craib, Robert A LRC" <Robert.A.Craib@usace.army.mil>
Sent: Friday, July 25, 2008 7:35 AM
Subject: Burr Street Phase 2 East (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Agenda

PROGRESS MEETING NO. 16

July 23, 2008, 9:00 AM

LITTLE CALUMET RIVER LOCAL FLOOD PROTECTION

W912P6-07-C-0011 STAGE 5 PHASE 2

USACE Field Office, Highland, IN

1. **Participants:** KENDALL ZABOWSKI MIKE LOMBROSKI

USACE:
Scott Babcock
Doug Anderson - Phone
Kent Smith
Sheldon Edd
Roberto Paredes

Dyer:
Greg Furman
Jeff Horgash

Other Agencies:
Dennis Simala – N. Township
John Bach (Highland)
Jim Pokrajac (LCRBDC) - phone

2. **Progress:** Actual thru July 23: 44% $6.0 M Scheduled thru August 6 46% $6.3 M

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

Obligated Amount: $11,732,710.61

Current Required Completion Date: November 5, 2009
Current Approved Change Orders/RFP's: $9,482.88
Current options awarded: $502,491.56
Current Contract Amount: $13,652,163.85
Payments to Date: $4,659,956.00

---

3. **Work Since Last Meeting**

a. Moved formwork to N. Drive. Concrete walls are being placed.
b. 5N clay being imported.
c. Wicker park clay work has begun

d. Wicker park additional environmental information has been resubmitted to USACE
e. Sauk stockpile has been cleared, some additional information was required of the transmittal
f. Some submittals were negotiated, applicable updates sent to USACE

4. **Work Expected or Scheduled Within Next Two Weeks:**

a. Concrete and impervious fill
b. RFP resolution

5. **Critical Work Activities in Project Schedule:**

a. Earthwork and concrete phases of construction

6. **Old Business:**

a. .

Agenda
PROGRESS MEETING NO. 16
July 23, 2008, 9:00 AM

7. New Business:

a. .

7.1 Potential Conflicts Requiring Resolution:

a. .

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

a. .

7.3 Local resident/community official inquiries concerning the job, press releases, and articles in the press:

a. .

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

a. .

7.5 Potential problems concerning the plans or specifications not listed in the field changes below

a. .

7.6 Safety of present operations

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 and steel toed footwear while within the work limits regardless of work performed or visit duration.

a. Earthwork
    i. Backing, Pinch points
    ii. Tripping hazard
    iii. Public traffic safety
b. Concrete
    i. Material – caustic
    ii. Equipment and forms, falling, backing, tying off
c. Heat
    i. Stay cool and drink water
d. Roadway
    i. Caution for vehicles

8. Submittal Status:

Outstanding Submittals (submittals not returned within 30 days):

a. .

Agenda
PROGRESS MEETING NO. 16
July 23, 2008, 9:00 AM

Key Submittals in Review:

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

a. Wicker Park environmental sampling requested info.
b. Topsoil variance request.

Upcoming Submittals:

a. .

9. **Field Changes/Modifications:**

a. RFP 0001 SS005: Rescinded upon USACE request based on riprap. A new RFP will be issued in the future for Riprap in the North drive location and along Hart Ditch.
b. RFP 0002 SS011 Buried Debris at Hawthorne Dr. –issued on 2-26-08, revision #3 returned to USACE on 3-6-08. Modification has been **issued.**
c. RFP 0003 SS003 Access ladder cages –issued on March 17, Response sent 3-21-08. Negotiated again on 7-9-08. **USACE acceptance needed.**

d. RFP 0004 SS013 Demolish the USGS gauging station –issued April 1, 2008. Dyer response sent 5-13-08, 6-17-08. Modification **issued.**
e. RFP 0005 SS005 North Drive sheet piling lengths –issued April 2008, replaces RFP #0001which Dyer rescinded at USACE request based on riprap. An additional RFP will be forthcoming at some point for the riprap. Dyer response sent 5-14-08. **USACE acceptance needed.**

f. RFP 0006 SS024 Adjustment to footprint of levee in 5S –issued 4-28-08. Modification **issued.**
g. RFP 0007 SS026 Removal of foundations in levee footprint, drain tile, gravel lens. Dyer response sent 5-15-08. Some of this work may be modified by the RFP 0015. **USACE response needed.**

h. RFP 0008 SS022 18" Corrugated pipe not on plans discovered to have been severed by sheet piling at Parkway Drive – issued 5-14-08. Dyer response sent 5-23-08. **USACE acceptance needed.**
i. RFP 0009 SS025 2 new sheet pile retaining walls – issued 5-16-08. Dyer response sent 6/25. **Rescinded** by USACE 7/2

j. RFP 0010 SS017 North Drive realignment for safety and power lines – issued 5-21-08 response sent 6-6-08. **USACE acceptance needed.**
k. RFP 0011 SS027 Stainless fasteners/bituminous coating ped. Bridge Indy and East of Kennedy – issued 5-27-08, response sent 6-3-08. **USACE acceptance needed.**

l. RFP 0012 SS006 Fence in Wicker Park – 5' chain link & Barb wire to become 6' no barb wire and changes in the levy top trail – deletion. USACE sent RFP mid-June (undated letter) Dyer **response needed**

Agenda

PROGRESS MEETING NO. 16

July 23, 2008, 9:00 AM

m. RFP 0013 SS023 96" pipe: USACE District redesign of 96" gatewell location and dimensions. 96" pipe not needed to be removed completely. RFP sent 6-17-08. Dyer response sent 7-6-08, Sent updated response 7/14 due to change in the wall overhang. USACE acceptance needed

n. RFP 0014 SS020 Baring Ave. Pump station and overflow rerouting. Received 6/27 Dyer **response needed**

o. RFP 0015 SS031 Seepage cutoff received 6/30, USACE looking for feedback. next PZ22 and PZC13 rolling will be October. Dyer and USACE are coordinating efforts to come up with the best solution for this area. Dyer **response needed**

p. RFP 0016 SS016 Hart Ditch Riprap sent 7/2. Dyer response sent 7-17-08. USACE response pending.

q. Sheet pile lifting hole – patching: Contractor sent USACE request for equitable adjustment on March 31, 2008, pending review. Lifting holes in the flange of the sheet pile section in part of the Baring Ave. I-Wall will need to be patched. Dyer sent new request for equitable adjustment 5-30-08. This was based upon actual hours worked. **USACE response needed**

The next progress meeting is scheduled for August 6, 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.

Comments or questions? 219-865-2961 or jshaner@dyerconstruction.com

- KEN. AVE - INT PILING
- N. SD - W. OF KEN
- MPSTO CORR.
- ELEC. OPER. FOR SLUICE GATES

RECEIVED JUN 2 6 2008

Indiana Department of Environmental Management
Office of Water Quality
Wetlands Section

Publication Date:
June 23, 2008

Closing Date:
July 14, 2008

PUBLIC NOTICE

IDEM ID Number:
2004-596-45-MTM-B

Corps of Engineers ID Number:

To all interested parties:

This letter shall serve as a formal notice of the receipt of an application for **Section 401 Water Quality Certification** by the Indiana Department of Environmental Management (IDEM). The purpose of the notice is to inform the public of active applications submitted for water quality certification under Section 401 of the Clean Water Act (33 U.S.C. § 1341) and to solicit comments and information on any impacts to water quality related to the proposed project. IDEM will evaluate whether the project complies with Indiana's water quality standards as set forth at 327 IAC 2.

1. Applicant: U.S. Army Corps of Engineers
Chicago District
111 North Canal Street
Chicago, IL 60606-7206

2. Agent: Little Calumet River Basin Development Commission
6100 Southport Road
Portage, IN 46368

3. Project location: Sectons 16, 17, 20, 21, Township 36 North and Range 9 West, Highland USGS Quad.
The banks of the Little Calumet River between Northcote and Kennedy Avenue in Hammond and Munster

4. Affected waterbody: Little Calumet River in Lake County.

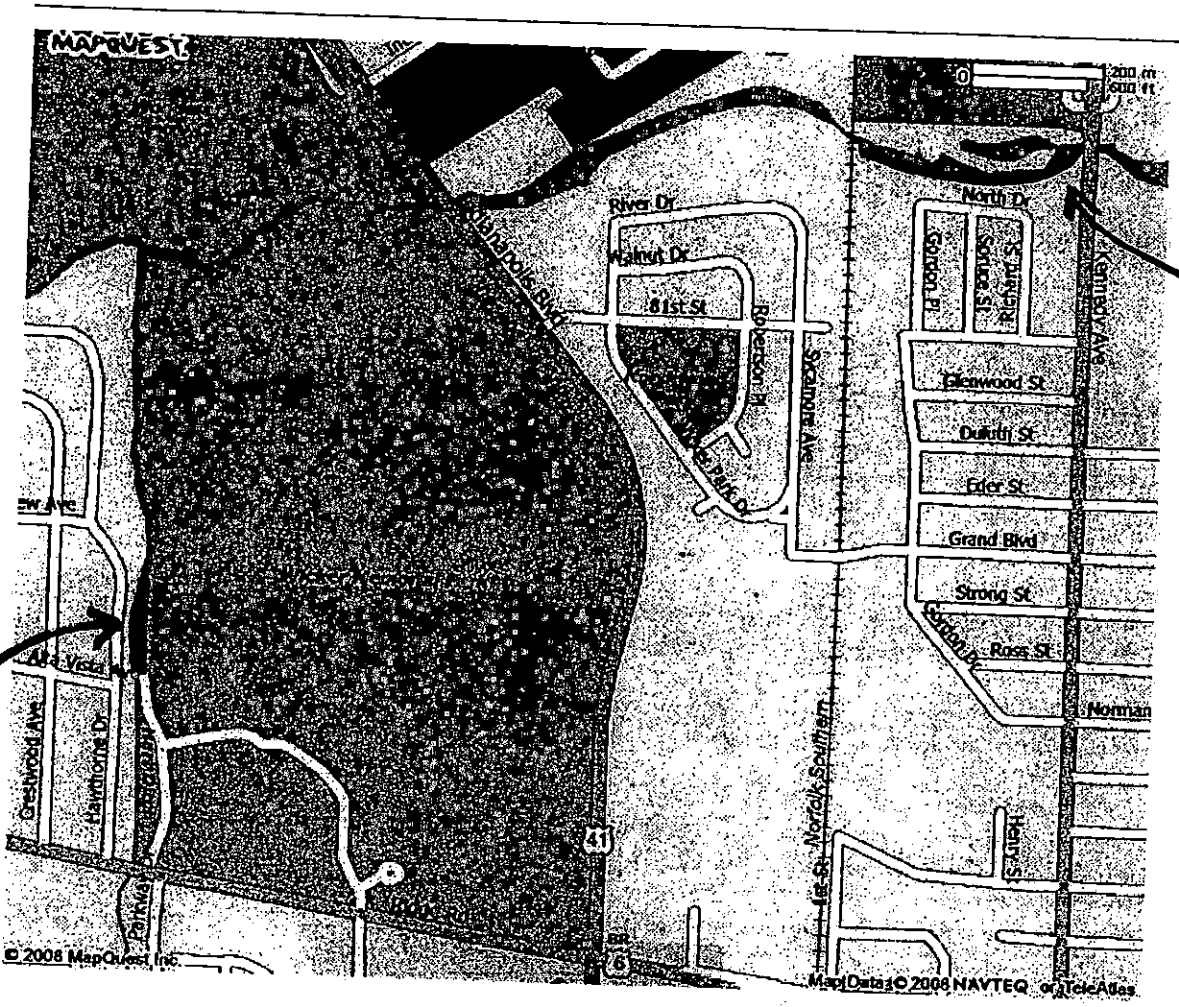
5. Project Description: The applicant is requesting a modification of Section 401 Water Quality Certification No. 2004-596-MTM-E for the Little Calumet River Flood Control Project. It now also proposed to discharge approximately 276 cubic yards of riprap along approximately 450 linear feet of Hart Ditch. It is also proposed to discharge approximately 758 cubic yards of riprap along 1,050 linear feet of the Little Calumet River. The riprap will cover approximately 10,900 square feet (0.25 acre) of the banks of Hart Ditch and 14,700 square feet (0.34 acre) of the banks of the Little Calumet River. Approximately 300 cubic yards of material will be dredged from Hart Ditch to prepare for the placement of riprap. The banks of the river in the project area will require minor bank shaping.

Comment period: Any person or entity who wishes to submit comments or information relevant to the aforementioned project may do so by the closing date noted above. Only comments or information related to water quality or potential impacts of the project on water quality can be considered by IDEM in the water quality certification review process.

Public Hearing: Any person may submit a written request that a public hearing be held to consider issues related to water quality in connection with the project detailed in this notice. The request for a hearing should be submitted within the comment period to be considered timely. The request should also state the reason for the public hearing as specifically as possible to assist IDEM in determining whether a public hearing is warranted.

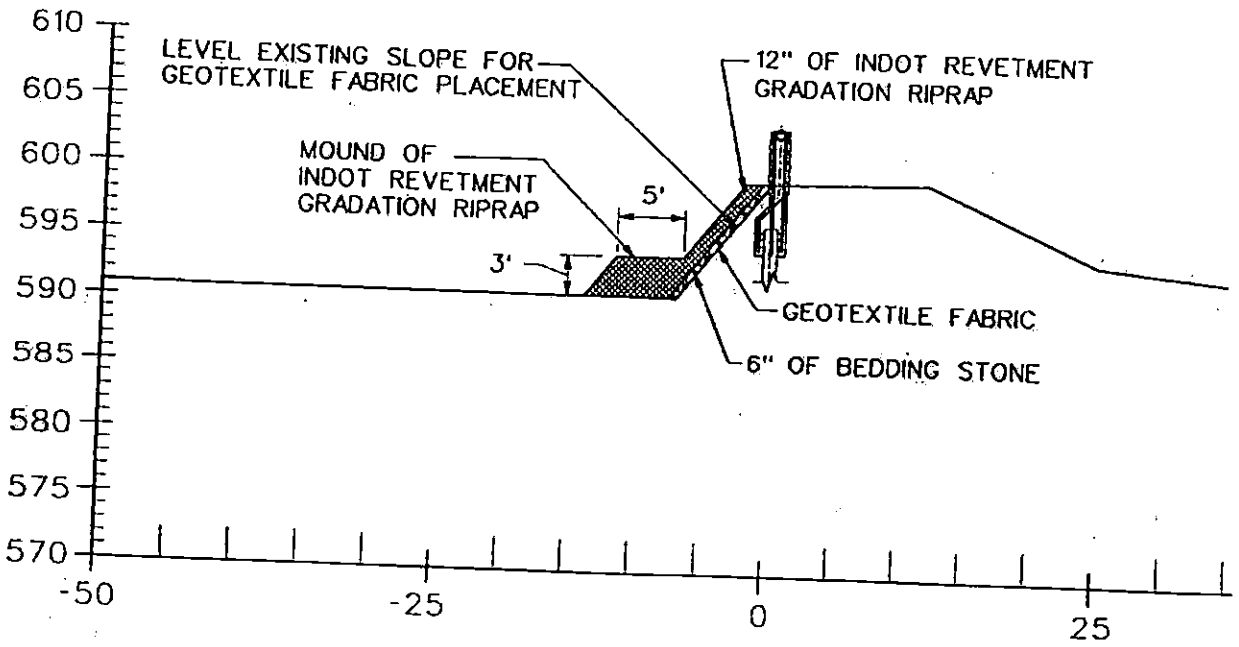
Questions? Additional information may be obtained from Mr. Marty Maupin, Project Manager, at 317-233-2471. Please address all correspondence to the project manager and reference the IDEM project identification number listed on this notice. Indicate if you wish to receive a copy of IDEM's final decision. Written comments and inquiries may be forwarded to -

Indiana Department of Environmental Management
100 North Senate Avenue
MC65-42 WQS IGCN 1255
Indianapolis, Indiana 46204-2251
FAX: 317/232-8406



Riprap

Riprap



STA. 6S 4+00 TO 6S 14+50
TYPICAL RIPRAP DETAIL FOR THE NORTH DRIV

N.T.S.

STAGE V - PHASE 2
NIPSCO R/W - PIPELINE CORRIDOR

COMPANY	PRIME CONTACT	PIPE SIZE	EST. COST	HUNTINGTON APPROVED AND SENT TO CHICAGO	LOCAL CONTACT	ARMY CORPS APPROVAL DATE	AGREEMENT SENT TO UTILITY	RESPONSE FROM UTILITY – WORKING TO RESOLVE	AGREEMENT APPROVED BY UTILITY
Buckeye Partners 9999 Hamilton Blvd Tek #5 Breinigsville PA 18031	Don Samala dsamala@buckeye.com (Re-location Engineer) (610) 904-4303	10"	$117,456.00	12/6/2007	Gene Pugh (Field Rep) (219) 781-6357 (cell) (219) 989-8603 Al Kosior (Engineer) akosior@buckeye.com (219) 397-3656 (Ext.2125)	12/6/2007	3/17/2008 (Follow-up request sent on 4/27/2008)		4/3/2008
Buckeye Partners 9999 Hamilton Blvd Tek #5 Breinigsville PA 18031	Don Samala dsamala@buckeye.com (Re-location Engineer) (610) 904-4303	14" (Formerly Equilon line)	$117,456.00	12/6/2007	Gene Pugh (Field Rep) (219) 781-6357 (cell) Office (219) 989-8603 Al Kosior (Engineer) akosior@buckeye.com (219) 397-3656 (Ext 2125)				
Buckeye Partners 9999 Hamilton Blvd Tek #5 Breinigsville PA 18031	Don Samala dsamala@buckeye.com (Re-location Engineer) (610) 904-4303 (Formerly Transmontaigne line)	8" 8"	$60,878.00 $145,878.00	12/6/2007	Gene Pugh (Field Rep) (219) 781-6357 (cell) (219) 989-8603 Al Kosior (Engineer) akosior@buckeye.com or 313-6289 (cell)				
BP Amoco 8230 Whitcomb Merrillville IN 46410	Dane Graham dane.graham@bp.com (630) 414-0011 (cell)	8" (E. of East NIPSCO R/W Line) 22"	$119,667.50 $119,667.50	(From BP Amoco on 12/6/07)	Ms. Marcie Foster R/W Specialist marcie.foster@bp.com Main Office: 28100 Torch Pkwy, Ste.600 Warrenville IL 60555 (630) 836-3461 (630) 836-3585 (fax)	12/6/2007	3/7/2008 (Follow-up request sent on 4/27/2008)		5/19/2008
Wolverine (formerly EXXON/Mobil) 8075 Creekside Drive Suite 210 Portage MI 49024	Fred Hipshear (269) 323-2491 (Ext. #24) (269) 217-5158 (cell) fred_hipshear@wplco.com	16" 18"	$102,200.00	August 7, 2007	Scott Smith Damage Prevention Specialist scott_smith@wplco.com (815) 838-8160 (815) 325-5357 (cell)	1/18/2008	3/18/2008	Submitted modified agreement to Wolverine on 6/26/08	7/7/2008
NIPSCO 801 E. 86th Avenue Merrillville IN 46410	Mark Pasyk (219) 647-4299 mlpasyk@nisource.com	8" 12" 30"	$204.551.00	August 26, 2007	Frank Janosi Electric Tansmission Engineer (219) 886-5560 Neal Arndt Gas Transmission Engineer nearndt@nirsource.com (219) 647-4779	1/3/2008	3/4/2008	Completed	3/20/2008

Revised 7/22/2008

STAGE V - PHASE 2
NORFOLK-SOUTHERN R/W - RAILROAD AND PIPELINE CORRIDOR

COMPANY	PRIME CONTACT	PIPE SIZE	EST. COST	HUNTINGTON APPROVED AND SENT TO CHICAGO	LOCAL CONTACT	ARMY CORPS APPROVAL DATE	AGREEMENT SENT TO UTILITY	RESPONSE FROM UTILITY – WORKING TO RESOLVE	AGREEMENT APPROVED BY UTILITY
Norfolk Southern Railway Company 1200 Peachtree Street N.E. 12th Floor Atlanta GA 30309	Danny Young 404-915-1380 (Coordinates with Mark Sawyer)	6"Steel Conduit w/Comm. Lines (located approx. 10' E. of East set of rails)				This line is located just east of the east set of rails. The concrete pour in this area does not require any re-location or coordination.			No Agreement necessary
CONOCOPHILLIPS PIPE LINE COMPANY P. O. Box 277 Baldwin MO 63022	Bob Hardt bob.l.hardt@conocophillips.com (636) 391-1660	8" (Located West of NSRR R/W easement line) 8" on NSRR R/W	$333,000.00	August 7, 2007	Gary Hanten gary.l.hanten@conocophillips.com 400 E. Columbus Drive East Chicago IN 46312 (219) 397-6666 Ext.304	1/14/2008	3/17/2008	Submitted modified agreement to Conoco on 6/24/08	7/14/2008
Explorer Pipeline P. O. Box 2650 Tulsa OK 74101-2650	Patrick Nwakoby (918) 493-5172	24" (Located East of NSRR Embankment)	$187,779.22	August 7, 2007	Alton Ryals Hammond Area Supervisor 3737 Michigan Street Hammond IN 46323-1202 (219) 989-8262 (219) 712-4573 (cell)	1/16/2008	3/10/2008 (Follow-up request sent on 4/27/2008)	Submitted modified agreement to Explorer on 6/27/08	7/14/2008
Marathon Ashland Pipelines 3106 Kickbush Dr. Valparaiso IN 46385	Dave Woodsmall (219) 477-4001 (219) 508-3928 (cell)	12" 16" (Located East of toe of Embankment)	$210,000.00	February 14, 2008	Steve Woods (Land Agent) (217) 382-2248 (812) 249-0445 (cell) Ryan Bandy (Engineering Coord.) Fransworth Group (314) 962-7901 Ext. 225	2/27/2008	3/19/2008	4/25/2008	4/25/2008
Level 3 Communications, LLC "T-Cubed" (formerly Wiltel) 1025 Eldorado Blvd. Broomfield CO 80021	Danny Young Norfolk Southern RR 1200 Peachtree Street N.E. 12th Floor Atlanta, Georgia 30309 Danny.Young@nscorp.org	Communications Line in 10" PVC (Located East of NSRR Embankment)	$18,800	N/A	Oscar Rios Lake County Rep (219) 712-0731 Keith Osborn Network Infrastructure Services keith.osborn@level3.com (720) 888-2774	4/28/2008	5/13/2008	Agreement forward to NSRR Law Dept. on 5/27/2008 LCRBDC attorney & NSRR attorney need to resolve	

Revised 7/22/2008

AGREEMENT BETWEEN
LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
AND
CONOCOPHILLIPS PIPE LINE COMPANY
FOR RELOCATION OF UTILITIES

THIS AGREEMENT, made and entered into this 11th day of July, A.D. 2008, by and between CONOCOPHILLIPS PIPE LINE COMPANY (hereinafter referred to as "*COMPANY*"), and LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION, 6100 Southport Road, Portage, Indiana 46368 (hereinafter referred to as "*COMMISSION*").

WITNESSETH:

WHEREAS, the *COMMISSION* desires to construct a flood protection levee and ancillary improvements (hereinafter referred to as the "*PROJECT*"); and

WHEREAS, due to the said *PROJECT*, certain adjustments, removals, alterations, and/or relocations of the existing facilities of the *COMPANY* will have to be made as shown on Army Corps Drawing #C-60 (Plan-Utility Corridor) marked Exhibit "A", attached hereto and by this reference made a part of this agreement; and, a detailed (Phase 2 Pipeline Corridor) drawing from Garcia Consulting revised on 9/28/07 referred to as Exhibit "B", attached hereto and by this reference made a part of this agreement; and

WHEREAS, it is to the best interest of the *COMPANY* and the *COMMISSION* for the *COMPANY* to make the necessary adjustments, removals, alterations, and/or relocations of its existing facilities as shown on said Exhibit "A" with the *COMPANY'S* regular construction and maintenance forces, or by a contractor paid under a contract let by the *COMPANY*; and

WHEREAS, the *COMPANY* requires assurances that it shall be reimbursed by the *COMMISSION* for One Hundred Percent (100%) of all expense, loss, or damage, either caused or made necessary by the *PROJECT*, whether it is incurred directly by the *COMPANY* or others on behalf of the *COMPANY* at the request of the *COMPANY*.

NOW, THEREFORE, FOR AND IN CONSIDERATION OF THE MUTUAL COVENANTS HEREIN RECITED, COMPANY AND COMMISSION DO HEREIN AGREE AS FOLLOWS:

Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

TO: Randy Noe, Attorney-at-Law, NSRR
Sarah Snowberger, Attorney-at-Law, Stuart & Branigin

FROM: Jim Pokrajac, Agent, Engineering/Land Management

SUBJECT: Utility Relocation Agreement – T-Cubed

DATE: July 17, 2008

As per a request from our attorney, Lou Casale, we are forwarding you the draft agreement between the LCRBDC and T-Cubed for "relocation of utilities", along with a proposed letter and the attached exhibits referred to in the agreement. In conversations with Danny Young, we have the understanding there is no objection to the proposed engineering (construction) adjacent to either side of this fiber optic telecom system (T-Cubed); and Mr. Young has indicated in his estimate that your company will provide protection for this line prior to the installation of the sheet piling, as part of our line of flood protection, and have a representative on the site during the time that our contractor is working in the immediate area of the fiber optic line.

Currently, we have signed agreements with all of the other pipelines/utilities on the NSRR as well as the NIPSCO rights-of-way. This will be the final agreement prior to our issuing a right-of-entry to the Army Corps for construction in this area. Upon the execution of the right-of-entry, the process to start the work in this area can begin. That contract includes this area and extends from Kennedy Avenue westward to Northcote in Highland and Hammond and this will be the final portion of construction to complete the Stage V-2 segment. This particular line is located approximately 20' west of the east right-of-way line of the NSRR near the toe of the existing railroad embankment. Will you please review the agreement and coordinate with attorney Casale to finalize the signing of this agreement.

/encl.
cc: Danny Young, NSRR
Lou Casale, Attorney, LCRBDC

WOLVERINE PIPE LINE COMPANY

July 2, 2008

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

Attn: James Pokrajac

RE: Agreement for Relocation

Enclosed are two originals of the subject agreement that have been executed on behalf of Wolverine Pipe Line Company and on behalf of the Commission. I have kept the other two executed originals you sent me for my records.

Please note that Wolverine's office has moved recently, and update your records to show our new address, which is:

Wolverine Pipe Line Company
8075 Creekside Drive
Suite 210
Portage, MI 49024

All phone numbers and e-mail addresses remain the same as before the move.

I look forward to attending the Pre-con meeting you mentioned in your letter dated June 24, 2008. Good communication will be necessary to coordinate all of the work that is about to commence!

Fred W. Hipshear

Fred W. Hipshear
Right-of-Way Agent

AGREEMENT BETWEEN
LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
AND
WOLVERINE PIPE LINE COMPANY
FOR RELOCATION OF UTILITIES

THIS AGREEMENT, made and entered into this 23rd day of June, A.D. 2008, by and between WOLVERINE PIPE LINE COMPANY (hereinafter referred to as "*COMPANY*"), and LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION, 6100 Southport Road, Portage, Indiana 46368 (hereinafter referred to as "*COMMISSION*").

WITNESSETH:

WHEREAS, the *COMMISSION* desires to construct a flood protection levee and ancillary improvements (hereinafter referred to as the "*PROJECT*"); and

WHEREAS, due to the said *PROJECT*, certain adjustments, removals, alterations, and/or relocations of the existing facilities of the *COMPANY* will have to be made as shown on Army Corps Drawing #C-60 (Plan-Utility Corridor) marked Exhibit "A", attached hereto and by this reference made a part of this agreement; and, a detailed (Phase 2 Pipeline Corridor) drawing from Garcia Consulting revised on 9/28/07 referred to as Exhibit "B", attached hereto and by this reference made a part of this agreement; and

WHEREAS, it is to the best interest of the *COMPANY* and the *COMMISSION* for the *COMPANY* to coordinate the necessary excavation, inspection, installation of compacted fill to Army Corps of Engineers specs, and/or relocations of its existing facilities as shown on said Exhibit "A" with the *COMPANY'S* regular construction and maintenance forces, or by a contractor paid under a contract let by the *COMPANY*; and

WHEREAS, the *COMPANY* requires assurances that it shall be reimbursed by the *COMMISSION* for One Hundred Percent (100%) of all expense, loss, or damage, either caused or made necessary by the *PROJECT*, whether it is incurred directly by the *COMPANY* or others on behalf of the *COMPANY* at the request of the *COMPANY*; and

NOW, THEREFORE, FOR AND IN CONSIDERATION OF THE MUTUAL COVENANTS HEREIN RECITED, COMPANY AND COMMISSION DO HEREIN AGREE AS FOLLOWS:

INDIANA DEPARTMENT OF TRANSPORTATION

18-Month Construction Letting List (All Projects)

As of Date:01-May-2008

LETTING DATE: 02/11/2009
CONTRACT: R-27156 KIN: 4251 COUNTY: Lake DISTRICT: LaPorte
DES: 0300049 Median Construction Fed Proj Num:
ROUTE: US-41 From N of Ridge Road to Little Calumet River (Phase IA) R/W CLEAR: 08/29/2008 R
RELINQ REQ: TBD PRE QUAL CODES : L/A CODE:
DESIGNED ORG.: United Consulting Engineers, Inc. DESIGNED BY: State
MAP ID: RESPONSIBLE: RFC-Stephen Ritzler / Hasmukh Patel READY FOR CONTRACT: 11/12/2008

LETTING DATE: 02/11/2009
CONTRACT: R-27156 KIN: 4251 COUNTY: Lake DISTRICT: LaPorte
DES: 0300312 Sign Modernization (Series Of Units) Fed Proj Num:
ROUTE: US-41 From N of Ridge Road to Little Calumet River (Phase IA) R/W CLEAR:
RELINQ REQ: TBD PRE QUAL CODES : L/A CODE:
DESIGNED ORG.: United Consulting Engineers, Inc. DESIGNED BY: State
MAP ID: RESPONSIBLE: RFC-Stephen Ritzler / Surendra Patel READY FOR CONTRACT: 11/12/2008

LETTING DATE: 02/11/2009
CONTRACT: R-27156 KIN: 4251 COUNTY: Lake DISTRICT: LaPorte
DES: 9135690 Bridge Removal Fed Proj Num:
ROUTE: US-41 Bridge over abandoned railroads, 0.93 mile S of I-80 (Phase IA) R/W CLEAR: 06/01/2002 N
RELINQ REQ: No PRE QUAL CODES : L/A CODE: 0
DESIGNED ORG.: United Consulting Engineers, Inc. DESIGNED BY: State
MAP ID: RESPONSIBLE: RFC-Stephen Ritzler / Hasmukh Patel READY FOR CONTRACT: 11/12/2008

LETTING DATE: 02/11/2009
CONTRACT: R-27156 KIN: 4251 COUNTY: Lake DISTRICT: LaPorte
DES: 953362P Traffic Signals Modernization Fed Proj Num:
ROUTE: US-41 At Maplewood Court(Phase IA) R/W CLEAR:
RELINQ REQ: No PRE QUAL CODES : L/A CODE: 0
DESIGNED ORG.: United Consulting Engineers, Inc. DESIGNED BY: State
MAP ID: RESPONSIBLE: RFC-Stephen Ritzler / Shahpor Shahbahrami READY FOR CONTRACT: 11/12/2008

LETTING DATE: 02/11/2009
CONTRACT: R-27156 KIN: 4251 COUNTY: Lake DISTRICT: LaPorte
DES: 953362R Traffic Signals Modernization Fed Proj Num:
ROUTE: US-41 At 81st St (Phase IA) R/W CLEAR:
RELINQ REQ: No PRE QUAL CODES : L/A CODE: 0
DESIGNED ORG.: United Consulting Engineers, Inc. DESIGNED BY: State
MAP ID: RESPONSIBLE: RFC-Stephen Ritzler / Shahpor Shahbahrami READY FOR CONTRACT: 11/12/2008

LETTING DATE: 02/11/2009
CONTRACT: R-27158 KIN: 3676 COUNTY: Lake DISTRICT: LaPorte
DES: 953362E Traffic Signals Modernization Fed Proj Num:
ROUTE: US-41 At Woodhollow Dr(Phase II) R/W CLEAR:
RELINQ REQ: No PRE QUAL CODES : L/A CODE: 0
DESIGNED ORG.: United Consulting Engineers, Inc. DESIGNED BY: LaPorte District
MAP ID: RESPONSIBLE: RFC-Michael Miltz / Shahpor Shahbahrami READY FOR CONTRACT: 11/12/2008

LETTING DATE: 02/11/2009
CONTRACT: R-27158 KIN: 3676 COUNTY: Lake DISTRICT: LaPorte
DES: 9733627 Environmental Mitigation Fed Proj Num:
ROUTE: US-41 Wetlands MIT for US 41 from 77th Ave to Little Calumet River (Phase II) R/W CLEAR:
RELINQ REQ: No PRE QUAL CODES : L/A CODE: 0
DESIGNED ORG.: United Consulting Engineers, Inc. DESIGNED BY: LaPorte District
MAP ID: RESPONSIBLE: RFC-Stephen Ritzler / To Be Assigned READY FOR CONTRACT: 11/12/2008

Disclaimer: This list is updated after the first day of each month.
Projects are organized by letting date, then alphabetically by type of work (b-bridge, m-maintenance, r-reconstruction, rs-resurfacing, etc.).
Some maintenance projects are added as needs arise and not identified 18 months in advance.

Torrenga Engineering, Inc.

REGISTERED PROFESSIONAL ENGINEERS
907 RIDGE ROAD
MUNSTER, INDIANA 46321

www.torrenga.com **Office (219) 836-8918** **Fax (219) 836-1138**

June 18, 2008

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

RE: Proposed Modification to Plans - Little Calumet River, Indiana, Local Flood Protection, Stage V, Phase 2 - Levee

Dear Dan:

Mr. Imad Samara of the U.S. Army Corps of Engineers (USACE), Chicago District, advised that it would be necessary for me to write this proposal to you regarding my client's project, Gateway Promenade, in Hammond, Indiana.

Gateway Promenade is a proposed retail development, which will occupy the existing K-Mart and Builder's Square sites on the East side of Indianapolis Boulevard, just North of the Little Calumet River, in Hammond, Indiana. My firm is presently engaged in preparing construction documents for improvements at the site, which include storm water control measures, such as storm sewers and detention ponds. Historically, the site has discharged its storm water runoff into a lake just North of the site, between it and Interstate 80/94. However, the City of Hammond will not allow any further discharge into the lake, as the City believes the present condition of the lake is such that it is unable to accept any more runoff. Therefore, we would like to propose that storm water discharge from the Gateway Promenade site be allowed to enter the Little Calumet River directly, at an attenuated rate equal to the two-year pre-developed storm.

To do so would require certain modifications to the referenced levee project currently under construction between our site and the Little Calumet River. I have included herein for your use a preliminary plan of our proposed modifications, as well as the USACE's levee plans. Specifically, the proposed modifications include replacing a proposed ditch with a detention pond, and constructing a storm water lift station with a force main that would go over the levee and discharge into the Little Calumet River. The proposed pond and lift station are roughly located behind the present BMV office. The lift station and pond would be maintained by my client.

Please do not hesitate to contact me if you have any questions at all.

Sincerely,

Brent A. Torrenga
Torrenga Engineering, Inc.

Cc: Samara, I.; Markopoulos, G.; file
Encl.

Meeting Agenda 07/24/08

JOB 633 - W912P6-05-C-0010, Lil Cal Stage 6-1 North

1. Grimmer – Sat Fill

2. As-Builts

2. Final quantities:
   - Rip rap –
   - Stone path –

3. K&S Report

4. Final Work to be completed:
   a. Set tide Flex
   b. Check Sluice/Flap gates for touch up paint
   c. Rip rap @ Kennedy apt.
   d. Landscape damaged areas
   e. Spread rip rap @ Krosan Lot
   f. Dress up path from Kennedy to 7-1C

5. Mod for Kennedy Apts.

5. Path put in to connect to existing trail in wetland area.

6. INDOT Fence

JOB 611 - W912P6-4-C-0007, Lil Cal Stage 6-1 South

1. Chip Controller

2. As-Builts

3. Final Quantities –
   - Rip rap –
   - Seeding –
   - Stone Path –
   - Sheeting –

4. Environmental Tests for diesel spill at NIPSCO yard.

5. Mod for USACE's trailer.

Meeting Minutes

Illinois Constructors Corporation
P.O. Box 745
St. Charles, IL 60174

ICC Project # 611

U.S. Army Engineer District, Chicago
111 Canal Street
Chicago, Illinois 60606

Contract #

Progress Meeting Meeting 6

Date	Start	End	Next Meeting	Next Time	Prepared By	Company
7/24/2008	09:00 AM	10:00 AM	8/14/2008	09:00 AM	Tony Frazzini	Illinois Constructors Corporation

Purpose	Location	Next Location	General Notes
Progress Meeting	USACE's Calumet Area office in Griffith, IN	USACE's Calumet Area office in Griffith, IN	See attached sign in sheet for attendees and contact information.

Attended By	Non-Attendees
Illinois Constructors Corporation - Jeff Rausch	U.S.Army Corps of Engineers - Doug Anderson
Illinois Constructors Corporation - Rusy Mitcheff	Hammond Park District - Charles Blaine
Illinois Constructors Corporation - Tony Frazzini	City of Highland - Mike Pipta
U.S.Army Corps of Engineers - Sheldon Edd	U.S.Army Corps of Engineers - Ross Hiner
LCRBDC - Jim Pokrajac	Slusser's Green Thumb, Inc. - Chuck Shackelford
U.S.Army Corps of Engineers - Curtis Lee	Slusser's Green Thumb, Inc. - Jane Strasser
	Grimmer Construction, Inc. - John Dudlicek
	Grimmer Construction, Inc. - Annette Fox

Item	Meeting Item Description	Resp	Status	Due Date	Compl'd
Lil Cal Stage 6-1 South Old Business					
001-002	Dead Trees & seeding - Wed 6/4/08 at 9:00am ICC, USACE, & Slusser walked both North and South jobs to determine all trees which need to be replaced. Trees which are not in season to pick may be replaced with a similar tree of size and type pending approval from USACE. 9 trees to be replaced. Slusser to generate list of acceptable replacement trees for approval.	Illinois Constructors Corporation, USACE, & Slusser	In Progress		
001-003	Chip Controller - Waiting on response from Gasvoda. (Originally RFI #41 submitted on 1/16/08, answered on 4/29/08) Gasvoda responded saying the pump station is working per the approved submittal out lining the functions of the chip controller. Gasvoda also stated that the specs don't outline how the sequencing of these pumps should alternate. ICC to write letter responding to USACE's submittal response stating that the pumps are not working per the specifications. Letter written by ICC responding to RFI # 41, submitted on 7/22/08.	Illinois Constructors Corporation	In Progress		
001-004	As-builts - Status - submitted to Sheldon Edd: 12/17/07 - Not yet returned. Will be returned to contractor with comments by 6/30/08.(per progress meeting on 6/26/08). ICC is still waiting on the return of the as-builts.	USACE	In Progress		
001-005	Final Quantities - 1.Rip rap: all tickets with quantities turned in, USACE to review. Quantities are final.	USACE & Illinois Constructors Corporation	In Progress		

Item	Meeting Item Description	Resp	Status	Due Date	Compl'd
	2.Seeding: USACE & ICC to calculate. ICC turned in all delivery tickets & maps w/measurments on 7/9/08. Quantities being finalized with Slusser, certified letter sent asking to agree with quantity 3.Stone Path - Quantities measured and turned in 5/1/08. 4.Sheeting: all driving logs turned in, all sheeting on job measured, final quantity to be agreed upon on 7/25/08.				
001-006	Need to obtain environmental test reports for diesel spill at NIPSCO yard. ICC awaiting tests to be forwarded from testing agency. ICC having trouble retrieving these from this agency. Gave contact info to Jim Pokrajak from LCRBDC to pursue this information further.	Illinois Constructors Corporation	In Progress		
Lil Cal Stage 6-1 North Old Business					
002-000	2 Mods to be written and ready for signature by next week (7/14/08) : Mod for Catch Basin 175 & Mod for Emergency Flood from August 08'. Mod for Catch Basin written and signed, awaiting mod for Emergency Flood from August.	USACE	In Progress		
002-001	Grimmer sent letter repsonding to USACE's serial letter C-0066 regarding nonconforming levee embankment material. ICC to write cover letter passing along Grimmers letter to the USACE. ICC submitted letter on 6/23/08 and is awaiting response from USACE. Response from USACE by Monday 7/14/08. Response from USACE on 7/16/08, stating they will not pay for work. Grimmer to respond with plan outlining how work will be performed.	Illinois Constructors Corporation	In Progress		
002-002	INDOT Fence - This will be further investigated as to what scope of work requires here, if new gate or moving existing fence is required. ICC will install fence in this area. ICC has a subcontractor looking at this, would like to complete work by week of 8/11/08.	Illinois Constructors Corporation & USACE	In Progress		
002-003	As-builts - Status - submitted: 12/17/07 - need review by USACE, certain areas may need to be surveyed and redrawn. Will be reviewed and returned with comments. These will need to be resubmitted due to rework of levee. Awaiting review/response.	USACE	In Progress		
002-004	Final quantities - 1.Rip rap: all tickets with quantities and summary submitted on 12/20/07, to be reviewed by USACE. 2.Stone Path: same as rip rap. Awaiting response for agreement.	USACE	In Progress		
002-006	Final work to be completed - 1.Set Tide Flex - Completed 2.Check sluice/flap gates for touch up paint - Completed 3.Rip rap @ Kennedy apt. - Completed 4.Landscape damaged - waiting until crack investigation rework is completed 5.Spread rip rap @ Krosan lot - Completed 6.Dress up path from Kennedy to 7-1C - 85% complete	Illinois Constructors Corporation	In Progress		

Item	Meeting Item Description	Resp	Status	Due Date	Compl'd
002-007	Mod for Kennedy apts. & Mod for extra Rip rap - USACE to write mod., ICC Submitted RFP for Kennedy apts. on 3/6/08 and rip rap as built on 2/27/08, ICC resubmitted both on 5/19/08, ICC to resubmit Kennedy Apt. mod showing cost difference from previously written mod. ICC submitted this on 6/23/08, USACE to review and write mod. Mod for extra rip rap is written, quantity needs to be adjusted.	USACE & Illinois Constructors Corporation.	In Progress		
002-009	Path put in to connect to existing trail in wetland area - Will coordinate with LCRBDC & USACE(Chicago office) to shape trail and put in erosion control as directed. Jim Pokrajac has drawing of proposed erosion control to be put in area and will forward this to ICC for assistance in showing what methods are to be used and then submit this drawing from LCRBDC for approval. ICC to remove stock piled material with in contract limits in this area and to remove the rest when proposed erosion control is approved.	LCRBDC & Illinois Constructors Corporation	In Progress		
New Business					
002-010	Next Meeting: 8/14/08 @ 9:00am Location: USACE's Calumet Area Office - Griffith, IN	Illinois Constructors Corporation	Scheduled		

Item	Meeting Item Description	Resp	Status	Due Date	Compl'd
Lil Cal Stage 6-1 South New Business					
001-001	USACE to write mod for deletion of trailer for USACE. ICC's last correspondence was serial letter 57 offering USACE a credit of $9,255.00 for elimination of governments field office.	USACE	In Progress		

Cc:	Company Name	Contact Name	Copies	Notes

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

REPLY TO
ATTENTION OF

May 29, 2008

Technical Services Division
Calumet Area Office

C-0066

SUBJECT: Contract No. W912P6-05-C-0010
Local Flood Protection
Little Calumet River, Indiana
Stage VI-1 North
Subject: Nonconforming Levee Embankment Material

Mr. John Mackanin
Illinois Constructors Corporation
Post Office Box 745
St. Charles,, IL 60174

Dear Mr. Mackanin:

Please reference our Serial Letters C-0060, dated December 12, 2007, and C-0063, dated February 01, 2008, regarding the fact that a large portion of the levee on this project has displayed cracking along the crest and on the side slopes. As directed and in accordance with Contract Clause 52.246-12 - Inspection of Construction, your company has performed limited on-site investigations and testing of the impervious fill, satisfactory fill, and foundation zones of the levee to determine if the levee was constructed in accordance with the requirements of the Contract plans and specifications. The impervious fill and foundation zone site investigations were performed on March 06, 07 and 10, 2008, and on April 17, 2008. The satisfactory fill zone site investigations were performed on April 24, 2008. To date, although you have submitted a preliminary report on the site investigation, you have not provided any laboratory test results. However, as described further below, the available site investigation data indicate that, at a minimum, the satisfactory fill zone of the levee embankment does not conform to Contract requirements.

As the April 24th site investigation progressed, it became obvious that the material in and adjacent to the test excavation does not meet the contracts requirements for satisfactory fill as defined in contract section 31 00 00 EARTHWORK, paragraph 1.3

DEFINITIONS sub-paragraph 1.3.1 Satisfactory Materials, as reprinted below:

> *Satisfactory materials shall consist of any soil free from roots and other organic matter, trash, debris, ice, snow, frozen materials, materials defined as unsatisfactory, and stones larger than three (3) inches in any dimension. Satisfactory materials shall also be called acceptable materials in these specifications.*

As witnessed by both Illinois Constructors Corporation and Grimmer Construction representatives, the material in and visible on the sides of the April 24, 2008 test pit excavation contained roots, organic material, trash, and stones in excess of three (3) inches in diameter. Furthermore, you have failed to provide any field test data verifying that the material placed in the satisfactory fill zone on the landside slope in the area shown on the enclosed drawings was compacted to the 95% compaction requirements stated in Section 02300, paragraph 3.7.1.3A.

Your representatives have witnessed the obvious nonconforming material and have not acted to define the extent of the problem, submit a remedial action plan or begin remedial procedures. Therefore, in accordance with contract clauses 52.246-12 Inspection of Construction, 52.236-5(c) Material and Workmanship, and 52.246-21 Warranty of Construction, all nonconforming in-place fill that is required to be 'Satisfactory' fill located between Station 7N 23+00 and Station 7N 38+00, as shown on the enclosed drawings, shall be removed from the project, unless ICC can demonstrate that different limits of nonconforming material are applicable.

All nonconforming in-place fill must be removed and replaced with conforming satisfactory fill in accordance with all applicable requirements of the contract documents. Please submit, within 14 calendar days of the date of this letter, for review and approval in writing, your proposed plans, procedures, and schedule for removing and replacing all nonconforming material in the satisfactory fill zone within the area that exhibited the surface cracking, as shown on the enclosed drawings. If the yet to be submitted laboratory test results indicate that the impervious core of the levee structure conforms to contract requirements, the replacement of the nonconforming fill must be made in such a way as to not degrade the impervious core of the levee or any other permanent features of the project. If the laboratory test results of the impervious levee core demonstrate nonconformance, then your plan should address removing unsuitable material from that zone as well. Following removal and replacement of nonconforming materials, all disturbed areas must be restored in compliance with contract requirements.

As stated in Serial Letter C-0060, if the levee and related work is found to be defective or nonconforming in any material respect due to the fault of the Contractor or its subcontractors, the Contractor shall defray the expenses of the examination and of satisfactory reconstruction. Since nonconforming material has been discovered, the exploratory testing and satisfactory reconstruction and remedial work will be performed at no additional cost to the Government.

If you have any questions or comments, please contact Mr. Sheldon Edd at 219-923-1763.

Sincerely,

Douglas M. Anderson

Douglas M. Anderson, P.E.
Administrative
Contracting Officer

Enclosures

Little Calumet River Stage VII Floodwall
Utility Requests

7/23/2008

#	Utility Type & Size	Location Description	Located/ Surveyed	South Ground Elev.	South T/P ELEV.	North Ground Elev.	North T/P ELEV.	Owner/ Point of Contact	Telephone	Affected Property Owner	COE Request	Status	Sheet # on Plans	Additional Comments	Provisional Relocation Cost
AT&T															
8	AT&T Duct Telephone	STA 7N 50+25, STA 7S 51+00	No					Angelo Lamintia (AT&T)	219-662-4406		Corps needs elevations at centerline of floodwalls, size of the duct, and x & y coordinates along the duct to verify its location.	Needs to be daylighted surveyed/located	L-03 (on utility location sheets)	Having trouble with AT&T not field locating the telephone duct - hampering daylighting activity	none planned
BP Amoco															
3	14" BP PL/Oil Line (Amoco)	Near STA 7S 2+00 & STA 7N 1+50	Yes	596.4	590.2	602.9	592.9	Charles Ruffin (BP Amoco)	219-765-1654		Corps needs elevations of the pipe at the centerline of floodwalls, sizes of the pipe(s), and x & y coordinates along the pipe to verify location.	Needs to be daylighted surveyed/located	L-01 (on utility location sheets)		none planned
4	18" & 12" BP PL/Oil Lines (Amoco)	STA 7S 15+00, STA 7N 15+75	Yes			602.3	1 @ 591.4, 1 @ 591.5	Charles Ruffin (BP Amoco)	219-765-1654		Corps needs elevations of the pipes at the centerline of floodwalls, sizes of the pipes, and x & y coordinates along the pipes to verify location.	Needs to be daylighted surveyed/located	L-01 (on utility location sheets)		none planned
NIPSCo															
9	8" Retired & 6" Active Gas lines	West of Northcote Ave, East of STA 7N 51+93	Active - Yes	Active = 599.3	Active = 595.6	Active = 598.9	Active = 591.3	Frank Janosi (NIPSCO)	219.853.5082		Local sponsor shall relocate gas lines out of row.	Needs to be daylighted surveyed/located	L-03 (on utility location sheets)	Not currently shown on drawings	none planned
10	EPL - NIPSCO	Near Northcote Ave, East of STA 7S 52+48	Yes			-	-	Frank Janosi (NIPSCO)	219-853-5082		Local sponsor shall relocate poles close to floodwall or ramps.	NIPSCO preparing relocation plan	L-03 (on utility location sheets)	There may be additional power poles that should be relocated. Recommend site visit.	$ 15,000.00
Hammond San. District															
5	3 Combined Sewer Outfalls (Walnut Pump Station)	Near STA 7N 25+25, 60" W, 36" C, 48" E	Yes					Mike Unger (HSD)	219-853-6413		Corps needs elevations of the outfall pipes and headwalls, sizes of the pipes, pipe material, and x & y coordinates to verify	Outfalls to Walnut Pump Station. Confirm Corps has been provided inverts and sizes	L-02 (on utility location sheets)		none planned
6	18" RCP Combined Sewer	Located near ROW from STA 7S 37+00 to STA 7S 40+00	Yes - elevations interpolated	599.58	585.33	N/A	N/A	Mike Unger (HSD)	219-853-6413		Local sponsor shall relocate out of row.	Corps relocated flood wall north to avoid sewer line	L-02, 03 (on utility location sheets)		none planned
7	12" Combined Sewer	STA 7N 50+00, STA 7S 52+25	Yes - elevations interpolated	595.44	582.14 INV	-	581.74 INV	Mike Unger (HSD)	219-853-6413		Corps needs elevations of the pipe at the centerline of floodwall & outfall, size of the pipe, pipe material, and x & y coordinates along the pipe to verify location.	Confirm Corps has been provided inverts, etc.	L-03 (on utility location sheets)		none planned
14	Walnut St. Pump Station	STA. 7N 25+00	No					Mike Unger (HSD)	219-853-6413		coordinates of the far, back corner of the pump station along with the elevation of the building	Not a utility issue. This is a civil design issue	L-02 (on utility location sheets)		none planned
Town of Munster															
2	Water Main	Runs under Columbia Avenue	Yes - north side			599.4	592.8	Munster Water Mark Knesek Jim Mandon	Mark 219.836.6978 Jim 219.836.6995		Corps needs the depth of the water main, who owns it, what size is it, and what can be done with it?	Needs to be surveyed/located	L-01 (on utility location sheets)	Corps will be building a concrete pad across Columbia Ave for a sandbag closure structure. Can the water main	none planned
12	Fire Hydrant	STA. 7S 0+87	Yes					Munster Water Mark Knesek Jim Mandon	Mark 219.836.6978 Jim 219.836.6995		Local Sponsor shall have the fire hydrant relocated.	Preparing relocation plan	L-01 (on utility location sheets)		$ 9,500.00
13	Power Pole	STA. 7S 1+00	No					Munster Water Mark Knesek Jim Mandon	Mark 219.836.6978 Jim 219.836.6995		Local Sponsor shall have the power pole relocated.	Preparing relocation plan	L-01 (on utility location sheets)		$ 3,500.00
1	Storm Sewer	South of River, Just east of Columbia avenue. STA 7S 1+50	Interpolated	598.24	590.48	N/A	N/A	Unknown, Munster or BP			Corps needs elevations of the pipe at the centerline of floodwall & outfall, size of the pipe, pipe material, and x & y coordinates along the pipe to verify location.	Needs to be surveyed/located	L-01 (on utility location sheets)		none planned

STAGE VII PIPELINE DAYLIGHTING							
Prepared by Garcia Consulting	July 30, 2008						
	POINT OF INTERSECTION WITH LINE OF PROTECTION			POINT OF DAYLIGHTING			
Description	Northing	Easting	Ground Elevation	Northing	Easting	Ground Elevation	Top of Pipe Elevation
Water Main on North side of Little Calumet River east of Columbia Avenue	1,482,512.20	385,963.63	599.4	1,482,514.32	385,963.61	599.4	592.8
BP Pipeline on North side of Little Calumet River east of Columbia Avenue	1,482,587.16	386,022.06	602.9	1,482,612.71	386,022.00	599.3	592.9
BP Pipeline on South side of Little Calumet River east of Columbia Avenue	1,482,403.28	386,020.83	596.4	1,482,378.26	386,018.13	595.2	590.2
BP Pipeline on North side of Little Calumet River near Catalpa Avenue	1,482,573.51	387,063.85	602.3	1,482,579.70	387,097.02	596.9	591.4
BP Pipeline on North side of Little Calumet River near Catalpa Avenue	1,482,568.74	387,068.19	602.0	1,482,575.35	387,099.89	597.4	591.5
BP Pipeline on South side of Little Calumet River near Schreiber Drive	1,482,547.03	386,921.89	599.4	Not Found	Not Found	Not Found	Not Found
BP Pipeline on South side of Little Calumet River near Schreiber Drive	1,482,539.73	386,929.29	598.7	1,482,534.97	386,906.51	595.90	586.30
NIPSCO Pipeline on North side of Little Calumet River west of Northcote Ave.	1,481,555.69	389,856.90	598.9	1,481,555.99	389,856.94	598.9	596.3
NIPSCO Pipeline on South side of Little Calumet River west of Northcote Ave.	1,481,404.50	389,835.40	599.1	1,481,404.63	389,835.42	599.1	595.6
AT&T Duct on North side of Little Calumet River west of Northcote Avenue	1,481,594.49	389,740.95	599.2	1,481,621.46	389,740.60	599.5	592.8
AT&T Duct on South side of Little Calumet River west of Northcote Avenue	1,481,456.67	389,743.92	599.9	1,481,432.68	389,740.50	597.2	591.5
Combined sewer system North side of Little Calumet River west of Northcote Avenue	1,481,570.45	389,780.35	-	-	-	-	-
Combined sewer system South side of Little Calumet River west of Northcote Avenue	1,481,414.07	389,816.41	-	-	-	-	-

Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

(219) 763-0696 Fax (219) 762-165
E-mail: littlecal@nirpc.or

June 11, 2008

Mr. Terry L. Cheek
President
TLC PLUMBING, INC.
P. O. Box 429
Griffith, Indiana 46319

Dear Mr. Cheek:

Enclosed please find two (2) copies of the agreement between TLC PLUMBING Company and the Little Calumet River Basin Development Commission for providing a total of approximately 20 daylight locations between Northcote and Columbia Avenues (referred to as Stage VII) and between Calumet Avenue and the state line (referred to as Stage VIII) in both Hammond and Munster, IN.

If agreeable to all terms, please sign both copies, keeping one for yourself and returning one to this office. Upon receipt of the signed copy, please consider this letter as your notice to proceed. If you have any questions regarding this work, please call.

Sincerely,

James E. Pokrajac

James E. Pokrajac, Agent
Engineering/ Land Management

/sjm
encl.

28

Jim Pokrajac

From: "Samara, Imad LRC" <Imad.Samara@usace.army.mil>
To: "Lewandowski, Frank T LRB" <Frank.T.Lewandowski@usace.army.mil>
Cc: "Cunningham, Matthew W LRC" <matthew.w.cunningham@usace.army.mil>; "Jim Pokrajac" <jpokrajac@nirpc.org>; <dgardner@nirpc.org>; "Dean Button" <dbutton@sehinc.com>; "Kotwicki, Victor L LRE" <Victor.L.Kotwicki@usace.army.mil>
Sent: Thursday, May 22, 2008 10:14 AM
Subject: RE: Little Cal Stage 8 - Possible Solution to Gasline at Columbia (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Frank as I understand it that this change will cost about $140,000. Yesterday Jim spoke with NIPSCO and he was told that this relocation will cost between $150K to $200K so I feel that we should go ahead with the change to sheetpile wall no concrete.

Jim you have to get us the depth information ASAP because this will be done in an amendment and Frank can't complete it without that information. We have to have it no by May 30 so we don't make a change and have to extend the bid opening.

I will talk to the area office and see if we can advertise since we did take care of the utility relocation that may impact the construction.

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: Lewandowski, Frank T LRB
Sent: Thursday, May 22, 2008 9:52 AM
To: Samara, Imad LRC
Cc: Cunningham, Matthew W LRC
Subject: RE: Little Cal Stage 8 - Possible Solution to Gasline at Columbia

Imad,

My cost estimator came up with a cost of $1400 per linear foot for the cast-in-place concrete I-wall and $820 per linear foot for the plain sheet pile I-wall (he hasn't done the precast wall cost yet but it would be somewhere between the two, closer to the cast-in-place cost). So for a 100-foot long I-wall, the costs for the entire length would be $140,000 for the cast-in-place concrete I-wall and $82,000 for the plain sheet pile I-wall. Deleting of about 100 feet of levee (impervious fill) would save and

Status of Utility Lines Crossing Under Stage VIII Levee
US Army Corps of Engineers
Little Calumet River Basin Development Commission
May 21, 2008

								Criteria for leaving existing pipelines in foundations of proposed levees									
								1	2	3	4	5	6				
Utility No.	Owner	Project Station	Type	Diam (inches)	Description	Locals Proposed Action	Type	Good Condition (Y/N)	Adequate Strength to Withstand Loading	Sufficient flexibility in joints to adjust under expected settlement and stretching of pipe	Pressure line with provisions for rapid closure	Gravity lines with emergency closure provisions	Pervious backfill under landside of levee	Criteria met	Criteria not met	Criteria to be checked	Comment
200	NIPSCO	SR 1	Gas	2"?	GAS LINE ON RIVER DRIVE	VARIANCE	Pressure		No overburden		Yes	NA		2, 4		1, 3, 6	Contact NIPSCO, daylight
33	MWW	SR 1	Water	UNK	EXISTING LINE CROSSES THROUGH/UNDER LEVEE,	CONSIDER VARIANCE	Pressure		No overburden		Yes	NA		2, 4		1, 3, 6	Contact MWW, daylight
097A	HSD	NR 1	Combined Sewer	12	EXISTING LINE CROSSES THROUGH/UNDER LEVEE, US	VARIANCE, INVERT ELEVATION AT 588.66	Pressure	Yes	Yes	Yes	Yes	NA		1, 2, 3, 4		6	Contact HSD, daylight
097B	HSD	SR 1	Combined Sewer	12	EXISTING LINE CROSSES THROUGH LEVEE, S OF	VARIANCE, INVERT ELEVATION AT 588.66	Pressure	Yes	Yes	Yes	Yes	NA		1, 2, 3, 4		6	Contact HSD, daylight
102	HSD	SR 1	Combined Sewer	30	NEW 30" SEWER, S OF RIVER, E OF PUMP STATION	VARIANCE, INVERT ELEVATION AT 584.40	Gravity	Yes	Yes	Yes	NA	Yes	No - deep	All			Approve
208	HSD	NR 1	Combined Sewer	VARIOUS	EXISTING INVERTED SIPHON (NEW)	VARIANCE, INVERT ELEVATION 561+/-	Gravity	Yes	Yes	Yes	NA	Yes	No - deep	All			Approve
089A	HSD	NR 1	Combined Sewer	18	EXISTING 18" INTERCEPTOR SEWER THROUGH NORTH	VARIANCE, N INVERT ELEVATION 582.15	Gravity	Yes	No	No	NA	Yes	No - deep	1, 5, 6	2, 3		Recommend lining of pipe
089A	HSD	NR 1	Combined Sewer	18	EXISTING LINE CROSSES UNDER LEVEE, E OF RIVER,	VARIANCE, S INVERT ELEVATION 581.35	Gravity	Yes	No	No	NA	Yes	No - deep	1, 5, 6	2, 3		Recommend lining of pipe
87	MWW	NR 2	Water	18	EXISTING LINE, N OF RIVER	EXTEND FLOODWALL TO BRIDGE PIPE	Pressure			NA - Floodwall	Yes	NA		3, 4		1, 2, 6	Contact MWW, daylight
88	MWW	NR 3	Water	12	EXISTING LINE, EAST OF CALUMET STREET BRIDGE, N	CONSIDER VARIANCE	Pressure	Yes	No overburden	NA - Mounted to Bridge	Yes	NA		1, 2, 3, 4		6	Contact MWW, daylight?
017A	NIPSCO	NR 3	Gas	12	EXISTING LINE WEST OF	VARIANCE/PROTECT	Pressure				Yes	NA		4		1, 2, 3, 6	Contact NIPSCO, daylight
18	HSD	NR 3	Combined Sewer	30	EXISTING LINE, W OF COLUMBIA AVENUE BRIDGE,	VARIANCE, N IE 575.17, S IE 575.55	Gravity	Yes	Yes	Yes	NA	Yes	No - deep	All			Approve

Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

PUBLIC INFORMATION MEETING

The Little Calumet River Basin Development Commission
and
The U. S. Army Corps of Engineers, Chicago District

are holding a joint meeting

WHEN: Monday, July 21, 2008

TIME: 6:30 – 8:30 p.m.

WHERE: Wicker Park Club House
Highland, IN

PURPOSE: Discuss with affected residents the engineering plans, river hydrology, and real estate easements needed in the Southmoor Road area of Hammond and the Monaldi Subdivision on River Drive in Munster.

Offers have been made to owners of needed easements and questions have arisen that will be answered by Commission and Corps of Engineers officials/staff.

A project schedule for acquisition and construction bidding will be presented.

ACKNOWLEDGMENT

State of Indiana, County of Lake, SS:

Before me, the undersigned Notary Public in and for said County, personally appeared

William J. O'Connor
(Names and offices of signers of Pump Station Agreement)

respectively, of the CITY OF HAMMOND, A MUNICIPAL CORPORATION, and acknowledged the execution of the foregoing contract on this 17th day of April, 2008.

Witness my hand and Notarial Seal.

My Commission Expires
12-5-08

Linda Marinkovic
NOTARY PUBLIC (Signature)

LINDA MARINKOVIC
(Printed or typed)

ACKNOWLEDGMENT

State of IN, County of Lake, SS:

Before me, the undersigned Notary Public in and for said County, personally appeared

Dan Gardner and James E. Pokrajac
(Names and offices of signers of Pump Station Agreement)

respectively, of the LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION, and acknowledged the execution of the foregoing contract on this 9th day of April, 2008.

Witness my hand and Notarial Seal.

My Commission Expires
April 14, 2016

Sandra J. Mordus
NOTARY PUBLIC (Signature)

SANDRA J. MORDUS
Lake County
My Commission Expires
April 14, 2016

Sandra J. Mordus
(Printed or typed)

FOREST AVENUE PUMP STATION (HAMMOND)
PUMP STATION 2A - DC-1402
(PERPETUAL/TEMPORARY EASEMENTS)

ACKNOWLEDGMENT

State of Indiana, County of Lake, SS:

Before me, the undersigned Notary Public in and for said County, personally appeared William J. O'Connor, President
(Names and offices of signers of Pump Station Agreement)
City of Hammond, A Municipal Gas Corporation
respectively, of the ~~HAMMOND SANITARY DISTRICT~~, and acknowledged the execution of the foregoing contract on this 17th day of April, 20 08.

Witness my hand and Notarial Seal.

My Commission Expires
12-5-08

Linda Marinkovic
NOTARY PUBLIC (Signature)

LINDA MARINKOVIC
(Printed or typed)

ACKNOWLEDGMENT

State of IN, County of Lake, SS:

Before me, the undersigned Notary Public in and for said County, personally appeared Dan Gardner and James E. Pokrajac
(Names and offices of signers of Pump Station Agreement)

respectively, of the LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION, and acknowledged the execution of the foregoing contract on this 9th day of APRIL, 2008.

Witness my hand and Notarial Seal.

My Commission Expires
April 14, 2016

Sandra J. Mordus
NOTARY PUBLIC (Signature)

SANDRA J. MORDUS
Lake County
My Commission Expires
April 14, 2016

Sandra J. Mordus
(Printed or typed)

TAPPER AVENUE PUMP STATION (HAMMOND)
PUMP STATION 2A - DC-1300
(PERPETUAL PUMP STATION EASEMENT)

Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

June 11, 2008

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

Dear Imad:

This letter will confirm that the Commission has obtained all the necessary easements for pump station construction in Hammond.

Enclosed please find the original signed right-of-entry and one copy for Pump Station 2A contract (Forest Avenue and Tapper Avenue). We understand that the 2A contract will be awarded by the end of June.

If you would kindly send us a right-of-entry for the Pump Station 2B contract (Indianapolis Blvd, Jackson Avenue, and Southside), we will sign it and return it to you. We understand that the 2B contract is not ready to be advertised at this time, but since we do have the easements in hand, we are prepared to sign the right-of-entry.

Thank you for your attention to this matter.

Sincerely,

Dan Gardner

Dan Gardner
Executive Director

/sjm
encl.
cc: Vic Kotwicki, *ACOE, Detroit*
Steve Hughes, *ACOE Chicago*
Jim Pokrajac, *LCRBDC Engineering*

34

AUTHORIZATION FOR ENTRY FOR CONSTRUCTION
LITTLE CALUMET RIVER FLOOD CONTROL PROJECT
PUMP STATION REHABILITATION PHASE 2-A
GARY, INDIANA

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

Witness my signature as Executive Director of the Little Calumet River Basin Development Commission, Portage, Indiana, this 16th day of April, 2008.

Little Calumet River Basin Development Commission

Dan Gardner

By: Dan Gardner

ATTORNEY'S CERTIFICATE OF AUTHORITY
LITTLE CALUMET RIVER FLOOD CONTROL PROJECT
PUMP STATION REHABILITATION PHASE 2-A
GARY, INDIANA

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

Witness my signature as attorney for the Little Calumet River Basin Development Commission, Portage, Indiana, this 16 day of April, 2008.

Lou Casale

n: Little Cal-All prop. acquired verif. 2-A pump stations

US Army Corps
of Engineers.
Chicago District

LETTER OF TRANSMITTAL

To: Dan Gardner
Little Calumet River Basin Development Commission

Date 6-Jun-03 (RECEIVED JULY 14, 2008)

Thru:

Project No: Little Calumet River Flood Control Project

Re: Griffith Levee Certification

Attn:

X

No. of Copies	
1	Final Copy of the Initial Eligibility Inspection Report

Sent to you for the following reason:

_____ For Approval
_____ Review Completed
_____ Revise and Resubmit
X For Your Use
_____ Not Reviewed
_____ Returned
_____ For Review and Comment
Other: _____

Remarks:

Copy To: File

Signed:

U.S. Army Corps of Engineers, Chicago District
111 North Canal Street, Chicago, Illinois 60606-7206, (312) 353-6400, FAX (312) 353-2156

LRC FORM 1110-1 (RE), June 1997

DEPARTMENT O
CHICAGO DISTRICT CO
111 NORTH CANAL STREET
CHICAGO, ILLINOIS 60606-7206

OFFICIAL BUSINESS

049J82045640
$02.02⁰
07/09/2008
Mailed From 60606
US POSTAGE

First Class Mail

38

Dan Gardner
6100 Southport Road
Portage, Indiana 46368

RECEIVED JUL 14 2008

Copies for members

CBBEL MEETING MINUTES

Meeting Date: 07/02/2008
Project Name: Griffith Levee Certification
CBBEL Project #: 08-0394
Attendees: Mark Gordish – Little Calumet River Basin Development Commission (LCRBDC) and City of Hammond
Bob Huffman – LCRBDC
Stephen Davis – LCRBDC & Department of Natural Resources (DNR)
Dan Gardner – LCRBDC
William Biller – LCRBDC
Jim Pokrajac – LCRBDC (ON CONFERENCE CALL)
Imad Samara – United States Army Corps of Engineers (USACE)
Brian McKenna – Christopher B. Burke Engineering, Ltd. (CBBEL)
David Haas – CBBEL

Notes By: David Haas

Notes:

The purpose of this meeting was to discuss the process and scope of work necessary to certify the Griffith Levee as discussed in the USACE Levee Certification Report.

Key points are as follows:

1. The Griffith Levee has not yet been incorporated into the USCACE levee system that currently protects the areas immediately to the west and east of the Griffith Levee. If the Griffith Levee were incorporated, it would connect the levee systems for the City of Gary with the levees for the City of Highland.

2. The USACE completed an inspection on April 9th, 2008 and composed a report that documents a number of deficiencies in the levee that currently prevent it from being incorporated into the USACE levee system. Mr. Samara stated that if all deficiencies listed in the Levee Certification Report are corrected, the USACE will be willing to incorporate the Griffith Levee into their levee system. This will allow a number of buildings to be removed from the floodplain.

3. Christopher B. Burke Engineering, Ltd. (CBBEL) did a visual inspection of the Griffith Levee on 7/02/2008.

4. CBBEL noticed that the Griffith Levee tie back at Cline appears to be a few feet higher than Cline Avenue. This also appears to be the case for the USACE levee on the other side of Cline Avenue. Dan Gardner stated that he believed Cline Avenue was built higher than the 100-year flood elevation, but that there was little freeboard.

5. CBBEL provided a preliminary list of anticipated tasks and assignments that will be necessary to correct the deficiencies that were noted in the USACE inspection report. The LCRBDC and the USACE will review this task and assignment list and provide comments to CBBEL. Mr. Gardner indicated that the LCRBDC will be able to provide Real Estate Investigation that is discussed in the Anticipated Tasks and Assignments.

6. CBBEL proposes to be the Program Manager for the project. In that capacity, they will be responsible for the overall coordination of all tasks involved in the project. CBBEL will also serve as the design engineer for a number of the tasks.

7. CBBEL will prepare a proposal including a scope of services and a fee for the Program Manager role. The proposal will also include anticipated ranges of design fees for the specific design tasks involved in repairing the deficiencies. CBBEL will provide this proposal to the LCRBDC within the next two weeks.

8. CBBEL asked if there was an expected timeline to finish all of the deficiencies and the LRBDC said that deficiencies needed to be repaired as soon as possible. Mr. Gardner indicated that there was approximately $500,000 immediately available to cover the design and construction fees. The project will need to move quickly and there are no funding issues that are expected to delay any phase of the design or construction.

CBBEL CONFERENCE CALL LOG

Call Date: 07/10/2008
Project Name: Griffith Levee Certification
CBBEL Project #: 08-0394
Attendees: Stephen Davis – LCRBDC & Department of Natural Resources (DNR)
Traci Powell – DNR
Dan Gardner – LCRBDC
Jim Pokrajac – LCRBDC
Imad Samara – United States Army Corps of Engineers (USACE)
Rick Ackerson – USACE
Roberto Paredes – USACE
William Rochford – USACE
Brian McKenna – Christopher B. Burke Engineering, Ltd. (CBBEL)
David Haas – CBBEL

Notes By: David Haas

Notes:

The purpose of this conference call was to discuss the certification of the Griffith Levee as part of the USACE levee system. This phone call was arranged as a follow up to the meeting held with the LCRBDC commissioners and CBBEL on July 2. The basis of the call was a discussion of the attached Anticipated Tasks and Assignments list composed by CBBEL.

Key points are as follows:

1. Mr. Gardner discussed the background of the Griffith Levee and the motivation behind the current project. The levee was originally built to protect against the 100 year flood event and was at one time certified by the IDNR. The levee has not been maintained and there are a number of deficiencies that are preventing it from being accepted by the USACE as a part of their levee system. The LCRBDC has approximately $500k of funding available to design and construct the measures necessary to correct the deficiencies in the levee.

2. The LCRBDC board has given approval to enter into an agreement with CBBEL to be the Program Manager of the project. In that capacity, CBBEL will be responsible for the overall coordination of all tasks involved in the project. CBBEL will also serve as the design engineer for a number of the tasks.

3. Mr. Samara stated that the Final Griffith Levee Certification Report was recently finished and will be sent via e-mail to CBBEL. This report provides details of the deficiencies in the levee found by the USACE during their recent inspection.

4. Mr. Pokrajac stated that he would get started on the Real Estate Investigation that is now under the responsibility of the LCRBDC.

5. The USACE will assist CBBEL with the O&M Manual for Griffith Levee, but will not be responsible for the natural grasses/wetland mitigation on the riverward side of the levee. CBBEL will have to incorporate that mitigation into the O&M Manual for the USACE levee system. USACE Chicago district has some information regarding this

mitigation area and will forward to CBBEL, however, coordination of any changes with the mitigation area will need to go through the Detroit district.

6. As part of the Geotechnical Analysis, three soil borings will have to be taken for every 1,000 feet of levee. Mr. Pokrajac stated that the Griffith Levee was built in three different stages, and that he would fax information to CBBEL regarding where the levee segments were constructed.

7. The termination of the west end of the levee was discussed. CBBEL will be responsible for analyzing whether use of the tie back levee or a closure across Cline Ave. is most appropriate. Additional survey of Cline Ave. may be required if a closure is used to verify the elevation of the top of the barrier wall and to locate any penetrations through Cline Ave.

8. Someone from USACE stated that they believed the Town of Griffith Public Works Department now has the capabilities to perform video inspection of pipe penetrations. Rick Konopasek was stated to be the contact with the Town of Griffith for the video inspections. The USACE stated that the pipe inspections will be required every five years. CBBEL will be responsible for coordinating the first video inspection. USACE stated their preference for RCP to be used for any penetrations that will be replaced. The USACE 1913 design manual should be used for guidance.

9. The USACE stated that gravity pipes less than 24" can have a manhole with sandbags used as a secondary shutoff. Emergency shutoffs will be needed for all pressurized pipes that go through the levee. Mr. Pokrajac stated that he thought that there were petroleum pipes that are currently abandoned that will be activated going through the levee near the railroad.

10. Analysis of the interior drainage system will be completed by CBBEL. During flood events, the Town of Griffith currently uses portable pumps to decrease flooding on the landward side of the levee. The USACE recommended a pump station in the Levee Certification Report. If the permanent pump station is not installed, the levee could still be certified as long as the areas subject to interior drainage flooding are mapped on the Flood Insurance Rate Map (FIRM).

11. The LOMR application for the Griffith Levee will not be a part of this phase of the project, but will be a part of a larger LOMR to be prepared by USACE that includes the Burr Street Levee as well as other adjacent USACE levees. To certify the levee, the USACE will need design computations, as-built drawings, and documentation that confirms all construction was done according to plans and specifications.

<u>Action Items List and Responsible Parties</u>

USACE

- Send CBBEL Final Griffith Levee Certification Report
- Forward information regarding mitigation area to CBBEL

LCRBDC

- Start work on Real Estate Investigation
- Fax information to CBBEL regarding location of levee segment construction locations

CBBEL

- Prepare a proposal including scope of services for Program Manager role as well as anticipated ranges of design fees for other specific design tasks

Griffith Levee Certification
Anticipated Tasks and Assignments
CBBEL Responsible for Program Management and Coordination of All Tasks

Task #	Task Name	Assigned To
100	**Project Management**	
101	Invoicing	CBBEL
102	Project Tracking	CBBEL
103	Sub-Consultant Coordination	CBBEL
200	**Real Estate Investigation**	
201	Determine ownership of levee	LCRBDC
202	Prepare Opinion of Compensability	LCRBDC
203	Purchase property/easements	LCRBDC
300	**Document Preparation**	
301	Revise LCR standard O&M manual to include Griffith segment	USACE
302	Revise LCR standard Emergency Response Plan to include Griffith segment	USACE
303	Incorporate mitigation into O&M manual for the USACE levee system	CBBEL
400	**Geotechnical Analysis**	
401	Perform soil borings of embankment	Sub-Consultant
402	Perform slope stability analysis	Sub-Consultant
403	Perform seepage analysis	Sub-Consultant
404	Perform settlement analysis	Sub-Consultant
500	**Crest Elevation**	
501	Verify crest elevation from existing survey and BFE elevations	CBBEL
502	Design improvements to raise crest (if necessary)	CBBEL
503	Construct improvements to raise crest (if necessary)	Contractor
600	**West End Termination**	
601	Evaluate use of closure structure or tie-back levee at Cline Ave.	CBBEL
602a	Design closure structure (Depending on results of Task 601)	CBBEL
602b	Design improvements to tie-back (Depending on results of Task 601)	CBBEL
603a	Construct closure system (Depending on results of Task 601)	Contractor
603b	Construct improvements to tie-back (Depending on results of Task 601)	Contractor
700	**Pipe Penetrations**	
701	Inspect pipe penetrations and closing mechanisms	CBBEL
702	Perform video inspection of pipes	Town of Griffith
703	Design secondary closures and pipe improvements	CBBEL
704	Construct secondary closures and pipe improvements	Contractor
800	**Interior Drainage**	
801	Analyze internal drainage system	CBBEL
802	Design pump station and other necessary improvements	CBBEL
803	Construct pump station and other necessary improvements	Contractor
900	**Miscellaneous Defects** (Erosion, Encroachments, Vegetation, and Animal Burrows)	
901	Inspect levee and catalog miscellaneous defects	CBBEL
902	Coordinate with 3rd parties to remove encroachments	CBBEL
903	Design improvements to miscellaneous defects	CBBEL
904	Construct improvements to miscellaneous defects	Contractor

CHRISTOPHER B. BURKE ENGINEERING, LTD.
National City Center Suite 1368 South 115 West Washington Street Indianapolis, Indiana 46204 TEL (317) 266-8000 FAX (317) 632-3306

July 18, 2008

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

Subject: Proposal for Professional Engineering Services
River Road Levee Certification

Dear Mr. Gardner:

Christopher B. Burke Engineering, Ltd. (CBBEL) is pleased to submit this proposal to provide professional engineering services to coordinate the correction of deficiencies in the River Road Levee.

As you know, the River Road Levee is located in the Town of Griffith, Indiana within the south overbank of the Little Calumet River. The levee provides flood protection for the businesses and residents in the vicinity to the south of the levee. The levee extends approximately 2,450 feet from Cline Avenue eastward to the E.J. & E Railroad. It was originally constructed in the late 1990's under the authority of the Town of Griffith. The levee has not yet been certified by the United State Army Corps of Engineers (Corps) and as a result has not been incorporated into their overall levee system. In addition, the Federal Emergency Management Agency (FEMA) has not yet placed the levee into their National Flood Insurance Program (NFIP).

On April 9th, 2008, the Corps completed an inspection of the River Road Levee to determine if the levee meets the required standards set forth by the Corps for inclusion into the Rehabilitation and Inspection Program (RIP). In addition, the Corps conducted an evaluation of available information about the levee segment to perform the appropriate analysis to determine what improvements are required to enable it to be certified. The findings of this inspection and analysis were documented in a report prepared by the Corps titled *River Road Levee – Initial Eligibility Inspection Report* dated July 3, 2008. In discussions between the LCRBDC, the Corps, and CBBEL, the Corps has indicated that when the deficiencies noted in their report are corrected, they will be willing to certify the levee as providing a 100-year flood level of protection and will incorporate the River Road Levee segment into their Federal Flood Protection Project.

CBBEL is proposing to take the lead role in evaluating the recommendations of the

Corps Initial Eligibility Inspection Report and then serving as program manager to coordinate the correction of all deficiencies noted in the Corp Report. As program manager, CBBEL will be responsible for the coordination of stakeholders (LCRBDC, Town of Griffith, and Corps) and sub-consultants (geotechnical engineering and survey) that will be required to perform the inspections, analyses, and design necessary to correct the deficiencies of the River Road Levee. In addition to their role as program manager, CBBEL will also perform a significant portion of the inspection, analysis and design.

Due to the uncertainty regarding the extent of design services that will be required, it is recommended that a phased funding approach be utilized for the River Road Levee Certification Project. The following phases are recommended for funding the project:

Phase 1: Program Management, Investigation, and Analysis
The initial phase can begin immediately and will include the overall program management services that will be required throughout Phases 1 and 2 of the project. It will also include all investigation and analyses that must be completed in order to determine the extent of design related services. A detailed list of tasks and fees associated with the Phase 1 is shown below under "Scope of Services."

Phase 2: Design and Bidding Services
The second phase will include the preparation of construction documents (plans and specifications) as well as the services required to assist the LCRBDC with bidding and contractor selection. A detailed proposal including scope of services and engineering fees will be prepared at the conclusion of Phase 1. Based on information available at this time, it is anticipated that the fee for Phase 2 could range from approximately $60,000 to $80,000 or more.

Phase 3: Construction Services
The third phase will include services to be performed during the construction of the improvements designed during Phase 2. It is anticipated that the LCRBDC will enter into a separate contract with a qualified construction company. CBBEL will be responsible for performing construction observation and management on behalf of the LCRBDC. The anticipated construction services to be performed by CBBEL include construction observation, shop drawing review, and review of contractor invoices. A detailed proposal including scope of services and engineering fees will be prepared at the conclusion of Phase 2.

ESTIMATED FEE

The total fee to provide the tasks outlined in Phase 1 of the scope of services is $70,000. The estimated fees per task are as follows:

Task 100 – Program Management	$ 30,000
Task 200 – Real Estate Investigation	*By Others*
Task 300 – Document Preparation	*By Others*
Task 400 – Geotechnical Analysis	$ 40,000
Task 500 – Crest Elevation	$ 1,000
Task 600 – West End Termination	$ 6,500
Task 700 – Pipe Penetrations	$ 2,000
Task 800 – Interior Drainage	$ 3,500
Task 900 – Miscellaneous Defects	$ 2,000
Total	**$ 85,000**

The total estimated fee is based on a fair amount of uncertainty regarding the level of effort that will be required to complete the project. CBBEL will make every effort to be as efficient as possible so that our total fee is less than the suggested budget amount. We propose to bill you monthly, on a time and materials basis, in accordance with our attached Standard Charges for Professional Services and establish our contract in accordance with the attached General Terms and Conditions. These General Terms and Conditions are expressly incorporated into and are an integral part of this contract for professional services. It should be noted that this proposed contract for professional services does not include the following:

1. Tasks and associated professional engineering fees associated with Phases 2 (Design and Bidding Services) and Phase 3 (Construction Services) as described above.
2. Tasks and associated professional engineering fees associated with preparing the necessary MT-2 forms to apply for a Letter of Map Revision (LOMR) from FEMA.
3. Development of annotated FIRM maps showing proposed floodplain.
4. Inspection or analysis of deficiencies not specifically noted in the Corps' Initial Eligibility Inspection Report.

We appreciate the opportunity to provide this proposal and look forward to working with the LCRBDC on this project. If this proposal meets with your acceptance, please sign it, and return one copy to us as a notice to proceed. If you have any questions regarding this proposal, please contact Brian McKenna, P.E., Siavash Beik, P.E., or me at (317) 266-8000.

Sincerely,

Jon D. Stolz, P.E.
Manager, Indiana

WORK STUDY SESSION

AQUISITION COMMITTEE
6 August 2008

Robert Marszalek, Chairman

(ACTION)

We are requesting condemnation authority for the following:

DC 1399-A Property is south of Rich's Park in Munster. We thought we owned this parcel under riparian rights but have recently found out that the original developer did not extend the lots to the river. This strip of land is still in the names of the last deed recorded in 1956. No assessment has been made and no taxes collected for 52 years. Neither the title company, survey company nor we have been able to find an address for the owner. We need to condemn to impose the easement.

DC 1399-B Property is south of the Southmoor Addition adjacent to the river. We thought we owned this parcel under riparian rights but have recently found out that the Southmoor Addition lots do not reach to the river. This is a strip of land between the lots and the river still in the names of the last deed of record dated 1930. No assessment has been made and no taxes collected for 78 years. Neither the title company, survey company nor we have been able to find an address for the owner. We need to condemn to impose the easement.

STAGE V UPDATE – (Kennedy to Northcote)
We have come to agreements with the Norfolk & Southern Railroad and NIPSCo. Closing papers are circulating among their offices for signatures.

STAGE VII UPDATE – (Northcote to Columbia)
(deadline 8/15/08, now extended to 8/30/08)
Of the 34 offers sent to landowners:
32 landowners have accepted
1 is in condemnation (court hearing date is 8/7/08)
1 utility will sign and mail acceptance the week of 8/11/08.

STAGE VIII UPDATE: (Columbia to Illinois state line)
Of the 92 offers sent to landowners:
1 (Munster Med-Inn) eliminated
66 have accepted offers
21 are in condemnation
2 will accept with increased offers for additional landscaping damage
2 (CSX Railroad and NICTD) still reviewing real estate and engineering

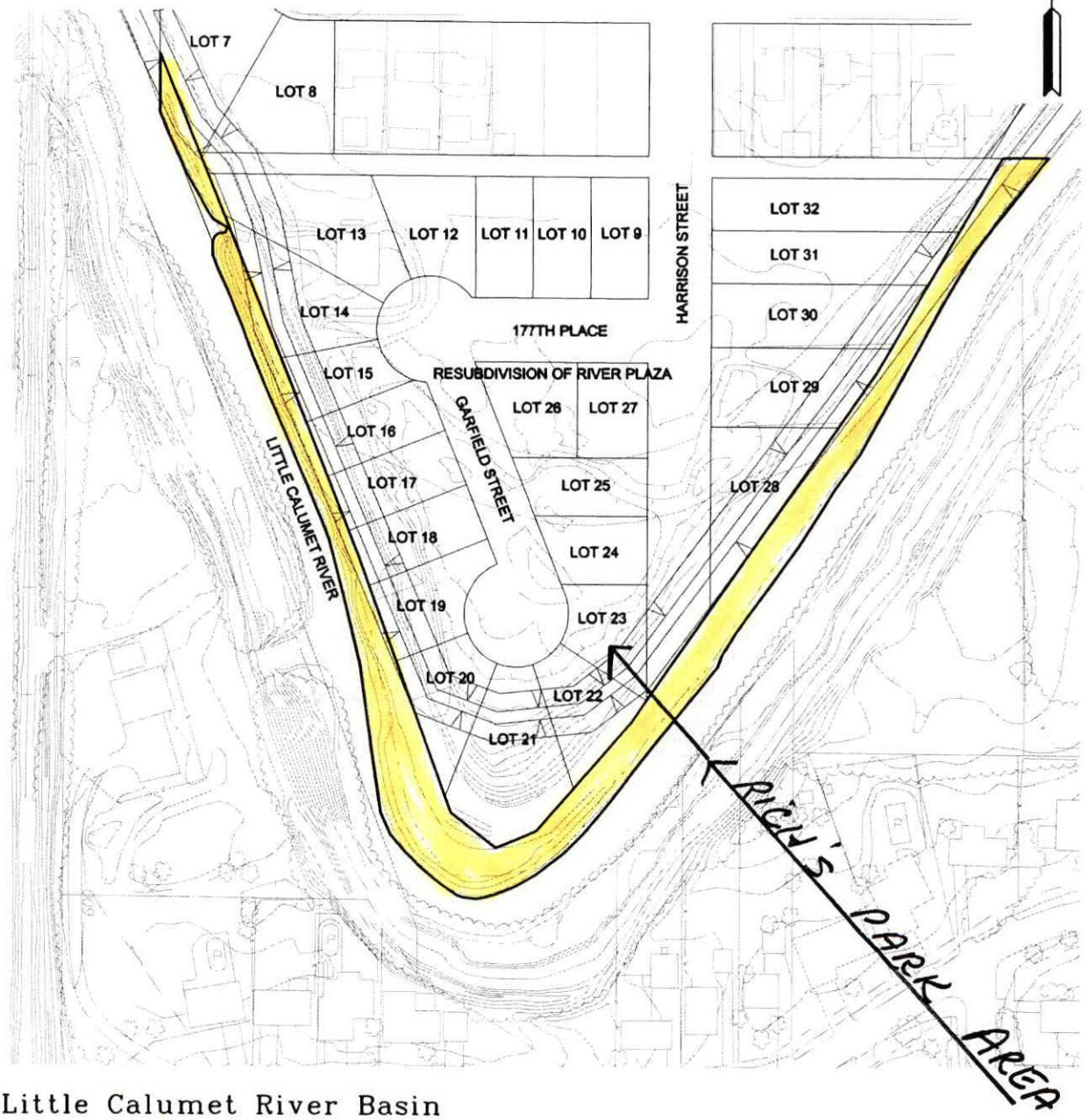
DC 1399-A

COUNTY: LAKE
SECTION: 13
TOWNSHIP: 36 NORTH
RANGE: 10 WEST
TAX KEY: NONE

OWNER: ROBERT E. & MARIE C. WILHELM

TOTAL OWNERSHIP AREA

DC-1399A



Little Calumet River Basin Development Commission
6100 Southport Road Portage, Indiana 46368

GARCIA CONSULTING
7501 Indianapolis Boulevard
Hammond, IN 46324
Phone: 219.989.1954
Fax: 219.989.3321
www.garcia-consulting.com

TOTAL OWNERSHIP AREA (±1.19 AC.)

LITTLE CALUMET RIVER, INDIANA LOCAL FLOOD PROTECTION STAGE VIII	
SHEET 1 OF 4	SCALE: 1" = 150'
DATE: JULY 15, 2008	DC-1399A

...\DC-1399A\DC-1399A.dgn 7/15/2008 8:16:03 AM

Judy Vamos

From: "Dianne Afanador" <DAfanador@meridiantitle.com>
To: "Judy Vamos" <jvamos@nirpc.org>
Sent: Tuesday, July 15, 2008 2:05 PM
Subject: RE: address or deed for DC 1399-A

DC 1399-A

Hi There Judy!

The last deed of record was recorded in 1956. I can send this to you but there are no addresses on this deed that would assist you. This is one of those "lost" Lake County, IN tracts of land. Dianne

-----Original Message-----
From: Judy Vamos [mailto:jvamos@nirpc.org]
Sent: Tuesday, July 15, 2008 1:50 PM
To: Dianne Afanador
Subject: address or deed for DC 1399-A

7/15/08

Dear Dianne,

I need to write a letter to the landowners of DC 1399-A, file number 814988, owners Robert E. and Marie C. Wilhelm telling them we need an easement on the property. There is no key number, ergo no assessor number, etc. Could you please fax me a copy of the deed or an address if you have one? Thanks.

JV

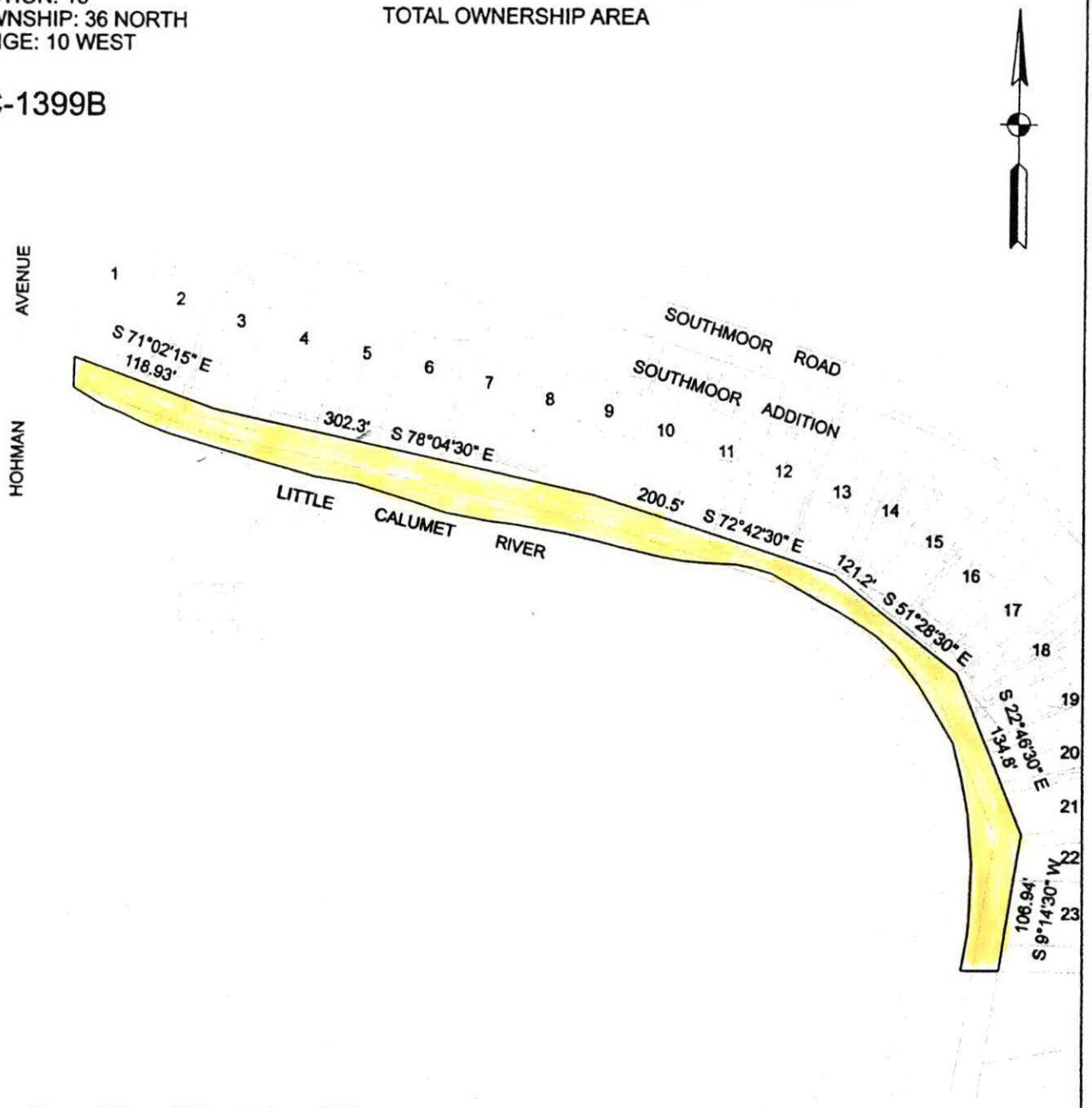
Judith (Judy) Vamos, Real Estate
Little Calumet River Flood Control and Recreation Project
6100 Southport Road
Portage, IN 46368
Office: 219-763-0696
Fax: 219-762-1653
Cell: 219-689-8416

DC 1399-B

COUNTY: LAKE
SECTION: 13
TOWNSHIP: 36 NORTH
RANGE: 10 WEST

OWNER: ROBERT S. GRANT & JAMES D. HARVEY, (AS TRUSTEES)
TOTAL OWNERSHIP AREA

DC-1399B



0' 60' 120' 180' 240'

SCALE 1 IN = 120 FEET

Little Calumet River Basin Development Commission

6100 Southport Road Portage, Indiana 46368

TOTAL OWNERSHIP AREA (±0.64 AC.)

GARCIA CONSULTING

7501 Indianapolis Boulevard
Hammond, IN 46324
Phone: 219.989.1954
Fax: 219.989.3321
www.garcia-consulting.com

LITTLE CALUMET RIVER, INDIANA
LOCAL FLOOD PROTECTION
STAGE VIII

SHEET 1 OF 4	SCALE: 1" = 120'
DATE: JULY 15, 2008	DC-1399B

...\DC-1399B\DC-1399B.dgn 7/15/2008 8:17:32 AM

Judy Vamos

From: "Dianne Afanador" <DAfanador@meridiantitle.com>
To: "Judy Vamos" <jvamos@nirpc.org>
Sent: Tuesday, July 15, 2008 2:07 PM
Subject: RE: address or deed for DC 1399-B

Dear Judy,

This is another one of those "lost" areas. Both of these searches I had to put my FBI/CIA hat on. The last deed of record was recorded in 1930.....alas no addresses.

DC 1399-B

Dianne

-----Original Message-----
From: Judy Vamos [mailto:jvamos@nirpc.org]
Sent: Tuesday, July 15, 2008 2:03 PM
To: Dianne Afanador
Subject: address or deed for DC 1399-B

7/15/08

Dear Dianne,

Another one I need the deed or an address for (no key number):

DC 1399-B owners Robert S. Grant and James D. Harvey)as trustees)
file # 815211

Thanks.

JV

Judith (Judy) Vamos, Real Estate
Little Calumet River Flood Control and Recreation Project
6100 Southport Road
Portage, IN 46368
Office: 219-763-0696
Fax: 219-762-1653
Cell: 219-689-8416

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
ATTENDANCE ROSTER

NAME OF MEETING: LCRBDC DATE: 8-6-08

LOCATION: 6100 Southport Rd, Portage CHAIRMAN: Bill Biller

PLEASE SIGN IN

	NAME (PLEASE PRINT)	ORGANIZATION, ADDRESS, PHONE NUMBER
1	Kelsey LAVICKA	USACOE
2	Erik Potter	Post-Trib
3	SUSAN BROWN	TIMES
4	BILL PETRITES	HIGHLAND RESIDENT
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

Wednesday 8/6
The Times

Storm won't delay Little Cal levee work

BY SUSAN BROWN
sbrown@nwitimes.com
219.836.3780

Though Monday's storm cut a path along the Little Calumet River, officials say it shouldn't slow down the Little Calumet River flood control project now making headway in Highland, Munster and Hammond.

On Tuesday, toppled trees and debris blanketed the levee construction site active along Hawthorne Drive, River Drive and Northcote Avenue, an area north of Ridge Road that borders all three communities. In its midst lies Hart Ditch, the main tributary to the Little Calumet River and the first area to flood in heavy rain events.

Coordinators of the federal levee project have been under pressure to complete construction by the end of 2009, a deadline watched keenly by North Township officials, who oversee Highland's Wicker Park.

Bordering Hart Ditch, Wicker Park frequently suffers the brunt of any flooding in the area.

While downed trees appeared Tuesday to have significantly damaged the construction site, officials said the damage was limited to construction barriers set up to protect residents and will have little effect on the project's progress.

"We're not expecting a major delay," said Imad Samara, project manager for the U.S. Army Corps of Engineers.

Samara said any delay would be just a matter of days to allow for cleanup and repair of the fences that were installed mainly for the protection of local residents.

Jim Pokrajac, an engineer with the Little Calumet River Basin Development Commission, said the work site is part of a construction phase covering Kennedy Avenue to Northcote Avenue on both sides of the river.

Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

committee of the whole
schedule
O&M funding &
finance
- check w/Kent 1st
before next mtg.

L-F proposal -
Kent wants it

WORK STUDY SESSION

August 6, 2008

5:30 – 6:00 p.m.

ACTION ITEMS:

Finance:
- Approval of claims for July 2008
- Approval of O&M claims for July 2008
- Approval of Munster claim

Land Acq:
- Action on 2 condemnations
  - DC-1399A
  - DC-1399B

One motion

IMPORTANT DISCUSSION:

Proposal received by Christopher Burke Engineering to do Griffith levee engineering

Authorizations:
- Consideration of Christopher Burke Engineering proposal

authorize staff to att. to get a firm name to Army Corps - exceed - cap it. list of tasks for ph. 1 + 2.

Stage VIII Acquisition Progress Status

Stage VII Acquisition Progress Status

Construction Progress Report
Thru End of July
2008

			TS-C-S
CONTRACT NO.:	W912P6-07-C-0011		D. Anderson
CONTRACTOR:	Dyer Construction Co., Inc.		Edd/Ibrahim
DESCRIPTION:	LCR, Local Flood Protection, Stage 5-2		Babcock
ORIGINAL CONTRACT AWARD DATE/AMOUNT:		29-Sep-07	13,140,189.41
NTP DATE./CURRENT CONTRACT AMOUNT: Mods	A00005/P00006	17-Oct-07	13,652,163.85
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION:		5-Nov-09	750
REVISED CONTRACT COMPLETION DATE/REVISED DURATION:		5-Nov-09	750
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS:		5-Nov-09	0
AREA ENGINEER'S ESTIMATED SUBSTANTIAL COMPLETION DATE:		30-Jun-10	
ESTIMATED PROGRESS			
A. Present Earnings as of Pay Est. No.	6		5,160,949.12
B. Estimated Earnings thru end of reporting period	(est. work in place)		500,000.00
C. Value of work Performed on Directed Mods (Earnings not paid for)			0.00
TOTAL ESTIMATED PROGRESS (A+B+C)			5,660,949.12
TOTAL ESTIMATED FINAL CONTRACT AMOUNT			
D. Current Contract Amount thru Mod.	A00005/P00006		13,652,163.85
E. Current Value of Overruns/Underruns (+/-)			150,000.00
F. Directed, Pending Modifications (see comments below for descr.)			1,324,000.00
TOTAL ESTIMATED FINAL CONTRACT AMOUNT (D+E+F)			15,126,163.85
FUNDS OBLIGATED FOR PAYMENT: thru Modification	A00005/P00006		11,719,449.23
ACTUAL PERCENT COMPLETE (A+B+C)/(D+E+F)			37.42%
SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart)			37.00%
TOTAL EARNINGS AT THE END OF FY07			0.00

PROJECT STATUS/MAJOR ISSUES:

This Contract is incrementally funded. - Clearing, grub, haul completed. Sheet piling essentially installed, Working on 5N Levee, Many DSC/Debris instances, LCRBDC has taken care of some interfering existing abandoned utilities.

- Pending mods- not all listed
  * DSC - Hawthorne I-Wall, Debris, Mod in progress
  * Add safety cage to ladder, proposal received.
  * Large DSC/Eng change at No Dr I-Wall, proposal resubmitted, IGE updated. *Trail/Fence Changes,-RFP issued
  * Baring Ave Pump Sta overflow outlet DSC, District redesigning
  * DSC - location of 96" pump station outfall/Delete 96" pipe shown on Civil, RFP Issued *
  * RFP issued for 18" CMP DSC Wicker Park I-Wall. Proposal Received
  * RFP rescinded on Retaining walls to avoid utilities
  * Seepage concerns - 1040 lf of cutoff structures RFP issued, preliminary proposal rec'd

Due to permit issues, will need to separate riprap from Hart Ditch and No. Drive I-Wall changes.- Next Progress meeting 08/06

Construction Progress Report
Thru End of July
2008

			TS-C-S D. Anderson Edd/Nielsen Craib
CONTRACT NO.:	W912P6-07-C-0003		
CONTRACTOR:	Dyer Construction Co., Inc.		
DESCRIPTION:	LCR, Local Flood Protection, Burr Street Phase 2 East		
ORIGINAL CONTRACT AWARD DATE/AMOUNT:		28-Feb-07	3,342,583.22
NTP DATE./CURRENT CONTRACT AMOUNT: Mods	A00003	13-Mar-07	3,045,463.51
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION:		5-Jul-08	480
REVISED CONTRACT COMPLETION DATE/REVISED DURATION:		30-Jul-08	505
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS:		30-Jul-08	0
AREA ENGINEER'S ESTIMATED SUBSTANTIAL COMPLETION DATE:		30-Sep-08	
ESTIMATED PROGRESS			
A. Present Earnings as of Pay Est. No.	6		2,356,489.51
B. Estimated Earnings thru end of reporting period			0.00
C. Value of work Performed on Directed Mods (Earnings not paid for)			0.00
TOTAL ESTIMATED PROGRESS (A+B+C)			2,356,489.51
TOTAL ESTIMATED FINAL CONTRACT AMOUNT			
D. Current Contract Amount thru Mod.	A00003		3,045,463.51
E. Current Value of Overruns/Underruns (+/-)	(unsuitable Levee Fndtn Matl and levee fill)		190,000.00
F. Directed, Pending Modifications	(Mult. Changes)		123,000.00
TOTAL ESTIMATED FINAL CONTRACT AMOUNT (D+E+F)			3,358,463.51
FUNDS OBLIGATED FOR PAYMENT: thru Modification	A00003		3,045,463.51
ACTUAL PERCENT COMPLETE (A+B+C)/(D+E+F)			70.17%
SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart)			95.00%
TOTAL EARNINGS AT THE END OF FY07			2,000,000.00

PROJECT STATUS/MAJOR ISSUES:

This Contract is fully funded. Contract Awarded 02/28/2007. NTP Acknowledged 03/13/2007

- All current major features of work completed. RR Closure Plates need to be installed.
- RFP sent to Contractor for miscellaneous mod, received preliminary approval from LCRBDC. Proposal being reviewed.
- RFP for DSC in Levee Foundation approx Sta 65 to 72. Proposal being reviewed.
- Unsuitable material found So. of RR caused stripping and fill overrun. Variations mod to be processed.
- Proposal received to extend Sheet Pile Wall at West Closure to back of Burr Street Curb.
- Drainage Structure at Station 75+52 completed.

CONTRACT NO.:	W912P6-08-C-0016		TS-C-S
CONTRACTOR:	Theineman Construction		D. Anderson
DESCRIPTION:	PUMP STATION 2A Rehabilitation		M. Ibrahim
			R.Craib
ORIGINAL CONTRACT AWARD DATE/AMOUNT:		26-Jun-08	1,644,000.00
NTP DATE./CURRENT CONTRACT AMOUNT: Mods	None	15-Jul-08	0.00
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION:		22-Jun-09	340
REVISED CONTRACT COMPLETION DATE/REVISED DURATION:		15-Jul-08	0
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS:		15-Jul-08	0
AREA ENGINEER'S ESTIMATED SUBSTANTIAL COMPLETION DATE:			
ESTIMATED PROGRESS			
A. Present Earnings as of Pay Est. No.	0		0.00
B. Estimated Earnings thru end of reporting period			0.00
C. Value of work Performed on Directed Mods (Earnings not paid for)			0.00
TOTAL ESTIMATED PROGRESS (A+B+C)			0.00
TOTAL ESTIMATED FINAL CONTRACT AMOUNT			
D. Current Contract Amount thru Mod.	None		0.00
E. Current Value of Overruns/Underruns (+/-)			0.00
F. Directed, Pending Modifications			0.00
TOTAL ESTIMATED FINAL CONTRACT AMOUNT (D+E+F)			0.00
FUNDS OBLIGATED FOR PAYMENT: thru Modification	None		##########
ACTUAL PERCENT COMPLETE (A+B+C)/(D+E+F)			#DIV/0!
SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart)			0.00%
TOTAL EARNINGS AT THE END OF FY07			0.00

PROJECT STATUS/MAJOR ISSUES

The Preconstruction meeting is scheduled for 5 Aug 08.

Construction Progress
Report
Thru End of July
2008

			TS-C-S
CONTRACT NO.:	W912P6-05-C-0010		D. Anderson
CONTRACTOR:	Illinois Constructors Corporation		Edd
DESCRIPTION:	Local Flood Protection Little Calumet River, Indiana Stage VI-1 North Levee		Lee
ORIGINAL CONTRACT AWARD DATE/AMOUNT:		30-Sep-05	5,566,871.00
NTP DATE./CURRENT CONTRACT AMOUNT: Mods	A00006 & P00012	19-Oct-05	5,739,415.29
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION:		21-Jul-07	640
REVISED CONTRACT COMPLETION DATE/REVISED DURATION:		27-Nov-07	769
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS:		27-Nov-07	0
AREA ENGINEER'S ESTIMATED SUBSTANTIAL COMPLETION DATE:			
ESTIMATED PROGRESS			
A. Present Earnings as of Pay Est. No.	15		5,238,793.88
B. Estimated Earnings thru end of reporting period			188,922.66
C. Value of work Performed on Directed Mods (Earnings not paid for)			0.00
TOTAL ESTIMATED PROGRESS (A+B+C)			5,427,716.54
TOTAL ESTIMATED FINAL CONTRACT AMOUNT			
D. Current Contract Amount thru Mod.	A00006 & P00012		5,739,415.29
E. Current Value of Overruns/Underruns (+/-)			38,500.00
F. Directed, Pending Modifications	(Misc Changes in Progress)		42,000.00
TOTAL ESTIMATED FINAL CONTRACT AMOUNT (D+E+F)			5,819,915.29
FUNDS OBLIGATED FOR PAYMENT: thru Modification	A00006 & P00012		5,739,415.29
ACTUAL PERCENT COMPLETE (A+B+C)/(D+E+F)			93.26%
SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart)			94.00%
TOTAL EARNINGS AT THE END OF FY07			5,417,112.81

FULLY FUNDED PROJECT Field work for Levee Crack investigation drilling and pit sampling was completed on 04/24/08. Contractor directed to replace non-conforming satisfactory fill, denied Contractor response with offer of shared fiscal responsibility, 100% Contractor respon. Final Inspection on hold until the Levee Crack/Sat. Fill issues are resolved. Most work essentially completed. Pre-Final Punchlist assembled. ** Change orders pending for Kennedy Pump Sta outlet change, debris in the drive line, deletion of 7-1C pre-load and August 2007 flood damage prevention emergency work. ** Wetland fill violation at Oxbow outside work limits an issue between LCRBDC, City of Hammond, Corps Regulatory and IDEM. RESOLUTION UNKNOWN - in hands of LCRBDC. ****SUBSTANTIAL COMPLETION WAS 11/27/07 - LEVEE CRACK RESOLUTION MAY AFFECT*****

Construction Progress
Report
Thru End of July
2008

			TS-C-S
CONTRACT NO.:	W912P6-04-C-0007		D. Anderson
CONTRACTOR:	Illinois Constructors Corporation		Edd
DESCRIPTION:	Local Flood Protection Little Calumet River, Indiana Stage VI-1 South Levee		Lee
ORIGINAL CONTRACT AWARD DATE/AMOUNT:		30-Sep-04	6,503,093.70
NTP DATE./CURRENT CONTRACT AMOUNT: Mods	P00015& A00011	4-Nov-04	7,641,424.85
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION:		4-Dec-06	760
REVISED CONTRACT COMPLETION DATE/REVISED DURATION:		5-Sep-07	1035
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS:		5-Sep-07	0
AREA ENGINEER'S ESTIMATED SUBSTANTIAL COMPLETION DATE:			
ESTIMATED PROGRESS			
A. Present Earnings as of Pay Est. No.	26		7,460,874.27
B. Estimated Earnings thru end of reporting period			0.00
C. Value of work Performed on Directed Mods (Earnings not paid for)			0.00
TOTAL ESTIMATED PROGRESS (A+B+C)			7,460,874.27
TOTAL ESTIMATED FINAL CONTRACT AMOUNT			
D. Current Contract Amount thru Mod.	P00015& A00011		7,641,424.85
E. Current Value of Overruns/Underruns (+/-)	(Variations in Final Quant)		0.00
F. Directed, Pending Modifications	(one mod issues pending)		-15,000.00
TOTAL ESTIMATED FINAL CONTRACT AMOUNT (D+E+F)			7,626,424.85
FUNDS OBLIGATED FOR PAYMENT: thru Modification	P00015& A00011		7,641,424.85
ACTUAL PERCENT COMPLETE (A+B+C)/(D+E+F)			97.83%
SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart)			99.00%
TOTAL EARNINGS AT THE END OF FY07			7,299,394.80

PROJECT STATUS/MAJOR ISSUES:

JUL 08 earnings is PE #26of $332,395.98 minus remaining accruals, have consumed all accruals.

Contract fully funded. - North Drive Pump Station being fully operated by Town of Highland, leak into the control room repaired. Existing Grace Street Pump Station taken out of service August 10, 2007. Final Inspection was held on Oct 12, 2007. Punch lists gathered and being worked on, work re-started after winter shutdown. Liquidated damages assessed Sep 6 thru Sep 19, 2007, due to Contractor not finshed within contract duration, as adjusted Establishing final quantities.

***** WORK CONSIDERED SUBSTANTIALLY COMPLETE ON 09/19/2007 *****

Construction Progress
Report
Thru End of July
2008

			TS-C-S
CONTRACT NO.:	W912P6-05-C-0006		D. Anderson
CONTRACTOR:	Dyer Construction Company		Edd/Nielsen
DESCRIPTION:	Little Calumet River, Stage VI-Phase II		Babcock
ORIGINAL CONTRACT AWARD DATE/AMOUNT:		18-Oct-05	4,205,644.17
NTP DATE./CURRENT CONTRACT AMOUNT: Mods	A00003/P00007	18-Oct-05	4,219,329.46
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION:		11-Apr-07	540
REVISED CONTRACT COMPLETION DATE/REVISED DURATION:		1-Jun-07	591
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS:		1-Jun-07	0
AREA ENGINEER'S ESTIMATED SUBSTANTIAL COMPLETION DATE:		NA	
ESTIMATED PROGRESS			
A. Present Earnings as of Pay Est. No.	13		4,141,958.88
B. Estimated Earnings thru end of reporting period			56,599.56
C. Value of work Performed on Directed Mods (Earnings not paid for)			0.00
TOTAL ESTIMATED PROGRESS (A+B+C)			4,198,558.44
TOTAL ESTIMATED FINAL CONTRACT AMOUNT			
D. Current Contract Amount thru Mod.	A00003/P00007		4,219,329.46
E. Current Value of Overruns/Underruns (+/-)	(Variations in Final Quantities)		78,390.92
F. Directed, Pending Modifications			0.00
TOTAL ESTIMATED FINAL CONTRACT AMOUNT (D+E+F)			4,297,720.38
FUNDS OBLIGATED FOR PAYMENT: thru Modification	A00003/P00007		4,228,422.42
ACTUAL PERCENT COMPLETE (A+B+C)/(D+E+F)			97.69%
SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart)			99.00%
TOTAL EARNINGS AT THE END OF FY07			4,198,558.44

PROJECT STATUS/MAJOR ISSUES:

Contract is fully funded -

- Final Inspection held on August 22, 2007. Final Insp. letter with punch list issued August 28, 2007.
- Final Quantities being determined in preparation for Variation in Estimated Quantities Change Order.
- Preliminary As-Builts returned to Contractor for processing.
- Final inspection punch list items completed, trees were replaced. Trees to be moved will need to be by others.

*** **THE WORK WAS DETERMINED TO BE SUBSTANTIALLY COMPLETE ON NOVEMBER 30, 2007** ***

Construction Progress
Report
Thru End of July
2008

				TS-C-S
CONTRACT NO.:	DACW27-01-C-0001			D. Anderson
CONTRACTOR:	Overstreet Electric Co., Inc.			G. Anderson
DESCRIPTION:	Little Calumet River - Pump Station Rehabilitation Phase 1A			Craib
ORIGINAL CONTRACT AWARD DATE/AMOUNT:			5-Oct-00	4,638,400.00
NTP DATE./CURRENT CONTRACT AMOUNT: Mods		A00015 & P00020	7-Nov-00	4,262,835.48
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION:			8-Oct-02	700
REVISED CONTRACT COMPLETION DATE/REVISED DURATION:			21-Oct-04	1,444
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS:			21-Oct-04	0
AREA ENGINEER'S ESTIMATED SUBSTANTIAL COMPLETION DATE:			TFD - Not Applicable	
ESTIMATED PROGRESS				
A. Present Earnings as of Pay Est. No.		30		4,239,286.58
B. Estimated Earnings thru end of reporting period				0.00
C. Value of work Performed on Directed Mods (Earnings not paid for)				0.00
TOTAL ESTIMATED PROGRESS (A+B+C)				4,239,286.58
TOTAL ESTIMATED FINAL CONTRACT AMOUNT				
D. Current Contract Amount thru Mod.		A00015 & P00020		4,262,835.48
E. Current Value of Overruns/Underruns (+/-)				0.00
F. Directed, Pending Modifications				0.00
TOTAL ESTIMATED FINAL CONTRACT AMOUNT (D+E+F)				4,262,835.48
FUNDS OBLIGATED FOR PAYMENT: thru Modification		A00015 & P00020		4,262,835.48
ACTUAL PERCENT COMPLETE (A+B+C)/(D+E+F)				99.45%
SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart)				100.00%
TOTAL EARNINGS AT THE END OF FY07				4,239,286.58

PROJECT STATUS/MAJOR ISSUES:

- The Termination for Default Modification P00020 was issued by the CO on 22 FEB 2006.
The T4D mod decreased the contract amount by $711,445.19 (estimated work not complete)
from $4,974,280.67 to $4,262,835.48. $119,791.61 was deobligated, decreasing total funded from
$4,382,627.09 to $4,262.835.48.
- Remaining unclaimed earnings = $23,548.90 will be deobligated and credited to Pump 1A Surety Takeover contract.
- Contract between the bonding company and Thieneman Construction signed 22 JAN 2008.
- Work will be completed under the Pump 1A Surety Takeover Agreement contract.
- Surety Takeover Agreement between USACE and bonding company signed 25 JAN 2008.

Construction Progress
Report
Thru End of July
2008

			TS-C-S
CONTRACT NO.:	W81G6680523765		D. Anderson
CONTRACTOR:	The Hartford		Anderson/Mills
DESCRIPTION:	Little Calumet River - Pump Station Phase 1A - Surety Takeover Agreement		Craib
ORIGINAL CONTRACT AWARD DATE/AMT. (SURETY TAKEOVER SIGNED):		25-Jan-08	725,845.54
NTP DATE./CURRENT CONTRACT AMOUNT: Mods	None	17-Jul-08	725,845.54
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION:		12-Jul-09	360
REVISED CONTRACT COMPLETION DATE/REVISED DURATION:		17-Jul-08	0
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS:		17-Jul-08	0
AREA ENGINEER'S ESTIMATED SUBSTANTIAL COMPLETION DATE:		15-Apr-09	
ESTIMATED PROGRESS			
A. Present Earnings as of Pay Est. No.			0.00
B. Estimated Earnings thru end of reporting period			0.00
C. Value of work Performed on Directed Mods (Earnings not paid for)			0.00
TOTAL ESTIMATED PROGRESS (A+B+C)			0.00
TOTAL ESTIMATED FINAL CONTRACT AMOUNT			
D. Current Contract Amount thru Mod.	None		725,845.54
E. Current Value of Overruns/Underruns (+/-)			0.00
F. Directed, Pending Modifications			0.00
TOTAL ESTIMATED FINAL CONTRACT AMOUNT (D+E+F)			725,845.54
FUNDS OBLIGATED FOR PAYMENT: thru Modification	None		725,845.54
ACTUAL PERCENT COMPLETE (A+B+C)/(D+E+F)			0.00%
SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart)			0.00%
TOTAL EARNINGS AT THE END OF FY07			0.00

PROJECT STATUS/MAJOR ISSUES:

Contract between the bonding company and Thieneman Construction signed 22 JAN 2008.
Surety Takeover Agreement between USACE and bonding company signed 25 JAN 2008.
Preconstruction Meeting held 11 JUN 2008.
Major Submittals approved. NTP acknowledged on 17 JUL 2008.

Construction Progress
Report
Thru End of July
2008

			TS-C-S
CONTRACT NO.:	DACW27-01-C-0008		D. Anderson
CONTRACTOR:	Overstreet Engineering and Construction, Inc.		G. Anderson
DESCRIPTION:	Little Calumet River - North Fifth Ave. Pump Station Rehabilitation		Craib
ORIGINAL CONTRACT AWARD DATE/AMOUNT:		21-Feb-01	2,387,500.00
NTP DATE./CURRENT CONTRACT AMOUNT: Mods	A00014 thru P00013	16-Apr-01	2,464,289.22
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION:		17-Mar-03	700
REVISED CONTRACT COMPLETION DATE/REVISED DURATION:		27-Jan-04	1,016
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS:		27-Jan-04	0
AREA ENGINEER'S ESTIMATED SUBSTANTIAL COMPLETION DATE:		27-Jan-04	
ESTIMATED PROGRESS			
A. Present Earnings as of Pay Est. No.	23		2,464,289.22
B. Estimated Earnings thru end of reporting period			0.00
C. Value of work Performed on Directed Mods (Earnings not paid for)			0.00
TOTAL ESTIMATED PROGRESS (A+B+C)			2,464,289.22
TOTAL ESTIMATED FINAL CONTRACT AMOUNT			
D. Current Contract Amount thru Mod.	A00014 thru P00013		2,464,289.22
E. Current Value of Overruns/Underruns (+/-)			0.00
F. Directed, Pending Modifications (A00013 & A00014)			0.00
TOTAL ESTIMATED FINAL CONTRACT AMOUNT (D+E+F)			2,464,289.22
FUNDS OBLIGATED FOR PAYMENT: thru Modification	A00014 thru P00013		2,464,289.22
ACTUAL PERCENT COMPLETE (A+B+C)/(D+E+F)			100.00%
SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart)			100.00%
TOTAL EARNINGS AT THE END OF FY07			2,464,289.22

PROJECT STATUS/MAJOR ISSUES:

- The work is physically complete.
- District office has prepared the As-Builts and they have been signed and distributed.
- Surety Takeover Agreement on DACW27-01-C-0001 Pump Sta.1A signed 25 JAN 2008 -final disposition on funds finialized.
- Modification P00013 completed unilaterally ($15,206.36 Credit for As-builts & latent defect and $9,492.86 unclaimed earnings) credited to Pump 1A Surety Takeover contract).
- Contract Close-Out in Progress.

THE WORK WAS DETERMINED TO BE SUBSTANTIALLY COMPLETE ON 27 JANUARY 2004.

Construction Progress
Report
Thru End of July
2008

				TS-C-S
CONTRACT NO.:	DACW23-02-C-0011			D. Anderson
CONTRACTOR:	Renewable Resources			G. Anderson
DESCRIPTION:	Little Calumet River - Mitigation			Babcock
ORIGINAL CONTRACT AWARD DATE/AMOUNT:			29-Sep-02	921,102.68
NTP DATE./CURRENT CONTRACT AMOUNT: Mods		P00023	7-Nov-02	1,405,845.29
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION			11-Jan-04	430
REVISED CONTRACT COMPLETION DATE/REVISED DURATION:			31-May-08	1895
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS:			31-May-08	0
AREA ENGINEER'S ESTIMATED SUBSTANTIAL COMPLETION DATE:			31-May-08	
ESTIMATED PROGRESS				
A. Present Earnings as of Pay Est. No.		18		1,390,911.63
B. Estimated Earnings thru end of reporting period				0.00
C. Value of work Performed on Directed Mods (Earnings not paid for)				0.00
TOTAL ESTIMATED PROGRESS (A+B+C)				1,390,911.63
TOTAL ESTIMATED FINAL CONTRACT AMOUNT				
D. Current Contract Amount thru Mod.		P00023		1,405,845.29
E. Current Value of Overruns/Underruns (+/-)				0.00
F. Directed, Pending Modifications				0.00
TOTAL ESTIMATED FINAL CONTRACT AMOUNT (D+E+F)				1,405,845.29
FUNDS OBLIGATED FOR PAYMENT: thru Modification		P00023		1,405,940.96
ACTUAL PERCENT COMPLETE (A+B+C)/(D+E+F)				98.94%
SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart)				99.00%
TOTAL EARNINGS AT THE END OF FY07				1,390,911.63

PROJECT STATUS/MAJOR ISSUES:

- Final Quantities Modification P00022 was completed 22 OCT 2007 (-$95.67)
- Modification P00024 completed 15 JAN 2008 to extend contract to 31 MAY 2008 to achieve final burn.
- Wet weather prevented final burn - this was voluntary work by Contractor not Contract requirement.
- Final Inspection completed 11 JUL 2008 - no punch list items remain.
- Contract close-out in progress.
- **WORK CONSIDERED SUBSTANTIALLY COMPLETE ON 05/31/2008.**

Construction Progress
Report
Thru End of July
2008

			TS-C-S
CONTRACT NO.:	W912P6-04-C-0003		D. Anderson
CONTRACTOR:	Tallgrass Restoration, LLC		Mills
DESCRIPTION:	Little Calumet River Landscaping, Phase 2		Rundzaitis
ORIGINAL CONTRACT AWARD DATE/AMOUNT:		30-Jun-04	648,995.23
NTP DATE./CURRENT CONTRACT AMOUNT: Mods	P00008	29-Jul-04	648,995.23
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION		1-Oct-10	2255
REVISED CONTRACT COMPLETION DATE/REVISED DURATION:		1-Oct-10	2255
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS		1-Oct-10	0
AREA ENGINEER'S ESTIMATED SUBSTANTIAL COMPLETION DATE			
ESTIMATED PROGRESS			
A. Present Earnings as of Pay Est. No.	10		490,962.43
B. Estimated Earnings thru end of reporting period			0.00
C. Value of work Performed on Directed Mods (Earnings not paid for)			0.00
TOTAL ESTIMATED PROGRESS (A+B+C)			490,962.43
TOTAL ESTIMATED FINAL CONTRACT AMOUNT			
D. Current Contract Amount thru Mod.	P00008		648,995.23
E. Current Value of Overruns/Underruns (+/-)			0.00
F. Directed, Pending Modifications			0.00
TOTAL ESTIMATED FINAL CONTRACT AMOUNT (D+E+F)			648,995.23
FUNDS OBLIGATED FOR PAYMENT: thru Modification	P00008		648,995.23
ACTUAL PERCENT COMPLETE (A+B+C)/(D+E+F)			75.65%
SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart)			77.00%
TOTAL EARNINGS AT THE END OF FY07			490,962.43

PROJECT STATUS/MAJOR ISSUES:

- Awaiting request from Mr. Pokarjac to remove a portion of the damaged area from the contract work. Mr. Pokarjac will also had the levee's surveyed to compare to as-built drawings. The sponsor's surveys show results with elevations as much as 8" below design elevations. The surveys should be reviewed by geotech to determine if the sponsors elevations are accurate. CAO sent an email on 27 November to follow up on this issue.
- CAO attended levee inspections along with Geotech and the local sponsor. The billboard contractor repaired areas that were damaged during the installation of the signs. A meeting was held between CAO, PM, DG, and PL to determine that the grass mix in the damaged areas will be the same as used in the Landscape II contract specifications. Seeding will be performed in Spring 2008.
- Some bare areas exist along the project stretch. The Contractor plans to reseed the areas, a detailed plan will be provided from the Contractor.
- The Government is evaluating correspondence from the Contractor in regards to areas inundated with water, areas affected by the billboard contractor, and bare spots. The Contractor has reseeded these areas.
- The Contractor is working on the monitoring portion of the project.

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION

WILLIAM BILLER (Chairman) wbiller@HammondSD.com Biller6625@comcast.net	845-3736 (Home) 853-6413 x 503 (Business) 765-3587 (Cell) 853-6321 (Fax)	6625 Kansas St Hammond IN 46323-1748
ROBERT MARSZALEK (Vice Chairman) rmarsz@verizon.net	942-7653 (Home) 962-2909 (Business) 771-3560 (Cell) 962-4951 (Fax)	1005 East 8th Street Hobart IN 46342
R. KENT GURLEY (Treasurer) GurleyRK@teng.com	312-616-5074 (Business) 932-8725 (Home) 312-342-3293 (cell) 312-616-6069 (Fax)	24 E. 172nd Place Hammond IN 46324
MARK GORDISH (Secretary) gordishm@sbcglobal.net	219-853-6336 (Business) 746-9530 (cell) 219-853-6304 (Fax)	7638 Montana Avenue Hammond IN 46323
DAVID BURRUS dburrus@pnc.edu (use email in summer months only)	219-477-5355 (Home) 771-9299 (Cell)	251 S. 500 E. Valparaiso IN 46383
ARLENE COLVIN acolvin@ci.gary.in.us lenecol@sbcglobal.net	881-1312 (Business) 746-6780 (Cell)	2420 Marshall Place Gary IN 46402-1236 City Hall, 401 Broadway Gary IN 46402-1236
STEVE DAVIS sdavis@dnr.in.gov	219-874-8316 (Business) 879-2499 (Fax)	IDNR, Division of Water 100 West Water Street Michigan City IN 46360
ROBERT HUFFMAN huffmun@sbcglobal.net	219-924-4881 (Home) 741-1480 (Cell)	9607 Dogwood Munster IN 46321
JOHN MROCZKOWSKI surveyor@cyberz.net	219-755-3755 (Business) 219-838-7938 (Home)	2924 Franklin St. Highland IN 46322
VACANCY (Governor's appointment)		
VACANCY (Governor's appointment)		
DAN GARDNER (Executive Director) littlecal@nirpc.org	219/763-0696 (Business) 836-4326 (Home) 762-1653 (Fax)	6100 Southport Rd. Portage IN 46368 51 Terrace Dr. Munster IN 46321
LOU CASALE (Attorney) lcasale@cwblawfirm.com	736-9990 (Business) 736-9991 (Fax)	CASALE, WOODWARD & BULS 9223 Broadway Suite A Merrillville IN 46410

STANDING COMMITTEES - 2008

ENVIRONMENTAL
Bob Marszalek (Chair)
Bob Huffman

FINANCE
Kent Gurley (Chair)
Bill Biller
Arlene Colvin
John Mroczkowski

LAND ACQUISITION/MGMT
Bob Marszalek (Chair)
Bill Biller
Arlene Colvin
Mark Gordish

LEGISLATIVE
Bob Marszalek (Chair)
Bill Biller
Dave Burrus

O&M
Bob Huffman (Chair)
Arlene Colvin
Steve Davis
Bob Marszalek

O&M FUNDING
Kent Gurley (Chair)
Bill Biller
Dave Burrus
Mark Gordish
Bob Huffman

POLICY
Bob Marszalek (Chair)
Steve Davis
John Mroczkowski

PROJECT ENGINEERING
Bob Huffman (Chair)
Bill Biller
Dave Burrus
Mark Gordish

RECREATION
Bob Huffman (Chair)
Kent Gurley
John Mroczkowski

Revised 7/23/2008

RECOMMENDATION FOR FUND TRANSFER INTO ADMINISTRATIVE ACCOUNT

$ 5,789.72	**From High Balance Savings Account interest**
$ 20,720.62	**From Escrow Account interest**
$ 38,054.35	**From In-House project funding**
$ 64,564.69	**Total transfer**

- **Recommendation for Action – To transfer a total of $64,564.69 (interest monies + remaining $700,000 note) from the three accounts into the Administrative Account in order to cover current pending invoices**

LAND ACQUISITION REPORT

For meeting on Wednesday, August 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 May 30 – July 30, 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 acquisition of all parcels in Stage VII and Stage VIII is complete.
   - **These parcels need to be acquired as part of the FEMA requirement to have Gary come out of the floodplain.**
2. The new drainage overflow area at 28th and Chase Streets in Gary consists of six acquisitions. All six appraisals have been approved. We can now send offers. Landowners consist of INDOT parcel, 2 Gary parcels, and 3 private landowner parcels.

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 – (DC-1112/1113) We are expecting signed easements.
   B. NSRR - (DC-1169) Negotiations have reached a standstill and a future court date of 8/4/08 has been secured.
   C. **Pipeline utility agreements are all completed except for "T-Cubed", a NSRR telecommunications line.**
      - **Both easements and all pipeline agreements must be signed for the LCRBDC to sign the ROE.**
      - **This needs to be executed by the LCRBDC, and then processed by the Corps no later than 1 year after award of contract (September 19, 2007) or it has to be re-negotiated.**

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-August, 2008**, 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. City of Hammond and Hammond Sanitary District easements were signed 4/17/08 and 5/7/08 respectively. Hammond Park Board and Hammond Redevelopment easements are still outstanding.
3. All 33 offers for Munster landowners 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.

- **We have located one landowner and he has signed the offer. Condemnation will be dismissed.**

4. LCRBDC met with Hammond Parks Dept. to discuss signing of easements owned by the Parks Dept. The Stage VII staging area was originally designated to be located in Riverside Park on the ball fields parking lot. It was then moved to a larger treed area to eliminate the impact. Now some residents are concerned about elimination of the trees and the Corps is considering relocating the staging area back to the parking lot. Discussions with the Park Board continue (See Stage VIII report) **(Ongoing)**

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

1. All residential offers are out.
2. Surveys for the two new acquisitions near and on Munster Med-Inn have been completed. Impact to the Munster Med Inn involves severe damage to the driveway, fence and landscaping. We are in discussions with the Corps for a possible alternative to this acquisition.
    - **A location survey of the landscaping & light standards on the Munster Med Inn parking area, was completed by Torrenga on July 25. This information was forwarded to the Corps on July 30 to recommend eliminating the take of these features.**
    - **The appraiser is waiting for a decision so he can complete the appraisal. We need to make a new offer asap.**
3. A clarification over the Calumet-Munster pump station (DC-1367) was raised by the appraiser. SEH sent an email to clarify on May 9, and met on site with the appraiser on May 19. **Appraisal is completed and Hammond has signed easement.**
4. The field meeting was held at Riverside Park on April 2 with the Corps, LCRBDC, DLZ, and the Hammond Parks and Engineering Departments.
    - Tree removal south of the ball fields became a Hammond issue and another field meeting is to be scheduled for clarification at the request of Hammond.
5. Received a letter from Ruth Mores from the "Southmoor Road group" in Hammond dated February 28, 2008 (received February 29) with a series of questions and concerns regarding impacts to their neighborhood and would like to have them addressed prior to the next neighborhood meeting.
    - **A letter was sent to the residents of Southmoor Road on June 4, 2008 by the LCRBDC addressing a series of questions and concerns from the residents. (copy of letter and attachments available upon request).**
    - **A final informational meeting with the Corps and LCRBDC was held at Wicker Park on July 21 to answer questions and address concerns with the Southmoor and Monaldi subdivision residents.**
    - **Landowners were informed at the meeting that the project must move forward and we will be contacting them for any additional settlements that may have been overlooked.**
6. A meeting was held with NICTD on April 22, 2008 to present the easement agreements for signatures and discuss any issues.
    - Additional survey and title work were requested by NICTD for clarification. This was provided on May 21.
    - **Received amended agreement from NICTD on June 23, forwarded to LCRBDC attorney for review & coordination (Ongoing)**
7. City of Hammond signed easements on 4/17/08 and Hammond Sanitary District signed easements on 5/7/08. Hammond Park Board and Redevelopment easements are still outstanding.

8. Contacted INDOT (Mike McGuire) and submitted easement agreements on May 2, 2008.
   - **Received signed and recorded INDOT easements on July 16, 2008.**
9. **KGM Development (DC-1368)**
   - **Received letter from their attorney on April 1, 2008 with a list of 5 concerns. (Forwarded to LCRBDC attorney on April 21)** 2-3
   - **Corps responded on April 22, 2008 answering these items** 4-5
   - **LCRBDC sent letter to KGM attorney on July 7 addressing all concerns** 6-7

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. Pump Station 2B contract will include Indianapolis Blvd., Jackson Avenue, and the Southside Pump Stations.

2. **Property Surveys**
   - Property identification has been completed by DLZ and they have completed all plats and legals for all (5) stations.
   - The pump station real estate is available for both the 2A and 2B projects. Easement agreements have been signed for the "perpetual pump station easements" and the ROE/s will be sent to the Corps.
   - **The ROE for Pump Station 2A (Tapper & Forest) was signed by the LCRBDC on April 16, 2008 and was forwarded to the Corps on June 11, 2008.** 8-10
   - **Sent request to Corps on June 11, 2008 for a ROE for the 2B contract (LCRBDC already has the real estate).** 11

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. We have submitted to Detroit the Woodmar/Cabela final appraisal for crediting. Detroit Corps has sent it on to Headquarters in Cincinnati for review and approval. We expect crediting in the amount of $1,875,000 for the Cabela's easements. **We have had no response to date.**
3. To date, a total of $9,269,883 has been credited for land acquisition. Another $1,503,224 is still pending with the Corps review process. **We have had no response to date.**

Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

PUBLIC INFORMATION MEETING

The Little Calumet River Basin Development Commission
and
The U. S. Army Corps of Engineers, Chicago District

are holding a joint meeting

WHEN: Monday, July 21, 2008

TIME: 6:30 – 8:30 p.m.

WHERE: Wicker Park Club House
Highland, IN

PURPOSE: Discuss with affected residents the engineering plans, river hydrology, and real estate easements needed in the Southmoor Road area of Hammond and the Monaldi Subdivision on River Drive in Munster.

Offers have been made to owners of needed easements and questions have arisen that will be answered by Commission and Corps of Engineers officials/staff.

A project schedule for acquisition and construction bidding will be presented.

/

TO: Lou Casale, Attorney

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

SUBJECT: KGM Development easements

DATE: April 21, 2008

On April 17, 2008 I received a copy of a letter dated April 1, 2008 addressed to you, from the law offices of William I. Fine who represent the owners of the KGM Development (DC-1368) which is located west of Calumet Avenue directly south of the Little Calumet River. For anumber of weeks now, they have had concerns regarding the impacts of our project to their existing facilities. On April February 14, 2008, I met with the owners of the property, Mr. Kevin McCarthy and his wife Jan, to field review the impacts of our easements to their facilities. From this field meeting and the letter from their attorney, I would like to address the five issues their attorney had questioned in his letter.

(1) The attorney questioned the easement language for the flood protection levee easement, and requested a clarification of what is involved with this easement.

Response: The flood protection levee easement allows our project the right to construct, maintain, inspect, and flood fight in the designated area on a permanent basis. Initially, this will be the area that the contractor will be working within to construct the line of flood protection north of their property and afterward, we will need permanent access to this area to maintain, flood fight, and inspect.

(2) The attorney questioned their ability to access the only entrance on the east side of their building, referred to as Parcel 2. He indicated the easement would interfere with this only entrance and required language stating that the construction and maintenance would not interfere with their right of ingress or egress to that doorway.

Response: I received an email from Mr. Frank Lewandowski (head of Design for the Buffalo Army Corps of Engineers) indicating that he has revised the work limits at the building in their final design set in this area. He indicated that the work limits are off of the east side of the building and are referred to in Note #8 on that drawing. This indicates that the contractor does not have the right, according to

the plans, to either store material or park vehicles in that area that would prohibit the ingress or egress from the east side of their building.

3. The attorney indicated that his client had concerns regarding their abilities to drive on both sides of Building #5 to get access to the property at the rear of the building. He indicated that our easement would interfere with that right. He also questioned why we needed an easement on the Calumet Avenue side of this building since the access to Calumet is blocked by an existing bridge.

Response: Upon completion of the line of protection behind their building, we need to get access to the eastern most portion of the line of protection that will tie in with Calumet Avenue. The real estate in this area is required to allow us access as well as the ability to turn around to return to the point of entry west of their property. Our actual construction will not interfere with his client's access from the east end of the building after completion of our construction. However, this permanent easement is required to allow our contractor the ability to construct (the client will not have access to the rear portion of the property during construction but will have access, as previously indicated, to the door of the east side of the building).

4. Their attorney questioned his client's right of access to the perimeter of the northern most building he refers to Building #2 and #3.

Response: Our permanent levee easement to the north is also the same line as the work limits. During construction, we reserve the right to that property to allow our contractor access, and the ability, to do work in this area. However, his clients' access from the river side of these two buildings will be restricted during our construction.

5. The attorney expressed a concern regarding surface drainage and how our project will affect surface water drainage on their property.

Response: The Army Corps of Engineers will not affect the drainage system whereby after the construction is completed that would be any worse than it was prior to the construction. The attorney referenced lots to the west and how our project will install below grade drainage to direct water from the back of the properties to the storm sewer on River Drive. If there are drainage problems that occur due to the project, the Army Corps will provide a similar type of drainage system.

I hope this response clarifies some of the concerns of the property owners as well as their attorney and will assist you in finalizing whatever is required to get a signed easement agreement. If you have any questions regarding my responses or if I may help in any way, please let me know.

/sjm
cc: Imad Samara
Frank Lewandowski
Dan Gardner, Judy Vamos

Jim Pokrajac

From: "Lewandowski, Frank T LRB" <Frank.T.Lewandowski@usace.army.mil>
To: "Samara, Imad LRC" <Imad.Samara@usace.army.mil>; "Jim Pokrajac" <jpokrajac@nirpc.org>
Cc: <dgardner@nirpc.org>; "Sandy Mordus" <smordus@nirpc.org>
Sent: Tuesday, April 22, 2008 6:16 AM
Subject: RE: KGM Development easements (UNCLASSIFIED)

Paragraphs 1 through 4 accurately reflect what is in the plans.

Regarding Paragraph 5 (which I have copied in below for easy reference), I think we need to clarify the last sentence of the response. As mentioned in the response, our plans provide for surface drainage to the west by installing catch basins that tie into existing abandoned storm sewers which will route surface drainage to the existing storm sewer on River Drive. Does the last sentence in the response mean that we will do the same at or near the KGM Development property? There are two abandoned storm sewer outfall lines running to the river near this property that we are partially removing and plugging (see Sheet C-58). It may be possible to install a catch basin at one or both of these lines to pick up surface drainage and convey it back to the existing storm sewer at River Drive. But Munster should be consulted to confirm this is possible (the lines must be intact, structurally sound and clear). Also, does the last sentence of the response mean that the Corps of Engineers will provide a similar drainage system for any drainage problems occurring both during and after construction? Rick Ackerson did consult Munster previously regarding existing drainage problem areas and used that as a basis for selecting the areas where we are installing catch basins and tying them into the existing River Drive storm sewer.

Frank Lewandowski, P.E.
US Army Corps of Engineers, Buffalo District
716-879-4242

5. The attorney expressed a concern regarding surface drainage and how our project will affect surface water drainage on their property.
Response: The Army Corps of Engineers will not affect the drainage system whereby after the construction is completed that would be any worse than it was prior to the construction. The attorney referenced lots to the west and how our project will install below grade drainage to direct water from the back of the properties to the storm sewer on River Drive. If there are drainage problems that occur due to the project, the Army Corps will provide a similar type of drainage system.

-----Original Message-----
From: Samara, Imad LRC
Sent: Monday, April 21, 2008 4:07 PM
To: 'Jim Pokrajac'; Lewandowski, Frank T LRB
Cc: dgardner@nirpc.org; Sandy Mordus
Subject: RE: KGM Development easements (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

I have no comments on the letter Frank you need to confirm that what is stated in the letter is reflected in the plans.

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: Jim Pokrajac [mailto:jpokrajac@nirpc.org]
Sent: Monday, April 21, 2008 2:39 PM
To: Lewandowski, Frank T LRB; Samara, Imad LRC
Cc: dgardner@nirpc.org; Sandy Mordus
Subject: Fw: KGM Development easements

Imad/Frank,

Lou received a letter from the attorney representing the KGM Development, located South of the river and West of Calumet Avenue. I met with the owners back on Feb. 14th and discussed what we were doing with construction and easements on the back of their property. Attached is a memo of response I would like to send to Lou (the LCRBDC arrorney) that may be used in responding to the letter from their attorney. I would rather not assume all responsibility for this response and would appreciate your input to my memo before forwarding to Lou. If you need to actually see the letter from the attorney and attached drawing please let me know and I can fax it to you (Please give me the fax number you would like it sent to).

Thanks,

Jim Pokrajac

----- Original Message -----
From: Sandy Mordus <mailto:smordus@nirpc.org>
To: Jim Pokrajac <mailto:jpokrajac@nirpc.org>
Sent: Monday, April 21, 2008 12:22 PM
Subject: KGM Development easements

Classification: UNCLASSIFIED
Caveats: NONE

5

Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

(219) 763-0696 Fax (219) 762-165;
E-mail: littlecal@nirpc.org

July 7, 2008

William I. Fine
Attorney & Counselor at Law
2833 Lincoln Street
Highland, Indiana 46322

Dear Mr. Fine:

I am the Executive Director for the LCRBDC, the non-federal sponsor with the U. S. Army Corps of Engineers for the Little Calumet River Flood Control/Recreation Project. I am writing you to respond to the concerns expressed in your letter to our attorney, Lou Casale, dated April 1, 2008. As the result of your letter, we have worked with the Army Corps to adjust their work limits, assure access to your clients' building, and commit to making surface drainage improvements as part of the project to meet your needs. I believe we have arrived at an easement and construction plan that will meet your client's needs retaining full use of their building and door access, as well as making drainage improvements to address rainfall runoff. I believe these modifications will allow your clients to sign the easement offer.

As detailed and direct answers to your questions, following is our response:

(1) The easement language is for a permanent flood control easement upon which a floodwall will be constructed in place of the existing earthen levee. The easement will be needed after construction for maintenance, inspections, and any flood fighting access. The permanent easement is similar to a utility line easement that must be kept clear of any construction; however, access over the easement is allowed once the levee is constructed so long as the integrity of the levee is not compromised and access for maintenance of the levee is maintained.

(2) Regarding the ability to access the building from the east side during and after construction, the Army Corps recognized the problem and have revised their work limits to avoid the entry

access on the east side. Attached is Sheet C-19 from the bid document which is included for advertisement (Refer to drawing and Note #8 for detail).

(3) Regarding ability to drive from River Drive on the east and west sides of building 5 to the rear of the building, we again state the Army Corps has changed the permanent easement to miss the corner of the building and the work limits revised to allow access to the building from the east. During flood wall construction, the rear of the building will not be fully accessible to vehicles. Once completed, access will be restored around the building.

(4) Regarding buildings 2 and 3, during construction, only the rear of these structures will be restricted. Once the floodwall construction is complete, the lay of the land will be flat and the access to the rear of the buildings will be possible and allowable.

(5) Concern regarding the surface drainage system and the constructed floodwall has been recognized by the Army Corps in their revised design. The Army Corps contractor will provide for landside drainage on the protected side of the floodwall using a lateral drain and catch basin that will move water from the owners' property away by gravity and into the town storm sewer system on River Drive.

I believe these design modifications and project engineering specifications address your clients' concerns and provide for the continued full operation of the business during and after construction; a physically better surface water drainage system after the lateral toe drain is in place; while at the same time, providing a +200 year level of federally certified flood protection (removing the property from floodplain designation). If these comments and modifications are satisfactory to you and your clients, please let me know as soon as possible. As you may know, the Commission is working on an expedited acquisition and construction schedule, so a timely response is critical to concluding this matter.

Again, we look forward to a positive resolution to the offer tendered to your clients.

Sincerely,

Dan Gardner

Dan Gardner
Executive Director

Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

June 11, 2008

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

Dear Imad:

This letter will confirm that the Commission has obtained all the necessary easements for pump station construction in Hammond.

Enclosed please find the original signed right-of-entry and one copy for Pump Station 2A contract (Forest Avenue and Tapper Avenue). We understand that the 2A contract will be awarded by the end of June.

If you would kindly send us a right-of-entry for the Pump Station 2B contract (Indianapolis Blvd, Jackson Avenue, and Southside), we will sign it and return it to you. We understand that the 2B contract is not ready to be advertised at this time, but since we do have the easements in hand, we are prepared to sign the right-of-entry.

Thank you for your attention to this matter.

Sincerely,

Dan Gardner

Dan Gardner
Executive Director

/sjm
encl.
cc: Vic Kotwicki, *ACOE, Detroit*
Steve Hughes, *ACOE Chicago*
Jim Pokrajac, *LCRBDC Engineering*

AUTHORIZATION FOR ENTRY FOR CONSTRUCTION
LITTLE CALUMET RIVER FLOOD CONTROL PROJECT
PUMP STATION REHABILITATION PHASE 2-A
GARY, INDIANA

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

Witness my signature as Executive Director of the Little Calumet River Basin Development Commission, Portage, Indiana, this 16th day of April, 2008.

Little Calumet River Basin Development Commission

Dan Gardner

By: Dan Gardner

ATTORNEY'S CERTIFICATE OF AUTHORITY
LITTLE CALUMET RIVER FLOOD CONTROL PROJECT
PUMP STATION REHABILITATION PHASE 2-A
GARY, INDIANA

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

Witness my signature as attorney for the Little Calumet River Basin Development Commission, Portage, Indiana, this 16 day of April, 2008.

Lou Casale

n: Little Cal-All prop. acquired verif. 2-A pump stations

Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

June 11, 2008

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

Dear Imad:

This letter will confirm that the Commission has obtained all the necessary easements for pump station construction in Hammond.

Enclosed please find the original signed right-of-entry and one copy for Pump Station 2A contract (Forest Avenue and Tapper Avenue). We understand that the 2A contract will be awarded by the end of June.

If you would kindly send us a right-of-entry for the Pump Station 2B contract (Indianapolis Blvd, Jackson Avenue, and Southside), we will sign it and return it to you. We understand that the 2B contract is not ready to be advertised at this time, but since we do have the easements in hand, we are prepared to sign the right-of-entry.

Thank you for your attention to this matter.

Sincerely,

Dan Gardner

Dan Gardner
Executive Director

/sjm
encl.
cc: Vic Kotwicki, *ACOE, Detroit*
Steve Hughes, *ACOE Chicago*
Jim Pokrajac, *LCRBDC Engineering*

//

LAND MANAGEMENT REPORT

For meeting on Wednesday, August 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 – July 30, 2008)

A. **LAMAR OUTDOOR ADVERTISING**
- We currently have 3 leases with LAMAR for billboards

B. **VIEW OUTDOOR BILLBOARDS**
- As of June 15, 2007, (8) billboards have been installed and revenues have begun.
- Received a current location map of billboards, annual rental information and general comments as of December 20, 2007.

C. **26 acre parcel of Excess Land (East of Clay Street, north of Burns Ditch)**
- A letter was sent to LEL on December 27, 2006 requesting they sign a waiver to terminate their option on this land. If signed, the LCRBDC could then put together a bid package to qualified entities to develop this land as a wetland mitigation bank.
- Staff has developed an RFP for the 26 acres east of Clay.
- Attorney has drafted a proposed RFP; in process of finalizing
- **LEL was sole responder to the RFP; attorney Casale has forwarded draft agreement to LEL's attorney; under LEL's attorney review.**

D. **Wetland Reserve Program (Chase to Grant – between levees)**
- Dan Gardner & Jim Pokrajac met with the "Conservation Implementation Team" on the site on May 18, 2007.
- Points of contact were established and they will begin their site analysis and procedure as part of their evaluation.
- The LCRBDC was provided the Wetland Reserve Program for Indiana "preliminary plan and ranking form guidance"
- Army Corps wrote a letter on January 16, 2008 requesting consideration for hydric soils as part of the LCRBDC mitigation obligation.
- **A letter was sent to IDEM (Marty Maupin) on July 23, 2008 requesting a conference call to coordinate the use of the 200 acres as part of the NRCS Wetland Reserve program.** 1-2
- **An email was received from Maupin on July 30 indicating he would not be available and provided points of contact for coordination.** 3

E. **LCRBDC – Farm Land Leases**
(Opened bids on January 8, 2008. The following farmers were approved through a motion at the January 9, 2008 meting).
1. Chase to Grant – Plum Grove Farm ($140/tillable acre)
2. I-80/94 & I-65 – Jerry Ewen ($75/tillable acre)
3. 179 acres adjacent to Clay Street – Gary Dunlap ($71.50/tillable acre)

Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

TO: Marty Maupin, IDEM
Gerald Roach, NRCS
Bill Moran, NRCS
Gregory Moore, ACOE

FROM: Dan Gardner, Executive Director, LCRBDC

SUBJECT: NRCS Wetland Reserve Program – LCRBDC ± 200 acres

DATE: July 23, 2008

I would like to set up a conference call at a time convenient for each of you for the purpose of discussing and resolving issues regarding the wetland reserve program application submitted for analysis by the LCRBDC. This project, proposed for ± 200 acres of formerly-farmed property, the Commission believes offers significant environmental benefits if all regulations can be accommodated. I believe a discussion with the relevant regulatory agencies is needed at this time.

The LCRBDC has no funding to produce high quality wetland restoration and our fear is that voluntary growth of fragmities and other aggressive invasives will develop. The NRCS program offers, in our opinion, a win-win situation. IDEM recently funded a Section 319 Watershed plan for the Little Calumet River watershed with the city of Gary as the lead agency. All the communities, environmental interests, and relevant stakeholders, including the LCRBDC, participated in identifying environmental and water quality improvements to be pursued. The restoration of high quality wetlands was a high ranking priority for a watershed that is highly urbanized and in need of environmental remediation. It is the LCRBDC's belief that this project could provide needed environmental restoration, water quality benefits of run-off into the Little Calumet River, and a source of revenue to the LCRBDC that would be dedicated to under-funded operations of the Commission and maintenance activities to assure continued compliance subsequent to the ACOE flood control construction.

I have included the letter from Gerry Roach identifying the status and the need for the restoration of any regulatory conflicts regarding these 200 acres. I believe a phone call would be a good start to identify remaining issues and working toward a mutually beneficial resolution. I would propose any one of the following dates and times for a conference call:

Monday, 7/28	-	from 1:00 on
Wednesday, 7/30	-	3:00
Thursday, 7/31	-	anytime, a.m. or p.m.

Please respond back to me, via email, as to which days work for you. We will schedule the date and get back to you via email. Thank you for your attention to this matter.

Sincerely,

Dan Gardner
Executive Director

/sjm
encl.
cc: Imad Samara, ACOE
Doreen Carey, city of Gary
Lou Casale, LCRBDC attorney
Jim Pokrajac, LCRBDC

July 21, 2008

DRAINAGE ISSUES

At the June commission meeting we were told that a **PACKET** would be given to us that addresses the Drainage Project that will be installed along the levee in our backyards. To date, **we have NEVER received this packet. Please provide it to us.**

IF this project goes through we want the following questions answered:

The **STORM WATER LINE** that appears on the Aerial Map appears to be higher on each end of the block but lower in the middle of the block. Why??

I also notice that the **STORM WATER LINE** disappears East of Kutkoski's property. Why??

How many flap gates will be installed in the Southmoor Road Levee?

Will you use the **pin-hinged gates** or the **rubber hinge gates**? Why did you choose the one that you chose?

How far down from the top of the wall will the flap gates be installed?

Are the flap gates **BELOW** the foundation drains that lead to resident homes? They have to be in order to **STOP** the water from backing up into resident homes.

In the questions/answers letter dated June 4, 2008 you indicated that there are 9 new catch basins along the floodwall in Griffith to prevent backyard flooding. What is the difference between using the catch basins in Griffith and the proposed drainage system along the Southmoor Levee?

BOTTOM LINE:

If this project goes through we want the drainage system hooked up to a **PUMPING STATION**. We have read **NUMEROUS articles** that state ***FLAP GATES DO NOT WORK>>> We are not willing to sign our properties over with the installation of flap gates. We can't get the city to keep the river clean now; therefore, we cannot trust that it will be kept clean in the future. This being the case, the debris in the river will cause the flap gates to either not open or close and we will be stuck with flood backyards which by the way HAS NEVER HAPPENED BEFORE!!***

THE SOUTHSIDE OF THE RIVER

We have been told time, and time, again, and again, and again that ***THERE WILL BE NO LOSS OF TREES AND VEGETATION ON THE SOUTHSIDE OF THE RIVER. WHAT IS THE LARGE ORANGE SQUARE ON THE SOUTHSIDE OF THE RIVER INDICATED ON THE AREIAL MAP THAT THIS IS A TEMPORARY WORK AREA EASEMENT??????????????????***

INSURANCE

In the questions letter that we submitted to the commission, there are answers to our concerns regarding proof of insurance. It is indicated that proof will be provided by the contractor once the contract is awarded.

***IF* this project goes thru, in order to protect our properties we require the following no later than *ONE MONTH* before construction begins:**

1. Each homeowner is to receive a copy of a Certificate of Insurance from the contractor.
2. Every structure inside and out must be video taped with the contractor and homeowner present. The homeowner will keep the original tape and a copy will be given to the contractor. This is at the expense of the contractor.
3. We requested fencing be installed in each yard to protect access to the construction area and this was not answered in the question and answers letter. Fencing **MUST** be installed to prevent liability from injuries.

Response to Little Calumet River Basin Development Commission & Army Corps of Engineers - Chicago District - Meeting of July 21, 2008

By - Kevin Cappo
633 River Drive
Munster, IN 46321

KC

This is Rushed due to less than 1 week notice, and waiting for info that never showed. Some internet resources used.

I have several questions for the District many of which have been asked in writing starting in February of 2008, and still have no documented response. What was promised has never been issued or received.

1. At no point in time, though many have asked have we ever been told what we can or cannot do with the land in easement. Off the cuff responses have included everything from, you can't plant or do anything on the land, to you can plant grass, to you can have shrubs like roses and such.

Grass is a terrible covering for a levee. The shallow root system is easily washed away in any major event leaving bare dirt. Bare dirt is even worse, susceptible to all sorts of erosion. The best is native flowers, shrubs, and low growing root intensive trees.

Despite repeated requests for nearly 6 months, no one has provided a written document of what is allowable on the easement.

2. Additionally, no one has determined what maintenance must be provided on the levee, nor whom is responsible for maintenance on the levee. Is a levee the most cost effective options when 100 years of maintenance is included. Also, with a levee vs. a wall, the whims of the river could change course and destroy it at any time. In addition to the levee, the river must be kept clean or else the shore and levee can be rapidly eroded away. Photos have been provided to Imad showing where the river is attempting to turn just where the corps is proposing a levee. This guarantees failure within the next generation.

3. The Corps and LCRBDC has the authority to take land as required for flood control. The corps and the LCRBDC at present in several areas, including many homes along river drive is taking land for economic considerations. This was pointed out in a letter sent from Visclosky's office, where the Corps states in writing, that it is taking additional land because the option of taking less would increase the cost to the corp.

This is not the intent of the law, nor is it a legal taking. In most areas around River drive at both the East and West ends a flood wall is being built into the existing levee. This should be done in all residential areas for several reasons.

- If you want to stop a river from eroding a path, steel and concrete work better than a dirt pile. A wall in the levee also requires much less maintenance over time.
- The Corps and Commission is not authorized by the intent of the law to take extra land for economic reasons. They can take for flood control reasons, and as shown in so many

places, the wall can be built into the river side of the existing levee. As noted with the levee, the corps sole reason for not using the much superior wall in levee system is purely economic. This is against the intent and purpose of the law.

- Long term maintenance costs are much less with a wall rather than a levee system that includes two ramps and access gates, plus continuous monitoring of the earthen levee for ever. It is very short sighted to save a dollar up front to later cost $100s of dollars in long term maintenance, and guaranteed catastrophic failure.
- Due to the turns in the river, and the river currently trying to add a turn (photo's provide to Imad and others), the current proposed earthen levee alone is guaranteed to catastrophically fail at some near term future point.

4. Example of land take with levee vs. wall on river side of existing levee.

	% Taken as proposed	% taken with Wall in levee
Rivera	57%	40%
Wujec	58	39
Adams	41	24
Glagujevic	42	23
Grzych	41	25
Cappo	43	27
Buchalo	42	28
Bednarowski	39	28
Johnson	39	28
Hudson	40	28
Kuchnke	41	30
Mission Church	42	32
Bisc	43	33
Nawojski	43	34
White	37	37

Excessive and Abusive

The extra land is being taken not for flood control purposes, but for economic purposes as noted in the Corps response through Viscloky's office. It is not legal, and can be challenged in court as an abuse and improper use of condemnation of property. Use of the flood wall within the existing levee on the river side is however a proper use of property for flood control purposes. The current proposed corps option is an illegal use of power for purely economic purposes.

Additionally follow the cost of installing a river side wall with the cost of acquisition, court and other costs, permanent maintenance requirements, upkeep of access road, gates, and constant threat of catastrophic levee breach. The short, mid and long term economics would show that the wall in levee system is a far superior long term option.

Also, it would not be surprising if under some form of modified FEMA bill, a secure system such as flood wall in levee would be a much higher rated system of protection than an earthen section. Even if overtopped in a 500 year flood, the flood wall in levee would not fail catastrophically, whereas the earthen berm would.

5. Discussion with Imad stated that the levee system could not be built river side in the 600 block of River Drive because it would constrict the river flow. According to available maps, the river between the levees is about 110 feet wide at the Calumet avenue bridge. It would widen to 175 feet in the 600 block, then constrict to 100 feet near the water tanks. Therefore, the river system at the 600 block could easily be built levee side as long as it did not narrow to less than the 100 feet at the water tanks.

What is occurring now is that the river is slowed at the tanks, and backs up. This causes the water to slow and drop silt. For most of the 600 block there are large islands forming in the channel. This is causing the river to start to twist and turn. In two years 8 feet of bank has eroded. Widening the river would cause more slowdown, more silt to drop, the islands to grow, and the river to turn. They don't make straight natural rivers. This guarantees a catastrophic failure of the earthen levee system as proposed, and leaves two options.

Option 1 would be to narrow the channel in the 600 block, this will increase river speed, causing the silt to be picked up, and the channel scoured. This would be accomplished by a river side build of the levee. a levee + wall combination

Option 2 would be a wall in levee along with reconstitution of the old river bank, along with cleaning out the silt islands.

Failure to chose one of the above options guarantees catastrophic failure of the proposed earthen levee.

6. Despite repeated attempts to obtain information as to the watershed, calculations, and evaluation of changes over the last 20 years, no information has been forthcoming.

When the project was specified in the late 80s and early 90's most of the area was rural, with much farm land. Farm land has a very high level of run off most of the year, due to the hard pack of no till, and break down of soil structure from intensive farming. This released far more water far faster than would currently occur.

While housing and roads increase runoff, Trees and grass capture many times more water than does bare farmland. Additionally, as more land is turned from farming to housing, extensive drainage collection basins are added as each subdivision is added. Combined, the added lawns, parks, trees, detention basins, and reduction of hard packed farmland should significantly reduce the amount, quantity, speed and duration of flood events. All readily available documentation shows that none of this was considered 20 years ago when the system was initially proposed and designed.

Additionally, with less farm land, there should be significantly less silt load carried into the system than previous calculations called for and accounted for. With moderate dredging the river could be lowered (there is currently at least 3 feet of silt deposits making the river dangerous to enter), reducing the flood level and lowering costs.

Calculations show a 50% blockage of the river channel at any time. This is especially important at the bridges. For over ½ decade the river was blocked by a huge wall of detritus at the railroad bridge near Manor. When this was finally removed, the river height at the 600 block of River dropped over 12 inches. The TV tray for years was only visible during extended dry spells, and now 12-18 inches is always visible except during ~~participation events.~~ Precipitation events.

Perhaps with a regular cleaning and/or dredging program a smaller blockage factor could be used, the protection elevation lowered, and the cost lowered with it. It is possible that this could be a significant enough change that large portions along Southmoor Drive in Hammond would no longer require flood protection, as the 200+ year flood elevation could be lowered in excess of a foot or more.

7. Inconsistent information. In the diagrams provided by the Corps through Visclosky's office, it shows the current levee system at the 600 block at 601 feet, and the new system at 602 feet. Other drawing shows the elevations at 598 feet, and the new wall/levee at 601 feet. It is inconceivable that the diagram specifically sent to show me what is happening is so far off of what the proposed otherwise available diagrams are. How can there be trust in either set, or the authority of the project. While Imad promised me .pdf files so I could look at something larger than 1 inch by 2 inches, these have not been received.

8. What happens at the state line. When originally specified 20 years ago, the diversions and overflow areas in Illinois did not exist. The currently exist, and can have significant impact on water flow and draw.

In the past, water would slow, pond, back up, and flood starting at or near the state line. With the added diversions the water will no longer pool, and back up. All the previous flow is present, more storage is present, and the diversions are present.

When I teach, I use the example of Niagara falls. Most of the Niagara River is moderately deep. But if you ever go, it is rarely over 3 feet deep when it goes over the falls. Because there is no slow down or backup, the river speeds and lowers substantially. It speeds because the same amount of water is flowing past in a fraction of the cross area. Because of this anyone caught in the last ¼-½ mile of the river will be swept over the edge unless the power plant is called and all the water diverted.

This is important because the effect of the Niagara falls drops the river depth many feet for an extended distance. Likewise, the new diversions and storage areas can also speed and drop the height of the river for a significant distance. It is conceivable that the added flow can drop levels a foot or more. If this is taken into account, it is possible that some areas may not need additional flood protection, and those that do may require less protection at a lower cost. Without seeing the draw down numbers and calculations, it is hard to take the word at a monthly meeting that "oh yes, that has all be looked into". There are too many other items that have been overlooked to assume that this has been calculated into the course of events.

Background & Summary

I have some knowledge. I've been an environmental engineer for some 20 years. I've designed new and better ways of manufacturing and production since I was 16, and more than quadrupled the production of cake donuts at the local bakery. Something I've done repeatedly in a variety of venues. If there is a better, more efficient, safer method, I like to research and implement it. Currently, I am on two billboards along I-94 based on initiatives presented. I've 5 degrees from teaching to Soil science to business. I've taught at all levels from middle school to Ph.D, from high school to college to work. I work with rules and regulations including federal, many states and districts, as well as international. I would like to make the flood control project efficient, safe, and proper, with good long term prospects for safety, operational efficiency, and a minimum amount of routine and emergency maintenance. (As we all know routine maintenance will be ignored requiring emergency)

Some people think inside the box. Some people think outside the box. I use the box to stand on to see what else we can do.

I have no trepidation about the concept of flood control. My concerns are with the groundwork, the calculation basis, and the rushed air to meet an artificial deadline. I wish to see a proper system set up that takes into account the current and future situation and needs as opposed to what existed 20 years ago.

In summary, much of the information necessary for proper evaluation, and to submit to an easement has been and still is missing. There is a tremendous amount of contradictory information based on whomever last spoke to you, and what they think you want to hear. Nothing is in writing. No one is able to see what you can do with your own land once an easement is issued.

The river at the 600 block of River is changing. A levee is a temporary solution that is doomed to catastrophic failure. There are several options to reduce this, one is using a wall in levee as used both east and west of the 600 block. A second is to narrow the channel to the same distance as at both the bridge and water tanks to the east and west of the 600 block. Though Imad said it is impossible to narrow this area as it would constrict flow, it is currently slated at 65-75 feet wider than the current restrictions. This causes a silt buildup, which collects debris, which alters the flow, which will change the river direction, especially if there is more room between levees.

All earthen levees built to current standards fail. A Wall in levee stands a better chance of survival.

Land can be taken AS NEEDED / REQUIRED for the public good. As proposed by the Corps and forwarded through Visclosky's office, additional land in the 600 block, and other locations is taken purely for economic reasons. This is an illegal use of condemnation. Land can be taken for the public good, but additional land cannot be taken just because it is cheaper to build an inferior barrier that is high maintenance. While this may save the Crops a few $$$,

it is illegal, and the added maintenance, vehicle access points and gates, and increased risk of catastrophic failure are not bargains. They are much more expensive in the long run, and provide a far inferior product compared with river side wall and levee. It may also be appropriate to move the wall and levee forward and replace the lost river bank to better stabilize the river and prevent the current attempt of the river to turn and break the levee.

Data available show the calculations to be 20 years old. They do not take into account current land use and improvements and upgrades both on the Illinois and Indiana side. Grass, trees, parks and retention areas release much less rainwater over a longer time than do bare farm fields. Additional Illinois side diversions may increase the speed of drainage and reduce the need for excessive elevation increases. Information needs to be consistent. Every LCRBDC and Corps source provides different answers for the same questions.

Until all the above can be addressed, the final stages of the Indiana side of the Little Cal project should be put on hold. This includes the excessive land acquisition for antiquated construction that will require excessive long term maintenance costs, and provide inadequate long term protection.

Sincerely,

Kevin A. Cappo

CELRC-TS-DH

AUG 0 4 2008

MEMORANDUM FOR CELRC-PM-PM

SUBJECT: Little Calumet River – Stage VIII – Southmoor Drainage Issue Questions dated 21 July, 2008

1.) Request was made by the Southmoor group through PM-PM of additional questions dated 21 July, 2008 titled "Drainage Issues" (see attached) The following are responses to these additional questions:

Regarding the information packet - FDM-6 the interior drainage study will be provided on the attached cd. In FDM-6 the interior drainage subbasin that includes the Southmoor Drainage area is drainage subarea 1N. A memo will be included with the packet that outlines the Southmoor backyard drainage considerations.

Regarding the numbered questions:

1.) It is unclear what aerial map is being referred to. From the question, it is assumed that the question may be referencing the profile view of the backyard storm sewer system N1-2 shown on sheet C-48 of the plans with the title "Profile - New Storm Drain to Outlet N1-2".

In general, the ends of the sewers are higher at the ends and are sloped toward the gatewell structure in the middle so that the flows will be collected by gravity at the gatewell structure where they will outlet to the river. The catch basins shown at a lower elevation between approximate stations -155 and 250 are shown at a lower elevation because the actual elevation of the foundation drains is unknown and will be surveyed in the field and the elevations will be adjusted to minimize depth, but still convey flows by gravity to the outlet. (See note 2 at the bottom of page C-48. The elevation of the lower catch basins can be adjusted to the proper elevation after the drains are surveyed and the actual elevations of the drains are known.)

2.) The topography between the east end of the sewer and the start of the levee (station 9+30) on Sheet C-05 will form a natural swale along the floodwall that will drain to the first catch basin at the eastern end of the sewer system.

3.) One flexible rubber (duckbill type) flap gate will be installed on the river side of the floodwall (see plan view on the upper left of sheet C-48). A second backup mechanical flap gate (hinge gate) will be installed as shown on the same plan view inside the left hand side of the gatewell. Flexible rubber flapgates will be installed by the Corps project on all foundation drain outlets to prevent any backflows from the outlet system. The flexible rubber gates are basically one piece, an example may be found at this link:

http://www.tideflex.com/product_pages/check_valves/all_rubber/main.htm

One difference between the flexible rubber and mechanical gates is that the since the rubber gate is flexible, if an object is lodged in it the water pressure on the river side will seal around the object. If an object is lodged in a mechanical flapgate the gate does not seal around the object and there needs to be a means of secondary closure to stop the backflow breach.

4.) For the river side flap gate, which is the primary line of protection, Hammond was given the choice between the rubber gates and mechanical gates and rubber gates were chosen. The secondary mechanical gate on the end of the existing 24" CMP storm sewer will prevent backflow from the foundation drains into the Hammond sewer system, and also backflows from the river. The mechanical gate requires a smaller less expensive gatewell structure.

5.) One the river side, from the top to the center of the outlet pipe would be 14 ft. For the mechanical gate in the gatewell the existing outlet will be field determined as shown on note 2 sheet C-48. (from an estimate of the elevation from FDM-6, it would be approximately 8 ft. down).

6.) All manhole/pipe/flap gates downstream of the foundation drains will have lower elevations than the basement drains to provide positive drainage by gravity.

7.)To clarify the June 4, 2008 Corps response, the original question regarding "backyards in Griffith and NIPSCO flooding" then a second question regarding sewers/drains from yards (The Corps assumed the second question was in regard to Southmoor drainage, not Griffith drainage).

The first response paragraph was responding to the Griffith/NIPSCO flooding and the second paragraph is in response to the Southmoor drainage.

Jay A. Sammler, P.E
Chief, Hydraulic and Environmental
Engineering Section

Attachment

AUG 0 4 2008

CELRC-TS-D

MEMORANDUM FOR CELRC-PM-PM

SUBJECT: Little Calumet River – Stage VIII – Southmoor Local Drainage Design

1. Request was made by Southmoor group through PM-PM for a packet regarding the design of the Southmoor backyard drainage design along the proposed floodwall. The following describes the drainage design for Stage VIII outlet N1-2 (construction plan set, also described as outlet SN42B in Feature Design Memorandum 6 (FDM 6) page A-36)

2. It should also be noted that the local Southmoor drainage is included in the larger area 1N as analyzed in FDM-6. This area is connected to the Hohman Avenue and Forest Avenue pump stations. See Table A-8 on page A-38 of the FDM. Note that the gravity drains have only a negligible effect on the drainage of area 1N and are ignored in the analysis. The 100 year interior ponding elevation 593.1. This elevation is well below the topography of the Southmoor area.

3. Additional drainage features beyond passing the existing 24" outlet through the line of protection as described in FDM 6 are required. Additional drainage considerations for this area are:

    a. Backyard drainage that currently drains over the river bank, but will be blocked by the proposed floodwall
    b. Foundation drain outlets that currently outlet to the river

4. The Hammond City ordinances do not allow foundation drains to be connected to the storm sewer system so these drains will outlet into the Corps drainage system and a flap gate will prevent backflow from the foundation drains into the Hammond storm sewer system.

5. The local drainage area is shown cross hatched on attachment 1. Because of minimal space available, a pipe underdrain system will be used in lieu of swales or ditches except in the extreme ends of the drainage area where natural swales will be formed between the natural topography and the floodwall. 18" pipe will be used for ease of maintenance as in other project stages. Inlets/manholes will be provided at low pockets, pipe alignment changes, and foundation drain locations. The pipe will be perforated and granular material will be placed in the pipe trench to within six inches of the ground surface. The granular material will be surrounded by geotech fabric and will act as a french drain. This will also provide additional surface and ground water interception capability. The local drainage for the existing 24", local backyard drainage, foundation drains and ground water will be collected and pass through one

outlet to minimize the number of potential backflow breach paths available through the line of flood protection.

6. The maximum flow through the existing 24" diameter corrugated metal pipe (CMP) was estimated using HEC-RAS. The pipe was assumed to be surcharged to street level at Southmoor Road (approx. elevation 597 ft. NGVD). The maximum flow by this assumption was estimated to be 17 cubic feet per second (CFS).

7. An HEC-1 model was constructed to estimate a runoff hydrograph for the backyard drainage area. High imperviousness and negligible infiltration were assumed (see HEC-1 model included in the information packet). Peak flow for the 100 year event was 3.7 CFS. Note: The same precipitation input was used as was used for the HEC-RAS Little Calumet River model so that the flow hydrograph from the the backyard drainage area would have consistent timing with the river stage hydrograph from the full project condition HEC-RAS river model.

8. Total groundwater seepage for this subarea (1N) was assumed to be 0.01 cubic feet per second per FDM-6 table A-4, page A-27.

9. Foundation pumping was estimated at 4,000 gallons per hour per outlet for 4 outlets or 0.6 CFS total. Backflow devices will be constructed with the Corps project on all the foundation drains in the intercepting manholes to prevent backflow through foundation drains. (seepage and foundation pumping total was rounded to 1.0 CFS)

10. HEC-RAS models were developed for the existing 24" CMP pipe, the proposed 18" CMP metal pipe and the new 24" reinforced concrete pipe (RCP).

11. The assumed flows are as follows:

    a) Existing 24" - 17 CFS
    b) 18" CMP - 3.7 CFS +1.0 CFS for 4.7 total. This will be prorated by approximate drainage area - 1/3 for west leg, 2/3 for east leg or 1.2 CFS west and 2.5 CFS east the 1 CFS for seepage and pumping will be divided equally between the east and west legs or 0.5 CFS each for a total of 1.7 CFS east and 3.0 CFS west.
    c) 24" RCP outlet – the total of 21.7 CFS was rounded to 22 CFS.

12. Attachment 4 presents a schematic of the Southmoor Local Drainage System

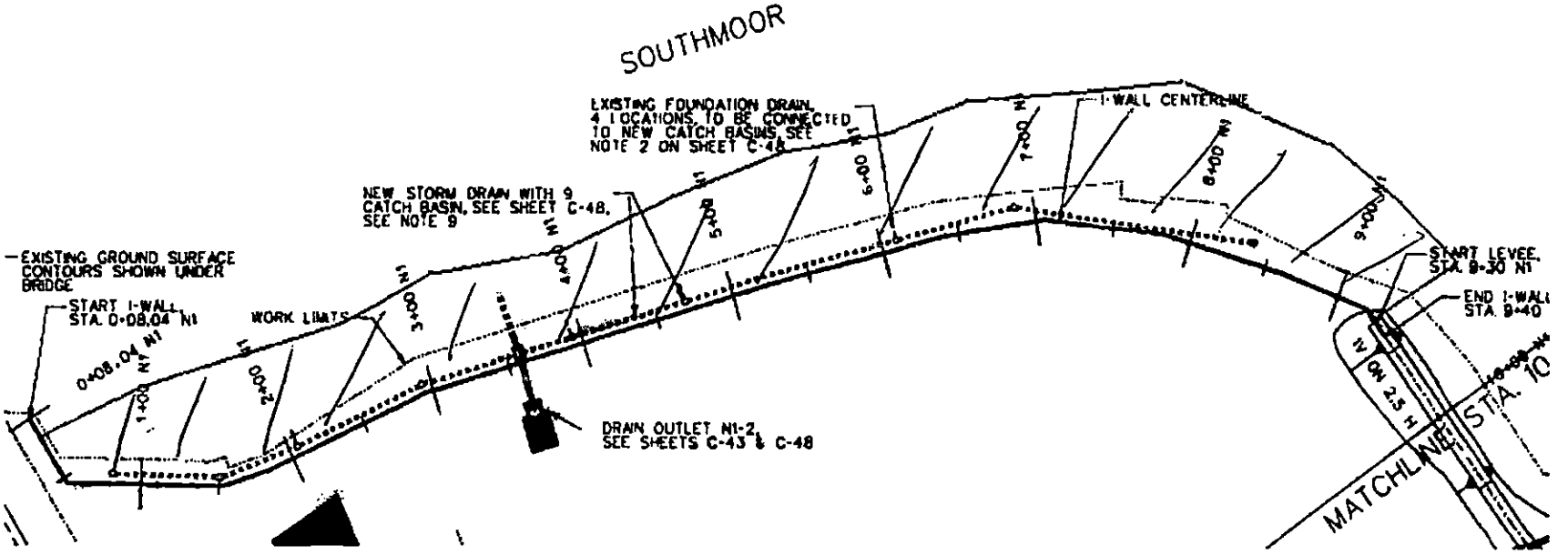
13. The data from these models was used to analyze the 100 year water levels in the backyard drainage area. Using similar concepts as were used to analyze interior drainage areas in FDM-6, the timing of the outflow from the local drainage area was compared to the timing of the river stage for the same 100 yr precipitation distribution. (See attachments 3 and 4)

14. Accounting for river stage and applicable head losses in the system the highest stage would be below ground at the east end of the 18" pipe (595.4 ft NGVD) .

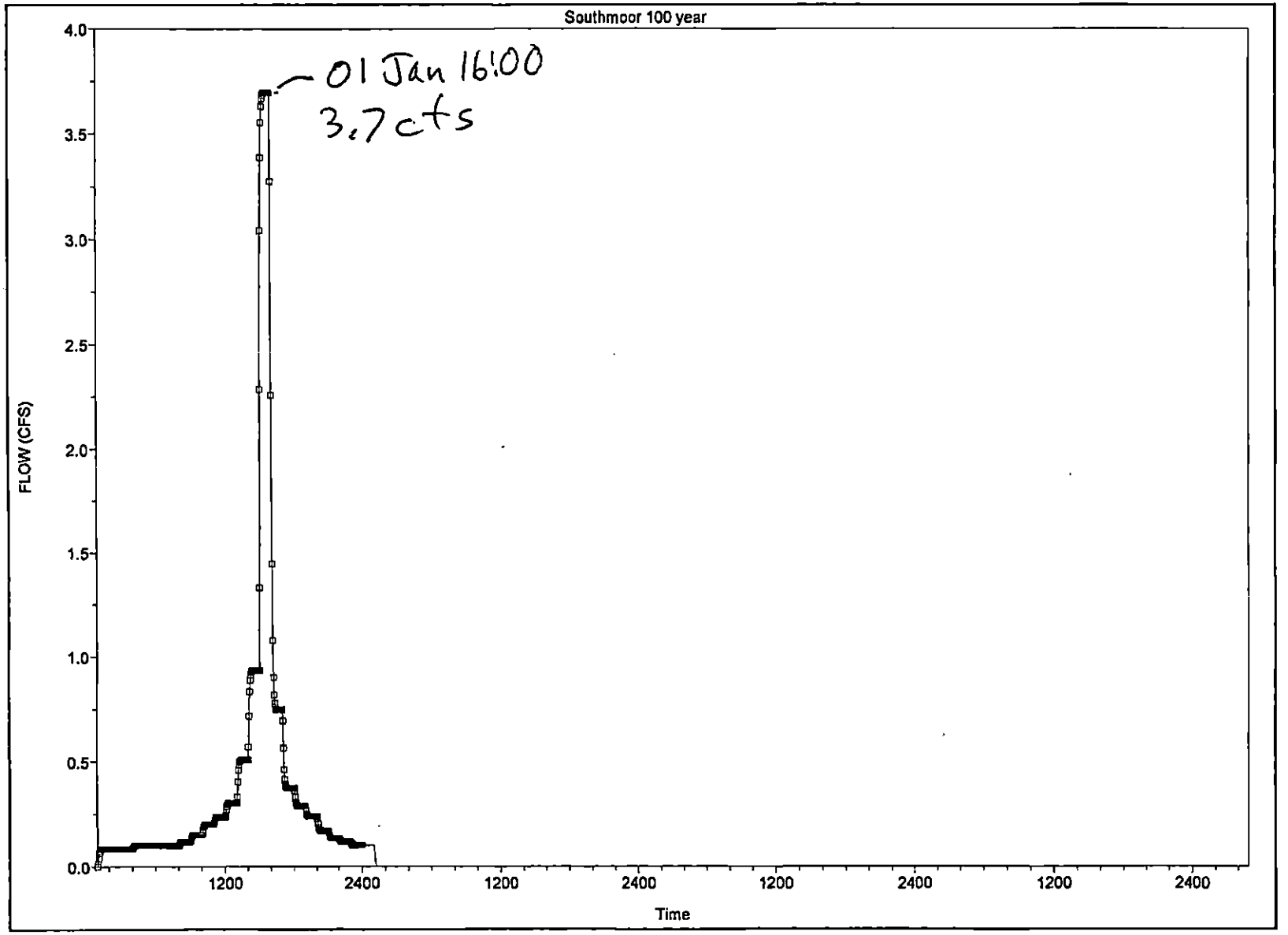
15. The runoff water resulting from subsequent rainfall when river stages do not allow outlet by gravity will be removed by the pumps stations just as they do now, as they are also included in the pre project condition without the floodwall.

Jay A. Sammler, P.E
Chief, Hydraulic and Environmental
Engineering Section

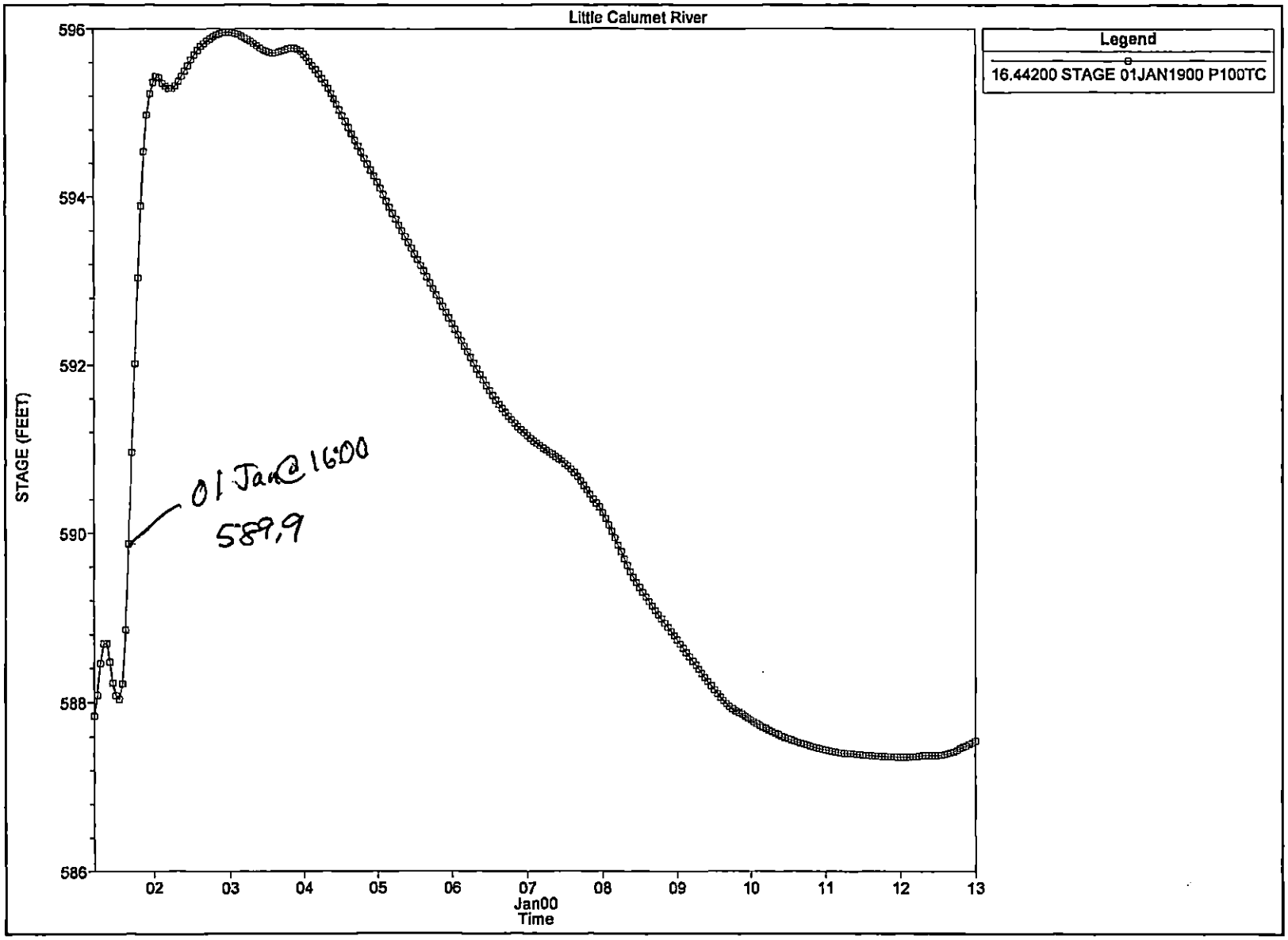
Attachments



Attachment 1

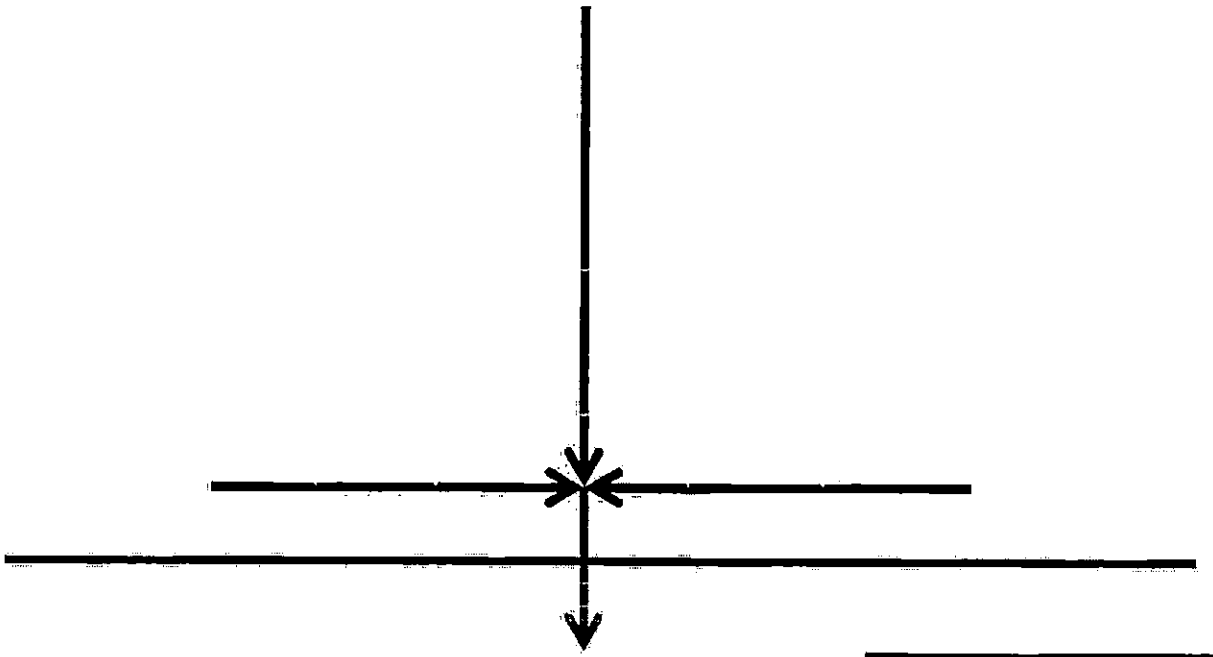


Attachment 2



Attachment 3

SOUTHMOOR DRAINAGE SYSTEM



- Foundation Drains
- 24" CMP existing
- 18" CMP New
- 24" RCP New
- Floodwall

Attachment 4

CELRC-TS-DH

AUG 0 6 2008

MEMORANDUM FOR CELRC-PM-PM

SUBJECT: Little Calumet River – Stage VIII – Question from Mr. Kevin Cappo dated 21 July, 2008

1.) Request was made by Mr. Kevin Cappo through PM-PM of additional questions dated 21 July, 2008 (see attached). The following plus the additional cd provide responses to these additional questions:

2.) For questions regarding changes to the hydrology and hydraulics and their impacts to the Corps modeling for the Little Calumet River Project for the Stage VIII river reach:

Attachment 1 presents a comparison of the observed high water marks surveyed by Indiana DNR from the August 2007 flood event versus the maximum water surface profile from the 2005 version of the Corps of Engineers HEC-RAS (Hydrologic Engineering Center-River Analysis System) model. In spite of the complex modeling and significant changes to the hydrology and hydraulics due to the project features, urbanization and natural river processes over time, the Corps Little Calumet River model is performing the function for which it is intended.

3.) For questions in regard to channel widening:

The design intent of Stage VIII is to maintain the existing channel cross sectional area to the maximum extent possible. The only exceptions are when other design considerations dictate.

4.) For questions and statement in regard to the superiority of floodwalls over levees for flood protection:

The decision to use a levee as opposed to a floodwall is made using the Corps' expertise, policies, and applicable regulations.

5.) For the comment that grass is an inadequate covering for levees:

See quote below from the Corps Levee Owners Manual page 16 paragraph 2.8 (a):

a. **Maintaining and Promoting a Good Grass or Sod Cover**
Grass or sod cover is one of the most effective and economical means of protecting flood control levees and drainage swales against erosion caused by rain runoff, channel flows, and wave wash. As the public sponsor, you are required to ensure the grass cover has every opportunity to grow. This will require that you periodically fertilize, water, and mow the grasses as needed. In addition, every effort must be made to prevent unauthorized encroachments, grazing, vehicle traffic, the misuse of chemicals, or burning during inappropriate seasons. Failure to properly maintain the grass cover can result in unnecessary erosion and possible embankment failure.

6.) In regard to an alternative project – deepening the channel in lieu of the authorized levee project:

Any major change to the project would require an authorized study to determine all the relevant impacts and benefits the same as with any other Corps study.

7.) In regard to erosion:

The project includes rip rap armoring in areas of concern to prevent erosion.

8.) In regard to operation and maintenance:

The local community will be responsible for operation and maintenance. The Corps will provide the local communities operations and maintenance manuals at the completion of the project, and will perform periodic inspection with the local sponsor afterwards.

9.) In regard to vegetation on levees;

See EM 1110-2-301 on the information packet CD. See also the updated drawings to be included when the document is updated at the link:

http://www.midwestleveeconference.com/presentations/mlc%20track%206%20presentations/holden-levee_vegetation_policy.pdf

CELRC-TS-DH
SUBJECT: Little Calumet River – Stage VIII – Question from Mr. Kevin Cappo dated 21 July, 2008

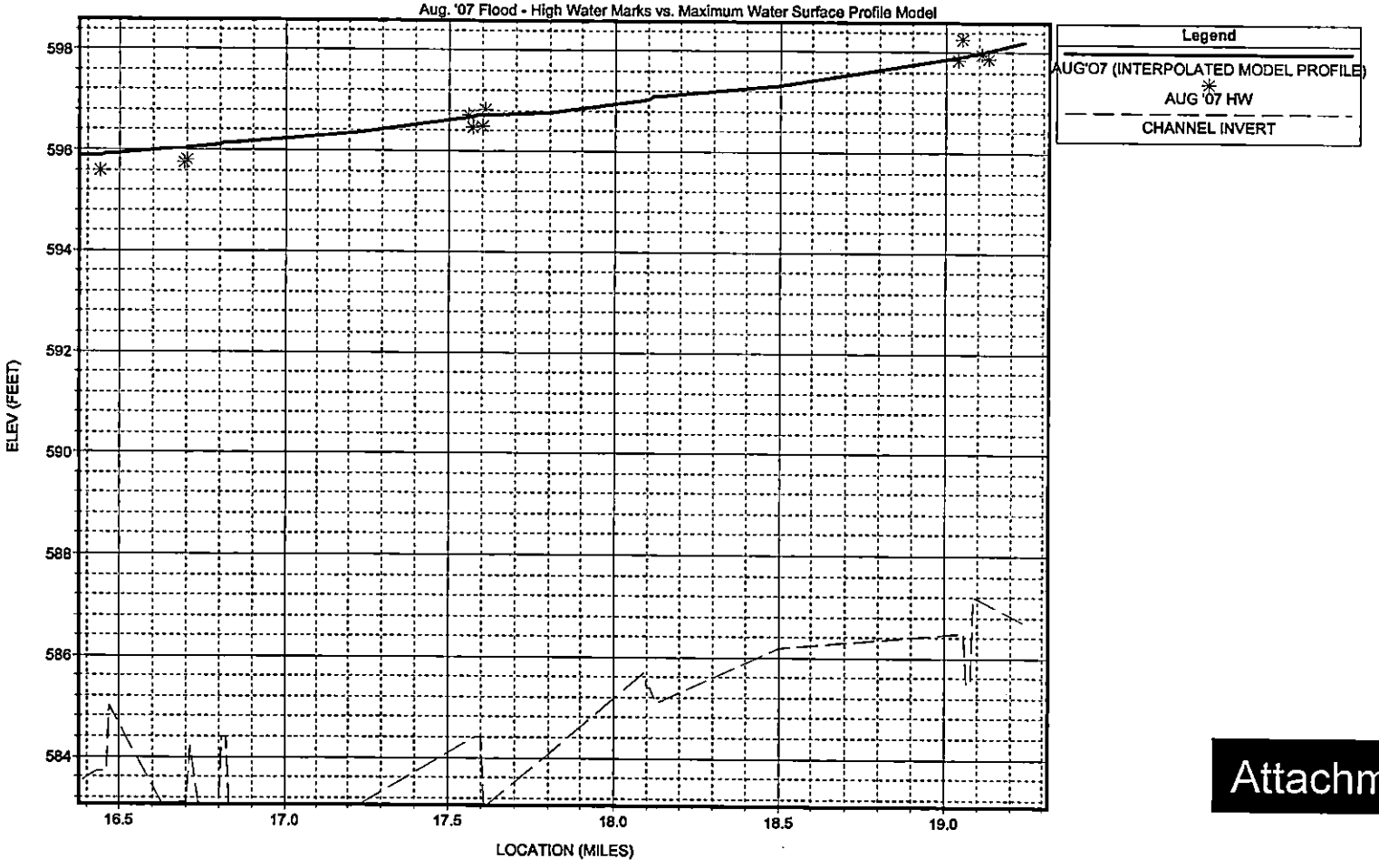
10.) POC in this office is Rick Ackerson, ext. 5511.

Joseph Schmidt

Joseph J. Schmidt, P.E
Chief, Design Branch

Attachment

Aug '07 High Water vs. Model
Hart Ditch to State Line



Attachment 1

CHICAGO DISTRICT FOIA REQUEST FORM

PRINT FORM, FILL OUT, SIGN, RETURN VIA FAX OR MAIL

Date of Request: _____
Requestor: _____
(Please Print_____
Name and _____
Address) _____

Office of Counsel
U.S. Army Corps of Engineers
Chicago District
111 N. Canal Street
Chicago, IL 60606-7206
fax # 312-353-8710

1. Under provisions of **5 USC 552,** the Freedom of Information Act, and **Department of the Army Regulation 25-55,** the following information/documents are being requested:
(Use back of form or attach additional pages if more space needed. If an identifying file number or permit number is known, please include it.)

2. The Requestor understands that fees may be charged for search, review, and/or duplication of the records requested above.
(Check one)

___ The Requestor agrees to pay any statutory costs for providing these records.
___ The Requestor agrees to pay up to $_____ (fill in dollar amount) for these records. Please notify if costs exceed this amount.
___ Please notify Requestor if there will be any charges before fulfilling this request.

3. (Check one:)
___ Requestor wishes to be called so that requested material may be picked up.
___ Please mail requested material to requestor.

_____
Signature of Requestor and title if representative of organization

Phone no.: _____

RETURN TO CHICAGO DISTRICT REGULATORY HOME

CECW-EG/ CEMP-ET Engineer Manual 1110-2-301	Department of the Army U.S. Army Corps of Engineers Washington, DC 20314-1000	EM 1110-2-301 1 January 2000
	Engineering and Design GUILDELINES FOR LANDSCAPE PLANTING AND VEGETATION MANAGEMENT AT FLOODWALLS, LEVEES, AND EMBANKMENT DAMS	
	Distribution Restriction Statement Approved for public release; distribution is unlimited.	

DEPARTMENT OF THE ARMY
U.S. Army Corps Engineers
Washington, DC 20314-1000

EM 1110-2-301

CECW-EG
CEMP-ET

Manual
No. 1110-2-301

1 January 2000

Engineering and Design
GUIDELINES FOR LANDSCAPE PLANTING AND VEGETATION MANAGEMENT AT FLOODWALLS, LEVEES, AND EMBANKMENT DAMS

1. Purpose. This manual provides criteria for the design of landscape plantings and vegetation maintenance at floodwalls, levees, and embankment dams. It is intended as a guide for uniformly safe design and not as a restriction to the initiative of the designer. This manual encourages close coordination between the design team members, which include a civil engineer, environmental engineer, biologist, and landscape architect.

2. Applicability. This manual applies to all USACE Commands having Civil Works responsibilities.

3. Distribution. Approved for public release, distribution is unlimited.

4. General. Floodwalls, levees, and embankment dams serve a common purpose in that they are designed to contain water and prevent flooding for varying lengths of time. Further, levees and floodwalls are sometimes involved in flood-fighting activities of a nature not found in other project structures. The possibility for long-term saturation of levee materials or levee and floodwall foundations, together with their unusual maintenance requirements, makes it necessary to exercise caution in the design of landscape planting and vegetation management at these structures. This manual describes some characteristics of floodwalls, levees, and embankment dams that are of interest to the design team members in such a design.

FOR THE COMMANDER:

RUSSELL L. FUHRMAN
Major General, USA
Chief of Staff

This manual supersedes EM 1110-2-301, dated 28 February 1999.

DEPARTMENT OF THE ARMY
U.S. Army Corps Engineers
Washington, DC 20314-1000

CECW-EG
CEMP-ET

EM 1110-2-301

Manual
No. 1110-2-301

1 January 2000

Engineering and Design
GUIDELINES FOR LANDSCAPE PLANTING AND VEGETATION MANAGEMENT AT FLOODWALLS, LEVEES, AND EMBANKMENT DAMS

Table of Contents

Chapter 1
Introduction

1-1. Purpose

This manual provides criteria for the design of landscape plantings and vegetation management at floodwalls, levees, and embankment dams. It is intended as a guide for use for uniformly safe design and not as a restriction to the initiative of the designer. This manual encourages close coordination between the design team members, which include a civil engineer, environmental engineer, biologist, and landscape architect.

1-2. References

EM 1110-2-38, Environmental Quality in Design of Civil Works Projects

1-3. Policy

a. Where the safety of the structure is not compromised and effective flood-fighting and maintenance of the facility is not seriously affected, appropriate landscape planting (trees, shrubs, vines, and grasses) can be incorporated into the design of floodwalls, levees, and dam embankments. Since landscape plantings enhance the environment by preserving and protecting natural resources, they will be considered in all project planning and design studies and will be included in detailed plans in design document reports for each of the structures described in Chapter 3. For projects in which the maintenance of the completed facility will be the responsibility of local interests, the landscape planting will be fully coordinated with the local agency during planning and design to determine the desires of the local sponsor and to obtain assurances that the sponsor has the capability to maintain the plantings.

b. In certain instances, in order to further enhance environmental values and to meet state laws and/or regulations, the local sponsor may request a variance from the standard vegetation guidelines as set forth in this manual. Vegetation variances for flood-control works (FCW) such as levees, floodwalls, and dam embankments may be permitted for either federal or non-federal FCW. The vegetation variance must ensure the following: safety, structural integrity, and functionality of levees, floodwalls, flood channels, and dam embankments are maintained; accessibility is retained for inspection and flood fighting; periodic clearing of some types of woody (trees) and nonwoody (grass, vines, and shrubs) vegetation will be performed when required; and the variance will not be a substitute for poor maintenance practices.

1-4. Esthetics

Esthetics should be of special concern in the design of floodwalls, levees, and embankment dams from the standpoint of protection of the environment and of blending the embankment dams with the surrounding environment. Whenever possible, the project should appear to be a natural extension of the local topography. The basic design of the structures should be a coordinated effort involving the design engineer, environmental engineer, biologist, landscape architect, and local sponsor. While it is seldom feasible to preserve the natural setting intact, design techniques and careful construction methods can be used to protect or even enhance the environmental and esthetic value of the area. Landscape planting design for project structures should consider the entire area influenced by the contemplated construction. Although plantings are usually confined to construction rights-of-way or within project boundaries, existing architectural style, landscape plantings, and

environmental anomalies in the surrounding area should be considered in determining the amount and type of planting.

Chapter 2
Objectives of Landscape Planting

2-1. Background

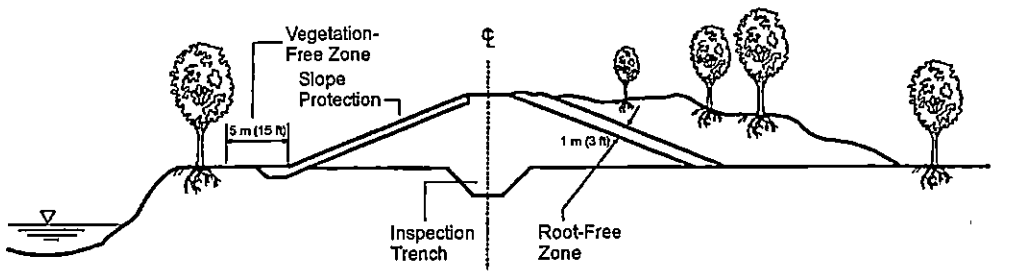
The primary objectives of plantings at levees, floodwalls, and dam embankments are to harmonize the development with the surrounding natural and human environment, enhance structures, control dust and erosion, separate activities, provide privacy or screen out undesirable features, provide incidental habitat for wildlife, and create a pleasant environment for recreation. Planting will be naturalistic and will avoid "arboretum-type" planting (many different species). In certain instances, additional objectives may have to be satisfied. These should be set out in the criteria conforming to the vegetation policy stated in paragraph 1-3.

2-2. Vegetation-Free Zone

The vegetation-free zone is an area adjacent to the landside and/or riverside toe of the levee, floodwall, or embankment dam and appurtenant structure where no type of vegetation, with the exception of grass, is permitted. This zone is required for maintenance and flood-fighting activities and must be easily accessible at all times.

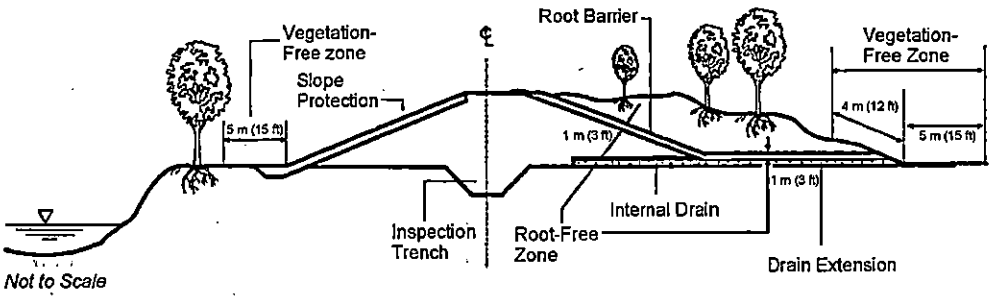
2-3. Root-Free Zone

The root-free zone provides a margin of safety between the greatest expected extent of plant roots and the beginning face of the basic project structure (see Figures 2-1, 3-1, and 3-2). The basic project structure is the engineered feature required for human safety. The bottom of the root-free zone will be the external limits of the cross section of the levee, embankment, or floodwall established by the design engineer for stability and/or seepage control. Knowledge of the rooting habit of each plant selected is required for use in the landscape planting plan. Landscape planting plans will reflect full recognition of the importance of electing plant species and cultivars, clones, or sports thereof, the roots of which will not penetrate into the root-free zone. Some type of barrier such as geomembrane, will be required at the limits of the root-free zone where root penetration is possible. This barrier should not retard groundwater or seepage flow.



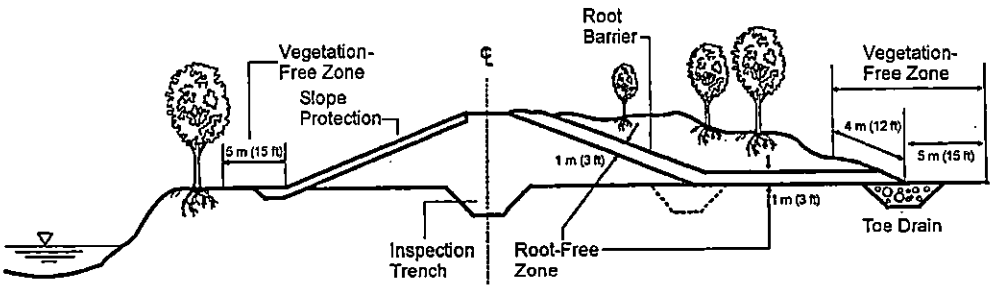
Not to Scale

a. Vegetation- and root-free zones



Not to Scale

b. Blanket drain



Not to Scale

c. Toe Drain

Figure 2-1. Basic levee project structure, with landscape planting

Chapter 3
Treatment of Various Types of Structures

3-1. Levees

Levees are usually constructed of rolled (compacted) earth fill. In some cases, internal drainage or underseepage treatment is incorporated into the levee. When landscaping and planting are provided on the existing levee, the internal blanket drain and/or toe drain will have to be extended, as shown in Figure 2-1. Designs for levees, except those to be located in agricultural and similar sparsely inhabited areas, shall meet the landscape planting criteria outlined in paragraph 3-1*a*. During design, landscape planting will also be considered for levees in the following areas: at pumping installations in public view, at public road crossings, near residences, and at other areas where planting could protect or restore the existing environmental values. Plantings will normally be located outside the limits of the basic structure (see Figure 2-1).

a. Urban levees. Since these structures are highly visible to large numbers of people, planting may be included for the total length of levees constructed in urban areas. Top soil and planting can be used for restoration of borrow and waste areas created during construction of levees.

b. Rural or agricultural levees. Although these structures are seen by relatively few people, environmental considerations should be included in the design. Planting should be considered for the following areas: at pumping installations in public view, at public road crossings, near residences, and at other areas where planting could protect or restore the existing environmental values. Planting and regrading appropriate for restoration should be considered for borrow and waste areas. Where opportunities exist, creation of higher value environments should be considered. Sand levees will be stabilized with native grass species.

3-2. Floodwalls

Floodwalls are generally used in those urban areas where land or materials required for levee construction are not economically available. These walls are subject to hydraulic forces on one side, which may be resisted by little or no earth loading forces on the other side. Although there are several types of floodwalls, the two most common are the inverted T-type reinforced concrete wall and the cantilever I-type sheet piling wall. Landscape planting should be included in the floodwall design, particularly for those walls that encroach upon or change existing scenic values, e.g., where the wall becomes a barrier along a street or near dwellings, parks, and commercial or industrial developments. Planting should also be considered for floodwalls constructed in areas adjacent to open tracts of land where it can be determined that development will occur during the early stages of the project life.

a. Inverted T-type reinforced concrete wall. This type of wall structure may have a toe drainage system to check and control piping and boils, control seepage as a result of roofing where piles are used, and control uplift pressures. These drainage systems must be protected from the invasion of roots, which could clog the drainage system. A vegetation- and root-free zone will be established at the top outside edge of the toe drains and at the landside face of wall joints when planting is included in the design. The possibility of eventual loosening and eroding of wall joint seals is a serious consideration in the design of planting at floodwalls. Wall joints must be protected against possible root penetration and resultant damage to the wall (see Figure 3-1).

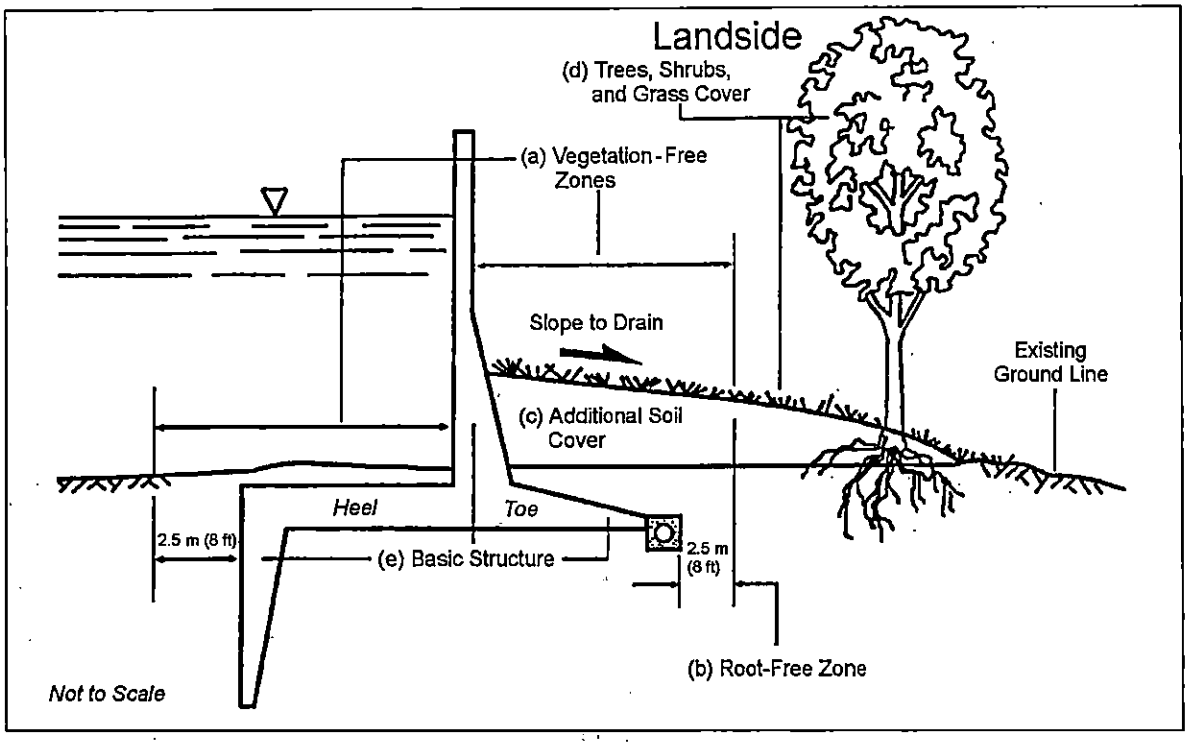


Figure 3-1. Inverted T-type floodwall showing (a) vegetation-free zone, (b) root-free zone (vertical joint occurring at section), (c) additional soil cover, (d) landscape planting of trees, shrubs, and grass, and (e) basic structure

b. Cantilever I-type sheet piling floodwall. Landscape planting at this type of wall should be designed similarly to that for the T-type wall. Vegetation- and root-free zones should be established for the structure, similar to those for T-type walls. A typical section of an I-type wall is shown in Figure 3-2.

3-3. Embankment Dams

Two general types of dams to be considered are earth dams and rock-fill dams. Usually, dams are constructed in rural areas and seldom encroach on urban areas. Where it is desirable to restore or enhance the damsite with tree and shrub plantings, these plantings should be designed to blend the structures with the natural surroundings. Restoration of borrow areas or other areas disturbed during construction should be considered in landscape planning.

a. Earth dams. Landscape planting will be confined to areas adjacent to the dam embankment. Because of the need for access at the downstream toe area by maintenance and construction equipment during periods of flooding, a 15-m (50-ft) vegetation-free zone will be maintained immediately downstream of the toe of the dam in the floodplain and on the abutments.

b. Rock-fill dams. Planting can be considered for all adjacent areas to blend the dam into the surroundings.

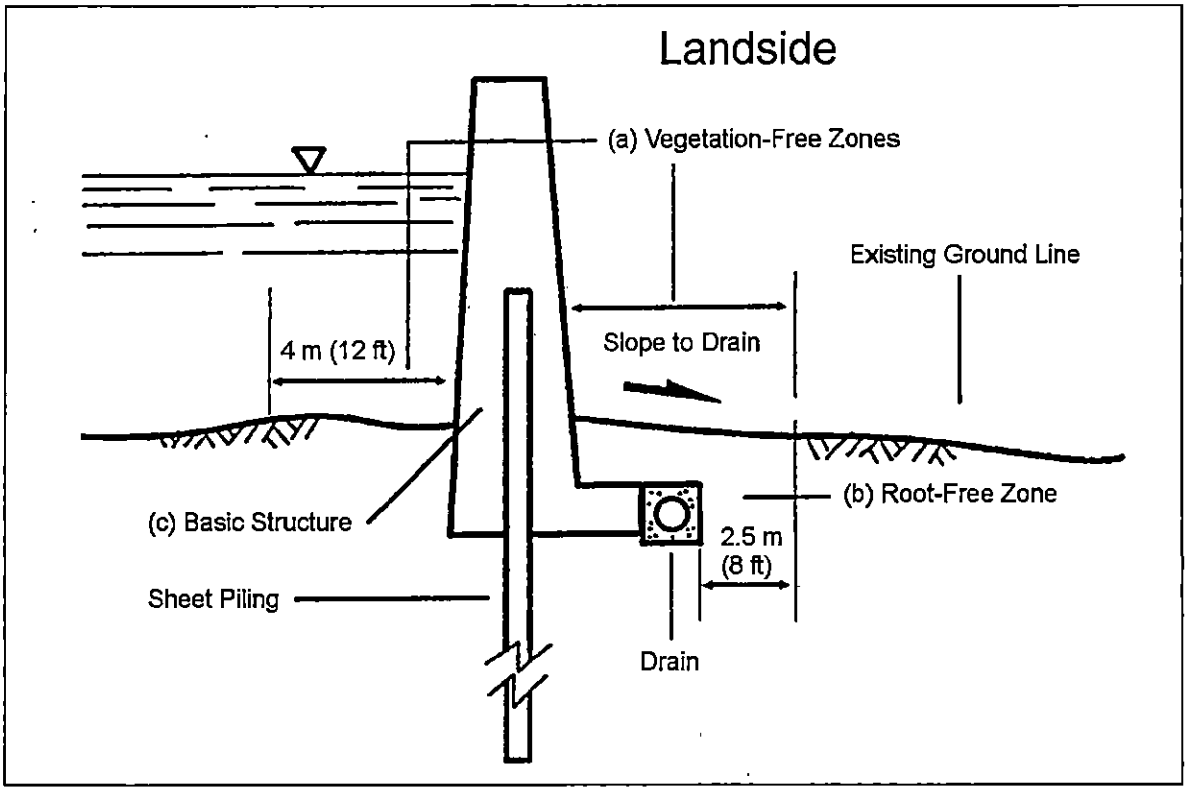


Figure 3-2. Cantilever I-type sheet piling floodwall showing (a) vegetation-free zone, (b) root-free zone (vertical joint occurring at section), and (c) basic structure

Chapter 4
Determination of Planting Feasibility

4-1. Feasibility Analysis

An analysis will be made of the structure during design to determine if and where landscape planting can be permitted. Not all projects will have a satisfactory combination of conditions to permit planting of trees, shrubs, vines, and grasses. In some cases only shrub planting may be feasible, while in other cases grass seeding or sodding may be the best plan. Physical conditions of the site and engineering criteria used in the design and operation and maintenance requirements should determine the appropriate planting scheme. However, environmental objectives shall be a component in all projects, and engineering design of project features should seek to accommodate the maximum possible planting. The design engineer, environmental engineer, biologist, and landscape architect will collaborate during all stages of design. Some of the important site conditions to be considered are described below.

a. Structure foundation. Planting design should consider possible damage to the foundation. The integrity of the foundation could be compromised seriously if potential seepage paths were created by root penetration from certain types of deep-rooting trees and shrubs, thus the requirement for a root-free zone into which plant roots should not penetrate (see paragraph 2-3).

b. Groundwater restraints. Seepage drains, toe drains, pressure relief wells, and other special devices for handling drainage through, around, or beneath the structure must not be encroached upon by vegetative growth.

c. Types of construction material. Type of construction material is an important factor in determining suitability for landscape planting at levees, floodwalls, and embankments. Rock, sand, and many types of compacted clay embankments are examples of materials that provide poor plant growing media. Roots of some types of plants could be expected to penetrate a great distance into a sand levee, thus providing a path for potential piping through the structure. Plants must be selected very carefully with regard to the type of construction materials used to ensure survival of the plant and prevent damage to the structure.

d. Structural alignment. Proposed structure alignments should be reviewed by the landscape architect to determine whether a change in alignment would facilitate planting and still provide a satisfactory solution to the engineering requirements. For example, in urban areas, shifting the alignment a few meters (feet) might allow for plant screening between residences and the structure. Similarly, a shift in alignment might provide space for a small city park or other community open space within the protected area of the project.

Chapter 5
Measures to Make the Structure Suitable for Planting

5-1. General

Certain structural measures can be taken to make floodwalls, levees, and embankment dams suitable for planting. These measures are summarized below.

5-2. Overbuilt Areas

After establishing the minimum levee or embankment section required to satisfy stability requirements (as determined by the design engineer), additional material can be added to the basic levee section to provide an area to support plantings. The dimensions of the overbuilt areas necessary to support the planned plantings should be determined by the landscape architect in consultation with the design engineer (see Figure 2-1). Overbuilt areas must include adequate consideration of the internal drainage system for the main structure. In urban and other high-use areas where it is desirable to overbuild the landside of the levee structure, additional right-of-way width may be necessary to accommodate the resulting longer and flatter slopes.

5-3. Berms

Berms are sometimes provided on dams and levees for seepage control, stability, and other purposes. Shrubs and small trees may be planted on berms if they are on a section of berm that has been overbuilt to a sufficient depth to preclude root penetration of the root-free zone, if they do not interfere with the embankment drainage system, and if the density of plantings on the structure does not inhibit inspection.

5-4. Additional Soil Cover at Floodwall Toe

Where soil depths over the toe of floodwalls are too shallow to allow planting, additional soil cover may be added if such action would not be detrimental to the structure (see Figure 3-1).

5-5. Plant Containers

Where appropriate, permanent plant containers should be considered as part of the structure design. Use of containerized plants should be highly selective and should be considered only when normal planting (directly into soil areas) cannot be used. During the design process, the initial cost and the ability to maintain this type of planting should weigh heavily in the decision to use containers. The type of plant selected for containers should not exceed the mature height of a small flowering tree.

Chapter 6
Considerations in Preparing Landscape Planting Plans

6-1. General

The engineering determination required (Chapter 4) and the adjustments made to that design (Chapter 5) will provide a guide in selecting the type of plants included in landscaping plans. Safety of the structure, including its effective maintenance, will be the most important consideration in determining the type, size, growth habit, quantity, and arrangement of plants. The extent and nature of landscape plantings will also be guided by the following considerations.

6-2. Flood-Fighting and Structure Maintenance

Flood-fighting and maintenance operations for levees, floodwalls, and dam embankments can be complex. These operations are affected by the selection, spacing, and quantity of plants in the landscape planting plan. Thus, in the design of planting plans, care must be taken to guard against creating additional maintenance and flood-fighting problems. A few well-selected trees and shrubs, placed in the right location, can often achieve the objectives of landscape planting (see paragraph 2-1). Large shrub masses and woody-type ground cover should be avoided at floodwalls and urban levee structures. Planting plans will be designed to permit inspection of structures from moving vehicles. Access for emergency repairs and replacements during flood fighting will also be taken into consideration.

6-3. Maintenance of Plantings

In designating the number of plants, the landscape architect should consider the ability of local interests or the Federal Government to maintain the planting horticulturally. Generally, maintenance-free plants will be selected.

6-4. Selection of Plant Material

Plants will be selected from approved plant lists prepared jointly by Division and District landscape architects in concurrence with the local sponsor or resource agencies. The list will include trees, shrubs, vines, and grasses. Plant lists should be prepared for specific structural conditions, or needs, such as structurally unrestricted areas, overbuilt sections adjacent to the basic structure where special measures for planting are not required, and plant containers.

Jim Pokrajac

From: "MAUPIN, MARTY" <MMAUPIN@idem.IN.gov>
To: "Little Cal" <littlecal@nirpc.org>; "Jerry Roach" <Jerry.Roach@in.usda.gov>; "Bill Moran" <bill.moran@in.usda.gov>; "Gregory Moore" <Gregory.Moore@usace.army.mil>
Cc: "Renshaw, MaryLou" <mrenshaw@idem.IN.gov>; "ROBB, JAMES" <JROBB@idem.IN.gov>
Sent: Wednesday, July 30, 2008 7:05 AM
Subject: RE: 200 Acre WRP Teleconference

I will be unavailable for the call. I have been out of the office but I assume the discussion will be involves enrolling the mitigation site into the wetlands reserve program. If that is the case my stance has not change from earlier conversations. The area is a mitigation site and cannot also be used for the Wetland Reserve Program. I would recommend you bypass any meeting with me and contact MaryLou Renshaw, Branch Chief, Watershed Planning Branch and James Robb, Section Chief, Wetlands and Stormwater Section directly regarding your request. Marylou Renshaw can be contacted by phone at 317-233-8488 and by e-mail at mrenshaw@idem.in.gov and Jamie Robbcan be contacted by phone at 317-233-8802 or by e-mail at jrobb@idem.in.gov.

Marty Maupin
Office of Water Quality
Phone: 317-233-2471
E-Mail: mmaupin@idem.in.gov

-----Original Message-----
From: Little Cal [mailto:littlecal@nirpc.org]
Sent: Tuesday, July 29, 2008 2:40 PM
To: Jerry Roach; Bill Moran; Gregory Moore; MAUPIN, MARTY
Subject: Fw: 200 Acre WRP Teleconference

To all:
If you would please mark your calendar for a call at 10:00 on Thursday the 31st, I would appreciate it. Mr. Maupin will be back in the office tomorrow and I will follow up with him as to the date and time. I will then get back to you by tomorrow afternoon with a call-in number.
Thanks for your response back to me.

Dan Gardner
Executive Director
LCRBDC
----- Original Message -----
From: "Little Cal" <littlecal@nirpc.org>
To: "Jerry Roach" <Jerry.Roach@in.usda.gov>; "Marty Maupin" <mmaupin@idem.IN.gov>; "Gregory Moore" <Gregory.Moore@usace.army.mil>
Cc: "Bill Moran" <bill.moran@in.usda.gov>
Sent: Tuesday, July 29, 2008 10:25 AM
Subject: Fw: 200 Acre WRP Teleconference

OPERATION AND MAINTENANCE REPORT

For meeting on Wednesday, August 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 May 30 – July 30, 2008)

GENERAL NOTE:

It is the intent of the LCRBDC to put a total punch list together for all of the items requiring remediation as a result of the 2008 inspections. An estimate per item will also be provided. This will then need to be discussed with the city of gary as part of the O&M turnover process.

GENERAL SUMMARIZATION (EAST REACH TURNOVER)

1. An O&M Funding Committee meeting was held on March 12, 2008 to review upcoming and project expenditures
    - A summary status report was put together on March 11, 2008 indicating what has been turned over, what the LCRBDC is doing with flood control items not turned over, and including partial turnovers have been executed.
    - Committee waiting for Army Corps schedule for construction to present to Umbaugh to discuss funding options for cities and towns to perform O&M functions for compliance.
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 response

    Maps, 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.
3. A follow-up memo was sent to Gary, Hammond, and Highland requesting comments and review of the draft Corps O&M manuals for their respective communities on March 25, 2008. **(No response from any municipality as of July 30, 2008)**
    - The previous memo was submitted, along with the manuals, for review on September 7, 2007.
    - Their comments will then be addressed by the Corps and individual meetings would be held with each community for implementation.

4. **Inspections for 2008 are scheduled for August 12 and 13, 2008.**
    - Last year's inspections in Gary, Griffith, and Highland were held with the Corps, LCRBDC, and representatives from each municipality.
    - **Pump stations are being scheduled no later than the end of August, 2008.**
    - **Sluice gates and flap gates are being scheduled no later than the end of August, 2008.**

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. Last 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.
    - Currently, all (6) stations are operational and will be re-inspected before the end of **August** 2008.
    - Until O&M is turned over, the LCRBDC is responsible for their operation.
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 as of July 30, 2008)**
4. With the suggestion of postponing the inspections until early August, Austgen was directed to monitor pump station gates and intake screens to assure their designed operation.
    - **LCRBDC has been in compliance and kept pump stations operable and cleaned intake screens.**

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

2. Sluice/Flap Gate Clean-up & Repairs
    - Received a summarization table from Austgen Electric on May 9, 2008 indicating the status of all (17) different locations. (**15**) are completed, and (2) are scheduled to be done shortly (Cline Ave. and Broadway)
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.
    - Low bid from Austgen Electric to do this work was $60,529.00 for (17) locations. Awarded December 26, 2007. Work being done in 2008.
    - **Received updated table along with current cost summary on 7/30/08.**

- **Billing to date is $40,183.35**

C. LEVEE, I-WALL TURNOVER

1. **Levee, I-wall, and collector ditch inspections are currently scheduled to be done on August 12 & 13.** 2
   - **Levees have just been mowed on July 25. This will allow better viewing of the levee for inspections.** 3-4
   - 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.
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.

D. TRANSFER OF EXCESS LANDS TO CITY OF GARY (Lands will not be transferred until city of Gary signs off on acceptance of O&M responsibility)

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 was provided to the LCRBDC and city of Gary attorneys in October, 2006. (Ongoing)

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 are stored on GSD facilities in November 2005.
   - A re-inventory will be done to get a current list of what is stored at GSD. **This inventory will be done as part of the final O&M turnover.**

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 **after this year's inspection** to discuss O&M

responsibilities and turnover coordination. (Ongoing)

- Sluice/flap gate inspections were held with the Corps and Griffith on October 25, 2007 **(2008 inspections are scheduled before the end of August, 2008)**

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.
4. Minor items of construction need to be completed prior to final turnover.
5. **Final turnover of O&M will be done after Stage VI-2 and VI-1 South are completed. V-2 will be added later.**

EMERGENCY RESPONSE COORDINATION

General:

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

NOTE: Refer to Item #5 of this report on page 2 in the General Summarization Section. The municipalities have been provided O&M manuals for review. There is a section of this manual that requires emergency response information. **(as of July 30, 2008 no response has been received).**

A. Acceptance of Emergency Response by each project municipality

1. A meeting will be scheduled **in the fall of 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. 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.
   - There is a possibility that the Corps will modify these closures for easier installation as part of the 27th & Chase Street drainage contract.

B. 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.
    - INDOT submitted request to Hammond (copies the Corps) on October 22, to replace the existing flap gate with a "duckbill" gate at both Kennedy Avenue and Indianapolis Blvd.
    - INDOT submitted a letter to the LCRBDC and copied the Corps on March 10, 2008 (received March 17, 2008) requesting written permission from the LCRBDC to replace (2) existing flap gates (east of Kennedy, north of river, and east of Indianapolis Blvd, north of river) with Tideflex "duckbill" flood valves.
    - LCRBDC sent an email to the Corps on March 18, 2008 requesting that they had reviewed, and approved, the drawings for installing "duckbill" gates for assurance of compliance with Corps requirements.
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)
    - Waiting for Corps response to March 18, 2008 email.(Ongoing)

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
4. Received a call from GRW on March 17, 2008 indicating they will be re-applying and they will provide a letter requesting procedural information, and also re-submitting their latest design. (Ongoing)
5. Received an email from GRW on May 8, 2008 indicating that they would like to start work on lands they have easements upon and would like to work with us to

get Chicago Corps approval, then obtain easements from us.

- LCRBDC had a call with their engineer and explained several issues had to be resolved prior to us signing any agreements (Need Corps review approval, need to assure no problem with a directional bore in this area for impacts to improvements for wetland enhancements, and would need appraisal of land to make us an offer)

B. At the request of the LCRBDC, regarding Stage VIII, the Corps agreed to provide (4) electric sluice gate operators.

- These can be used by Hammond and Munster during emergency response operations for closing sluice gates during floods.

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

AUSTGEN ELECTRIC INC.
Since 1945

Engineering
Process Control
Network Service
Telecommunications
Fleet Service

10/24/2007			Invoice #	12258	% Complete	Completed By
Location		**Total**	Completed	Billed		
5 sluice - clean sluice gate. 10" of sand in hole. Install adapter	$	10,350.00			0%	8/1/2008
6 Clean flap Gate	$	2,575.00	04/24/08	$2,575.00	100%	
8b Clean flap gate	$	2,575.00	04/24/08	$2,575.00	100%	
9A flap - clean flap gate	$	2,575.00	03/26/08	$2,575.00	100%	
10A sluice - free sluice. Clean flap. Install 90 degree zerk. Lube. Install adapter (need crane)	$	3,885.00	03/08/08	$3,885.00	100%	
10B flap - clean flap. Install 90 degree zerk. Lube. Install adapter	$	2,285.00	03/08/08	$2,285.00	100%	
12a sluice – free sluice. Install adapter. Install 90 degree zerk. Lube. (need boat)	$	3,112.00	03/08/08	$3,112.00	100%	
13a sluice & grate – adjust gauge. Lube. Clean grate	$	1,785.00	03/08/08	$1,785.00	100%	
14b flap – clean flap. Install 90 degree zerk. Lube. Install adapter	$	3,012.00	05/09/08	$3,012.00	100%	
17 sluices – close sluice and weld door so it won't opean	$	2,600.00	03/08/08	$2,600.00	100%	
20a flap – remove concrete	$	6,075.00	Partial	$1,077.17	18%	8/15/2008
20b flap – remove concrete	$	6,075.00	Partial	$1,077.18	18%	8/15/2008
24a flap – clean flap	$	2,575.00	12/01/07	$2,575.00	100%	
24b flap – clean flap	$	2,575.00	12/02/07	$2,575.00	100%	
25 sluice & flap – clean sluice & flap	$	4,125.00	03/26/08	$4,125.00	100%	
29 flap – clean flap	$	2,575.00	03/26/08	$2,575.00	100%	
32 flap – clean flap. Check to see if pumps are switching with each other by hour meters	$	1,775.00	12/02/07	$1,775.00	100%	
Totals	$	60,529.00	Totals	$40,183.35	66%	

Jim Pokrajac

From: "Jim Pokrajac" <jpokrajac@nirpc.org>
To: "Ackerson, Rick D LRC" <Rick.D.Ackerson@usace.army.mil>
Cc: <william.A.Rochford@usace.army.mil>; "Schmidt, Joel L LRC" <Joel.L.Schmidt@usace.army.mil>; "Cunningham, Matthew W LRC" <Matthew.W.Cunningham@lrc02.usace.army.mil>; "Wethington, John A LRC" <John.A.Wethington@usace.army.mil>; <Arthur.G.Rundzaitis@lrc02.usace.army.mil>; <shamel.Abou-El-Seoud@usace.army.mil>; "Imad Samara" <Imad.Samara@usace.army.mil>
Sent: Saturday, July 26, 2008 12:40 PM
Subject: Little Cal Levee Inspections

Rick, Let's start a fresh trail for the upcoming levee inspections. I concur that the week of August 11-15 would work best. The levees have just been mowed and completed on July 25th and will be fresh for our inspection. As I previously stated, it will probably take about 2 days to complete. How about Tuesday and Wednesday, August 12th and 13th. If this works for you, I will contact the locals to let them know and assure that they will be represented. I assume that we will do the same segments we did in 2007, which includes the completed Gary segments, Griffith segments from the EJ&E RR to Colfax, and Highland for V-1. If you intend on any additional segments please let me know.

Also we should probably try to schedule Pump Station and Sluice/Flap gate inspections sometime in August, any suggestions?

Thanks,

Jim

Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

July 11, 2008

Mr. Kelly G. Hall
President
C&H MOWING, INC.
918 South 250 West
Hebron, Indiana 46341

Dear Kelly:

Enclosed please find 2 copies of the agreement between C&H MOWING and the Little Calumet River Basin Development Commission to provide two (2) full mowings for all levee segments not included as part of the ongoing "Landscaping – Phase II" project within the city of Gary and Griffith, Indiana.

If you are agreeable to all of the terms provided therein, please sign both copies, keeping one for yourself and returning the other one to this office. Once I have received your signed copy, you may consider this letter as your notice to proceed.

Upon completion of the work, please call me and I will meet with you at the site for a final field inspection. If you have any questions at any time, you can reach me at the above number.

Sincerely,

James E. Pokrajac

James E. Pokrajac, Agent
Land Management/Engineering

/sjm
encl.

3

AGREEMENT FOR MOWING

C&H Mowing, Inc. (*Contractor*) agrees to contract with Little Calumet River Basin Development Commission (*Owner*) and hereby agrees to provide all labor, materials, tools and equipment necessary to provide two (2) full mowings no later than July 25, 2008 and October 8, 2008 for the levee segments not included as part of the "Landscaping – Phase II" project in Gary and Griffith, Indiana as described hereby in this agreement.

The following shall apply to this agreement:

1. The amount is based upon the *Contractor*'s proposal dated July 1, 2008, and as per the general information and specifications. The total cost to complete this scope of work as per all terms and conditions will be based upon this proposal.
   - The first cycle to be completed no later than July 25, 2008 in the amount of $4,125.
   - The second cycle to be completed no later than October 8, 2008 in the amount of $3,575.
   - The total cost shall not exceed the quote of $7,700.00 without written authorization from the *Owner*.

2. The *Contractor* shall complete all work as follows:
   1. EI&E to Colfax Street (south of N.S. RR) (3500' grass)
   2. Calhoun to Burr Street (north of N.S. RR) (1370' grass)
   3. EI&E RR to Colfax (north of NIPSCO R/W) (3100' stone)
   4. Chase Street to Grant Street – North levee (5600' grass)
   5. Chase Street to Grant Street – South levee (8400' total – 6500' stone, 1900' grass)
   6. Grant to Harrison – North levee (2868' grass)
   7. Harrison to Broadway – North levee (2260' grass)
   8. Georgia to MLK Drive – South levee
   - *Contractor* to mow all levees (landside and riverside) full width to the toe of the levees and one (1) pass on each side along the toe.
   - *Contractor* to mow levee crest down to grade (4" – 6")
   - *Contractor* will mow no lower than 10" in height on all levee side slopes.
   - On the expressway side of the levees, the *Contractor* will mow from the levee crest to the existing INDOT fence line (from Chase Street to MLK Drive, as required).
   - *Contractor* shall be aware of, and be responsible for, hand trimming around the existing landscaping or structures previously installed as part of the flood control/recreation project.
   - Any other areas of levees that cannot be cut by tractor must still be cut as included in the total cost.
   - First mowing will be completed no later than July 25, 2008, and the second mowing no later than October 8, 2008.
   - The *Contractor* shall avoid the mowing of the south levee (north of Indiana University) with Spencer Cortwright, 980-7760. (Refer to Item #11 above – No mowing south levee anywhere unless authorized).

3. Upon completion of mowing, the *Contractor* will be responsible for all cleanup.

4. *Contractor* shall provide workmen's compensation insurance in the statutory amount for all persons, employees, contractors or agents working on this job and will provide liability insurance in a minimum amount of $300,000/$1,000,000 naming the *Owner* as co-insured.

5. The *Contractor* hereby agrees to hold harmless and indemnify the *Owner* from any suit damage, claim, liability or action caused as the direct result of the work performed by the *Contractor* that is the subject of this agreement.

6. Final payment will be made upon completion of the field inspection to the satisfaction of the *Owner*.

Kelly G. Hall, President
Contractor
C&H MOWING, INC.

Accepted by:

Dan Gardner, *Owner*
Little Calumet River Basin
Development Commission

Dated this 14th day of July, 2008.

4