

# **Little Calumet River Basin Development Commiss**

6100 Southport Road Portage, Indiana 46368

second to

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

DAN DERNULC, Chairman Governor's Appointment

WILLIAM BAKER, Vice-Chairman Governor's Appointment

R. KENT GURLEY, Treasurer Lake County Commissioners' Appointment

MARK CORDISH, Secretary Mayor of Hammond's Appointment

WILLIAM BILLER Governor's Appointment

ARLENE COLVIN Mayor of Gary's ppointment

RON McAHRON Dept. of Natural Resources' Appointment

JOHN MBOCZKOWSKI Governor's Appointment

VACANCY Governor's Appointment

VACANCY Governor's Appointment

VACANCY Porter County Commissioners' **Appointment** 

VACANCY **Executive Director** 

LOU CASALE

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**MEETING NOTICE** 

THERE WILL BE A MEETING OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION

AT 6:00 P.M. WEDNESDAY, MARCH 4, 2009 5:30 WORK STUDY SESSION

> AT THE MUNSTER TOWN HALL 1005 Ridge Road, Munster, Indiana

#### AGENDA

- 1. Call to order by Chairman Dan Dernulc
- 2. Pledge of Allegiance
- 3. Recognition of Visitors and Guests

Approval of Minutes from February 4, 2009

Chairman's Report

 Appointment of Rudy Sutton, Porter County Commissioners' appointment

Notes from meeting with Colonel Quarles on January 28

Army Corps advertised Stage VII on February 17; pre-bid meeting will be held March 3

Report on Work Study Session held February 18

6. Action Required: Finance: Approval of claims for February 2009

Approval of O&M claims for February 2009

Approval of proposed response letter to RDA

Consideration of website proposal

Land Acq: Any Action?

Land Mgmt: Approval of farm lease awards

Approval of granting easement to IN Water Company 25-2 8

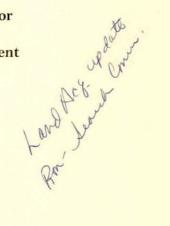
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7. Standing Committees:

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- A. Search Committee Ron McAhron
  - Proposals received on December 17, 2008 from four engineering firms
- B. Finance Committee Treasurer Kent Gurley
  - · Financial Status Report for end of January 2009
  - NIRPC invoice for January 2009
- C. <u>Land Acquisition/Land Management Committee</u> Arlene Colvin <u>Land Acquisition</u>
  - · Status of Stage VIII acquisition
- D. Project Engineering Committee Jim Pokrajac
  - · Status of Stage V-2 pipeline corridor
  - · Status of Stage VIII utilities
  - Status of 3 pump station contracts 1A, 2B, and 2A
  - Meeting 2/27 with Lake County Highway Dept regarding raising of some bridges over the Little Calumet River
  - Design overflow sections by Army Corps
- E. Operation & Maintenance Jim Pokrajac
  - · Closure structure exercise held February 27
  - · Status of Corps mandated O&M repairs from February 6 meeting
  - Final paperwork forwarded to FEMA officials for review and approval of emergency response reimbursement to Commission
- F. Legislative Committee Ron McAhron
  - Update on HB 1716 restructuring of Commission
- 8. Other Issues / New Business
- 9. Statements to the Board from the Floor
- 10. Set date for next meeting; adjournment



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  - B. *Finance Committee* Treasurer Kent Gurley
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- C. <u>Land Acquisition/Land Management Committee</u> Arlene Colvin 31-37 Land Acquisition
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# MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION HELD AT 6:00 P.M. WEDNESDAY, FEBRUARY 4, 2009

#### Held at

#### <u>Munster Town Hall,</u> 1005 Ridge Road, Munster, IN

Chairman Dan Dernulc called the meeting to order at 6:05 p.m. Roll call of six (6) Commissioners declared a quorum. Pledge of Allegiance was recited. Chairman Dernulc thanked the visitors for coming.

Development	Commissioners:	Visitors:

Mark GordishPatti Mize – River Drive, MunsterDan DernulcNureya Rosales – Jackson Ave, MunsterArlene ColvinKaren Lorenz – Southmoor Rd, HmdWilliam BakerDavid/Burdette Piatiak – Monroe, MunsterRon McAhronLance/Marie Barrows – Monroe, MunsterKent GurleyLynne Whelan - USACOE

Lynne Whelan - USACOE Fred Connor - Munster

Sharen Grady - Monroe, Munster

Barb Spolnik

Bill Polkard - Munster

Kevin Cappo – River Drive, Munster Jess Shesek – Jefferson, Munster

Irene Behling - Munster

Tom Drake – Columbia, Munster James/Kalliope Dedelow - Munster James Peterman – Lincoln, Munster Elizabeth Jones – Baring Ave, Munster Leon/Alice Kozlowski – Oakwood, Munster

John Mogle - Baring, Munster

Rick/lMaril Grigsby – Northcote, Munster Robert Farag – Griffith Golf Center Bill Howard – Northcote, Munster

John Novak - Tapper, Munster

Elizabeth Howard - Northcote, Munster

Michael Jabo - DLZ, Hammond

Mike McPhillips – INDOT LaPorte District Charles Seligman – Jackson Ave, Munster

**Bob Paulson - Northcote, Munster** 

Bob/Wendy Carlson - Jackson, Munster

Kris Stamos – Harrison, Munster Steve Hadrnak Forest Ave, Hmd

Paul/Marylou Daniels- Castle Dr, Munster

Rich Kumicich – Baring, Munster Savo Rajkovic – Monroe Ave. Munster

Elizabeth Johnson – Congressman's Office

Craig/Beatrice Hanusin - Howard Ave, Munster

Jayson Reeves – 21st Ave., Gary

Bob/Ruth Krol - River Drive, Munster

Susan Wood- Munster

<u>Staff:</u>

Jim Pokrajac

Lou Casale

Visitors:

Judy Vamos

Sandy Mordus

Lorraine Kray

Bill Petrites - Highland

Pat Huber - Munster

Patricia Piekarczyk – Munster

Ruth Mores - Southmoor Rd, Hmd

Carol/Don Bednar - Baring Avenue

Thomas Hayes - River Drive, Munster

Eugene Lesko - Madison St, Munster

Jill Brazinsky - Madison St, Munster

John Harrigan - Northcote, Hmd

Bill Knosnica - Jackson, Munster

Denis Buksa - River Drive, Munster

Beatrice Plunard - Howard Ave, Munster

Clarence Seagraves – Monroe Ave, Munster

Bernie/Kaaren Mashwa - Monroe, Munster

Carolyn Marsh - Sand Ridge Audubon

Christine Kutkoski - Southmoor Rd, Hmd

Mike Zarantonello - Southmoor Rd, Hmd

Dave Nellans - Munster Town Council

Roy Deda - USACE Imad Samara - USACE There were no changes to the minutes of January 7 and January 21. Minutes stand as posted.

<u>Chairman's Report</u> — Chairman Dan Dernulc presented the Right-of-Entry for Stage VII to Imad Samara, Project Manager, USACE. Stage VII construction segment is from Northcote to Columbia, both sides of the river. Bill Baker made a motion acknowledging that the Commission has acquired the easements needed for Stage VII and the attorney has attested to that fact in the signing of the Attorney Certificate accompanying the right-of-entry; motion seconded by Mark Gordish; a roll call vote was taken; motion passed 6-0. Chairman Dernulc stated that the Commission is working hard toward completing Stage VIII and we hope that it will follow in the near future.

Action Required - Treasurer Kent Gurley presented items for action.

- Mr. Gurley acknowledged the replacement monthly budget sheet distributed to the members and explained how the budget sheet is always at least a month behind the current date. The figures are always reflected for the end of the preceding month.
- Mr. Gurley referred to the claims payable for January at a total of \$51,695.83 and made a motion to approve the claims; motion seconded by Arlene Colvin; motion passed with a roll call vote of 6-0.
- Mr. Gurley made a motion to approve the O&M claims in the amount of \$75.93; motion seconded by Bill Baker; motion passed with a roll call vote of 6-0.
- Mr. Gurley made a motion to approve the month-to-month administrative contract with NIRPC with slight increases as well as approval of independent contractor contracts for James Pokrajac, Judy Vamos, and Lorraine Kray (all on a month-to-month basis with the same rate as last year); motion seconded by Arlene Colvin; motion passed with a roll call vote of 6-0.

<u>Search Committee</u>—Ron McAhron stated that the committee has not met and has not begun the process yet. At this point in time, the committee is still not certain whether to go with a firm or an individual. He hopes to have something more definitive next month. Of course, there is still the issue of not having any funds available to sign a contract with anyone.

<u>Finance Committee</u> – Treasurer Kent Gurley referred to the Financial Statement for the month ending December 31, 2008. He pointed out that the Statement is about six weeks behind. He referred to page 12 in the packet which is the NIRPC invoice for December 2008.

• Mr. Gurley then referred to the RDA letter dated December 31, 2008 which accompanied the check the RDA loaned to us for \$1,701,742. The letter has asked the Commission to provide a plan outlining four questions. The Commission will respond to the letter within the 90 days the letter has asked for. Chairman Dernulc said a special work study session may be called to formulate a response letter to the RDA. He would like to take action on the letter at the March meeting.

<u>Land Acquisition/Land Management Committee</u> — Commissioner Arlene Colvin reported that there is no action to be taken. Now that the Army Corps can advertise Stage VII, we will put all our efforts into completing Stage VIII as quickly as we can. At this point, there are four acquisitions still in condemnation and there are three landowners who signed their

offers but need to sign the actual easement agreements. With no complications, the area from Calumet Avenue to the CSX RR will have acquisitions acquired by mid March. The Corps is now reviewing acquisition of the four houses west of Hohman Avenue; they will be doing a gross appraisal of the houses for fair market value for budgeting purposes.

• Commissioner Bill Baker reported that there are three areas that will be going for bids for farming. The total combined acreage is approximately 300 acres. We hope to have the bids back before the next Commission meeting. Mr. Baker also stated that he is reviewing the assets of the Commission to see if there is an opportunity to obtain additional money that might help supplement future O&M expenditures.

Engineering Committee – Jim Pokrajac stated that progress meetings for Stage V-2 are held weekly as per the contract, and pipeline corridor coordination is included as part of the agenda. He stated that it should be about a 60-day completion to complete all the utility relocation work on the pipeline corridor as outlined in the Stage V-2 specifications. The contractor can then start driving sheet piling. They will be working on the NSRR corridor soon.

- Mr. Pokrajac reported that Stage VII utility agreements are all completed. The last one that was just received was BP Pipelines and now that we have it in place, the Army Corps can advertise this stage.
- Mr. Pokrajac reported that we have completed Stage VIII utility relocation agreements and there are three remaining utility maintenance agreements that are out and waiting to be signed. The final back check set of engineering for VIII have been completed and submitted to the Corps. All municipalities and pipelines had the opportunity to comment on the plans one final time.

<u>Operation & Maintenance Committee</u> — Jim Pokrajac stated that he is proceeding with emergency O&M only as indicated in the approved line items as part of the RDA funding. This includes keeping the pump stations running, for removing a log jam, and some minor issues with sluice/flap gates to make sure they are in working order.

Operation & Maintenance Funding Committee – Commissioner Kent Gurley discussed his attendance at a Hammond City Council meeting in which he appeared before them as a Hammond resident. He asked them to consider, that given the substantial amount of Hammond residents living in the flood plain, contributing some monies toward the completion of the levee system and also toward the maintenance that will follow in future years.

<u>Legislative Committee</u> — Commissioners Ron McAhron discussed several proposed bills in this legislative session. SB185 proposes \$15 million from the General Assembly to the Commission to complete the flood control project. This bill is sponsored by Senator Frank Mrvan and it has been assigned to the Appropriations Committee. This biennial budget does not start until July 1. The Commission is pursuing some avenue to acquire funds prior to that date because we do not have enough money to carry us through until then. He understands that there is still \$1 million in the first year budget and he will ask that it remain there. There is a Ways & Means meeting coming up that Mr. McAhron will attend. He also mentioned that we have to start talking about O&M money.

- Mr. McAhron referred to HB1692 which would sunset many boards and commissions, the LCRBDC being one of them. The bill was introduced by Representative Borror and it has now been sent to Rules & Legislative Procedures.
- HB1716 introduced by Representative Soliday, restructures the Commission from an 11-member board to a 5-member board. It has been assigned to a committee. Mr. McAhron talked about the most effective way would be to restructure the Board for an O&M purpose, rather than a flood control project.

<u>Other Business</u> – Chairman Dan Dernulc talked about the meeting that was held with Colonel Quarles, District Director Roy Deda, and Imad Samara on January 28. It was an informal meeting where the Corps provided information on the history of the project, and how we need to keep moving forward. It is in everybody's best interest to work together, efficiently, to complete the construction as quickly as possible.

• Imad Samara stated he has updated the Corps web site. The site is located at <a href="https://www.lrc.usace.army.mil">www.lrc.usace.army.mil</a>. Click on "Project Information"; then go to the letter "L" to find Little Calumet River. Project information will be found there and is regularly updated.

<u>Statements from the Floor</u> - Chairman Dan Dernulc asked that statements be kept to a "polite" 3-minute time period. Statements were received from the floor by Mike Zarantonello, Bob Farag, Jason Reeves, Kevin Cappo, Carolyn Marsh, and Bill Howard.

- Mike Zarantonello reiterated his concern about the residents wanting an independent review of the Corps design plan that affects their area on Southmoor. He has made a formal request for the Commission to pursue this. He submitted a letter to the Commission, as well as to Governor Daniels, Senators Lugar and Bayh, and Congressman Visclosky. Those letters are attached hereto and made part of these minutes as Exhibit "A" and "B".
- Bob Farag from the Griffith Golf Center stated he has not been able to get any kind of response from FEMA for his situation. Chairman Dernulc asked Jim Pokrajac to talk to Mr. Farag and see what kind of assistance we can give him.
- Jayson Reeves from Gary suggested the Commission work closer with the storm water management firms and sanitary districts within the cities. He is concerned that a flooding situation will occur again before the project is completed. He also noted that, in his opinion, the utility relocation costs are very high.
- Kevin Cappo, whose house flooded in Munster, complimented the Munster town officials on the "build-up" of the existing levee in Munster and having that work done within a six week period. He stated his concern about sediment buildup. He reiterated that his neighborhood would prefer a floodwall rather than the proposed earthen levee. Chairman Dernulc asked him to put his request in writing and we will pass it on to the Corps.
- Carolyn Marsh, Sand Ridge Audubon Society, reiterated her concern about building in the wetlands. She stated "if you have a balance between developed areas and non-developable areas, the wetlands will save the developed areas from flooding". She thinks that the golf courses should hold water in times of flooding. She asked for a report of what the project design is for this area and how it impacts the Griffith Golf Center. She also asked the Commission to re-consider the second phase of development at Cabela's. She asked to go on record that her concern be addressed. Imad Samara stated he would work with Jim Pokrajac and get a response to Carolyn.
- Bill Howard confirmed that Stage VII right-of-entry was given to the Corps tonight. He asked when Stage VIII right-of-entry would be ready to do. Chairman Dernulc referred to attorney Casale. Attorney Casale stated there were three easements from residents and the

#### LCRBDC Minutes - February 4, 2009 - Page 5

railroads that we need an easement from. He is hoping to have them in place by the end of next month. Ron McAhron added that it is being considered to have the Southmoor area be bid as an option to the contract, which means that once all other Stage VIII easements are obtained, we can give the right-of-entry to the Corps for advertisement and then we will have one year from the Notice to Proceed to complete the acquisition of the Southmoor area.

There being no further business, the meeting was adjourned. The next meeting is scheduled for Wednesday, March 4, 2009 at the Munster Town Hall.





## MICHAEL ZARANTONELLO

274 Southmoor Road Hammond, IN 46324 219-931-9719 Mzar59@hotmail.com

February 04, 2009

Little Calumet River Basin Development Commission Entered to the Commission Commission meeting February 04, 2009

RE: Plan review for stage VIII

Commission Members,

On January 21, 2009, we discussed the possibility of reviewing the levee plans for the Southmoor area in stage VIII.

At this time, I formally ask that you request the Governor and the USACE Chief of Engineers for an independent review of the plans. The Federal WRDA of 2007, also called The Levee Safety Act of 2007, states the following:

#### Section 2034 - . .

Requires project studies to be subject to a peer review by an independent panel of experts if: (1) the project has an estimated total cost of more than \$45 million, including mitigation costs; (2) the governor of an affected state requests a peer review by an independent panel of experts; or (3) the Chief determines that the project study is controversial (in cases where there is a significant public dispute as to the nature or effects of the project or the economic or environmental costs or benefits). Limits costs of panels.

You are the sponsors of the project and some are appointed, by the Governor, to be the stewards of the project in his absence. Your job is to recommend the proper course to achieve the best results.

When Rep. Visclosky was approached about the review, he stated that the Commission was the body that would facilitate the review. That is why Professor Roy Evans wrote his request to the Commission.

Clearly, there is significant public dispute in this matter and that the economic costs are an issue.

I ask for no less than the independent review as per the Federal law. You work under the WRDA of 1986 and I would hope that you also would abide by the WRDA of 2007.

Exhibit "A" 6



## A comprehensive review should evaluate new studies as to the following factors:



- \* Effects of the control structure at Northcote
- Flood patterns projected by the new FEMA DFIRMS
- \* Effect of the TARP/Deep Tunnel Project in Illinois
- Flow patterns for the Hohman bridge.
- \* Analysis of the actual flood pattern of the 9/14/08 event
- Lack of watershed and overbank water retention areas
- Levee drainage system

The fate of the area Southwest of the Hohman bridge has yet to be decided. The treatment of this area will greatly affect the Southmoor area.

This procedure is meant to be an oversite mechanism for the Corps' plans. The local Corp is to have no part in this process.

The Chicago Corp responded to our request by saying that although the Southmoor residents may not flood, their neighbors to the North may flood.

If there is no overbank flooding on Southmoor and Fema has Certified us to be out of the 200 year flood zone, then why are we not identifying were the flood waters are coming from and, instead, just slap up a levee on Southmoor?

I would also like to apprise you of this part of section 2033 of the WRDA of 2007:

Requires a feasibility study for a flood damage reduction project to include, as part of the cost/benefit calculation, calculations: (1) of the residual risk of flooding, of loss of human life, and to human safety following completion of the proposed project; (2) of any upstream or downstream impacts; and (3) to ensure that the benefits and costs associated with structural and nonstructural alternatives are evaluated in an equitable manner.

We have only heard of levee or no levee as the options. Are there other acceptable alternatives that would mitigate the environmental damages as well as financial damages?

I remind you that the Corps' studies for the Heron Rookery have been found to be faulty and that the Corps' sandbagging of the Northcote Bridge is not the answer.

As for our concern for reverse flooding in our backyards and basements from the levee, one of the many promises not kept was a comprehensive explanation of the drainage system. We also asked for existing use of the drainage system.....surly, we are not the only place in America that has a levee so close to our homes! If our concerns are realized, you will be responsible for the costs of reverse condemnation.

I ask that you request a review for all involved.

Sincerely,

Michael Zarantonello





## MICHAEL ZARANTONELLO

274 Southmoor Road Hammond, IN 46324 219-931-9719 Mzar59@hotmail.com

February 3, 2009

Governor Daniels
Via fax 317-232-3443
Senator Lugar
Via fax 202-228-0360
Senator Bayh
Via fax 202-228-1377
Representative Visclosky
Via fax 202-225-2493

**RE: The Little Calumet River Levee Project** 

#### Gentlemen,

In the Fall of 2008, you received a request for a review of The Little Calumet River Levee Project along Southmoor Road in Hammond, Indiana. Your actions ranged from no response to a short justification from the Chicago Corp.

Let me remind you that my request was based on The WRDA of 2007, also named The Levee Safety Act of 2007. All U.S. Congressmen from Indiana voted for passage of this bill.

The Act states the following:

#### **Section 2034 -**

Requires project studies to be subject to a peer review by an independent panel of experts if: (1) the project has an estimated total cost of more than \$45 million, including mitigation costs; (2) the governor of an affected state requests a peer review by an independent panel of experts; or (3) the Chief determines that the project study is controversial (in cases where there is a significant public dispute as to the nature or effects of the project or the economic or environmental costs or benefits). Limits costs of panels.





Clearly, the Governor has the right to ask for a review and there is unparalleled dispute and concerns by your constituents.

At the January 21, 2009 Commission meeting, I once again asked the Commission to request a review of the plans for The Southmoor Road area from Lyman St. to Hohman Ave. As we engaged in a conversation about this matter, Commission members, appointed by the Governor and others, warmed to the thought that a review might be prudent. The cash strapped Commission may be able to reduce project costs with the review of the 23 year old plan. I have enclosed a NWI Times report as to their reaction. Please note that the Commission feels that a review may not delay the project.

I would hope that you would share the feelings of your appointees.

FEMA has a new DFIRM for the area and we believe that it will show that the flood threat in our area is not from the river at Southmoor, rather, for the areas to the East and West that will have levees. We are already certified by FEMA to be out of the 200 year flood zone. The Corp states that they are not in the business of taking people out of the flood zone. That is FEMA's decision.

In response to Mr. Visclosky's letter to the Corp, on this matter, they state that, although residents along Southmoor may not flood, their neighbors to the North may.

Once again, Gentlemen, I ask that you request an independent review as per The WRDA of 2007. Please contact Lt. General Van Antwerp, Chief of Engineer and the Levee Commission with your support of the review and to put this matter to rest.

Sincerely,

Michael Zarantonello



February 20, 2009

Rudolf Sutton 175 W. 1050 N. Chesterton, IN. 46304

Dear Rudolf:

The Porter County Board of Commissioners unanimously appointed you to serve on the Little Calumet River Commission at their meeting held on February 17, 2009.

Please contact Dan Gardner, Executive Director of the Little Calumet River Commission at 763-6060 for meeting dates, times and location.

If you have any questions or concerns, please feel free to call our office.

Respectfully,

**Board of Commissioners** 

Robert P. Harper, President

RPH/mh

# NOTES FROM ARMY CORPS PRESENTATION TO LCRBDC

## HELD JANUARY 28, 2009 AT THE GRIFFITH CORPS OFFICE GRIFFITH, INDIANA

In attendance: Corps representatives: Colonel Vincent Quarles, Roy Deda, Imad Samara,

Doug Anderson, Sheldon Edd, Vic Kotwicki

LCRBDC: Commissioners Dan Dernulc, Bill Baker, Mark Gordish, Ron

McAhron (on conference phone)

LCRBDC staff: Jim Pokrajac, Lou Casale, Sandy Mordus

Introductions made; Imad Samara gave a brief discussion on the history of the Little Calumet River flood control/recreation project.

#### Items of Discussion:

#### Griffith Golf Center:

- 1. Bill Baker questioned the value of only\$75,000 for the Griffith Golf Center. He requested a history fact sheet be put together for a better understanding of the situation.
  - \$75,000 was offered to Mr. Farag for a flowage easement only
  - LCRBDC to work with Corps to provide bullet points.
  - The Colonel indicated this will be part of an informational sheet that will be posted on the Internet.

#### Forest Avenue:

- 1. Discussion on the houses on Forest Avenue. Ron McAhron wants this area inspected to get a punch list of what needs to be done there.
- 2. Imad stated they couldn't go on the property because we do not have any kind of an easement there.

#### Stage VII:

- 1. Right-of-Entry can be released to the Corps as soon as BP Amoco is obtained.
  - Jim Pokrajac said he expects the signed agreements very soon
  - · All other easements are acquired
  - Lou said we are ready to sign right-of-entry; we have easements
- 2. Discussion on the contract letting
  - Imad stated 2 months to award from date the ROE is received
  - Contractor has 30 days to respond to advertisement
  - About 90 days until construction start; early May Notice to Proceed
  - Contract calls for 500 days completion (fall of 2010)

#### Stage VII:

- Ron McAhron questioned whether Corps could get it less than 500 days and Imad said he would check into it and will write a letter. Incentive for early completion?
- Mark Gordish questioned when we need our 7% participation
- Roy Deda said normally 30 days before their fiscal year.

#### Stage VIII:

- 1. Ron McAhron can we separate Southmoor residents and have as option?
  Roy Deda will check with Congressman's Office
- Attorney Casale said there were three parcels left in order to have an optionHe thought all three could be settled satisfactorily and would be completed by
  - the end of March

    (1) KGM parcel (it is set up for March 2 as a condemnation he has a conference call scheduled on Jan 29 and is pretty confident it could be worked out before hearing date
    - (2) DC-1303 (Botantical Gardens) We proceeded with offering the \$299,000 based upon the existing appraisal in order to close this out.
      - Imad said we need this parcel and it is a critical piece to possibly include the option
      - Vic and Lou agreed we do not need to delay the project re-appraising
      - It was also indicated the Corps had already reviewed and approved the appraisal
    - (3) Divine Church Should be able to be worked out
      - Roy Deda said we could only proceed if we have the properties east of Southmoor, and to proceed to concentrate on the 3 remaining parcels

#### Southmoor residents:

- 1. Discussion on whether or not residents can be excluded from the project area
  - Corps shared maps of the area that showed proposed flooding if this area were not protected
- 2. Residents want Commission to ask the Governor or go to Washington for an independent review of the current design for the area where they live
  - Colonel stated that Washington would just ask Chicago District for their opinion
  - Chicago District has already responded to the residents with their position
  - Mark Gordish stated Hammond has already contracted out Christopher Burke Engineering to review the draft floodplain maps and the area to see what they would determine
- 3. Ron McAhron stated he and IDNR George Bowman were going to meet with some of the residents on site on February 7
  - Imad will get him copies of maps and presentation by that date; also height of closures

#### Silt Build-up and Bridges:

- 1. There has been on ongoing concern by residents regarding silt build-up at the Columbia and Northcote bridges
  - Corps stated that they do not do bridges only sandbag closures
  - The Corps has agreed to provide a map showing height, type, and locations of project closures
  - Jim Pokrajac asked Imad to look at silt build-up west of Kennedy Avenue in Highland (looks like an island)

#### Four homes west of Hohman:

- 1. Bill Baker met on site with the home whers
- 2. Corps stated the homes were originally in the project in the FDM5
  - They were taken out at Commission's request
  - They may not flood but in times of flooding, they become an island with no egress or ingress; Munster stated they could not provide any emergency services and wants us to buy them out
- 3. Vic said they are no worse off than before the project and that appraisals would be post-flood value
- 4. McAhron asked why we would be constructing at Southmoor & not by the four houses.
  - Imad said the line of protection needs to be contiguous and it does continue north of the river west of Hohman behind Forest Avenue to the state line.
- 5. Gordish indicated that their draft FEMA maps show both areas in the 100 year floodplain
- 6. Vic asked if the project induced flooding in this area
  - Imad said H&H would review & determine damages
  - It was stated the Corps review would be completed by 2/11/09
  - Vic and Imad will review the FDM5 and get back to us within 2 weeks
  - Ron McAhron says ignoring the 4 houses still leaves them in the flood plain
  - Imad says it is our decision on whether to buy them or not we will get credit for the purchases if we decide to buy
  - One house wants to sell: three houses do not want to sell

#### <u>Stage V-2:</u>

1. About 70% completed; completion date spring 2010

#### Funding Issue:

- 1. Ron McAhron is confident Commission will receive the funding it needs to complete project and asked the Corps if the construction costs were going to go up. It is important for our budgeting purposes.
  - Imad stated that if contract price goes up, the 7% will go up
  - Max of \$15 million based upon current 7% the Corps has estimated
  - Ron says \$15 million does not include the \$2 million in 09/11 biennium

#### 0&M:

- 1. Roy Deda says they are sending us a letter stating that the levee system in Gary is in an "unacceptable" condition due to lack of O&M (specific items are outlined in their 2008 inspection reports)
  - If levees are found to be "unacceptable" they are not eligible for any Corps funding assistance if a flooding situation occurs
  - Jim Pokrajac will put together a list of what needs to be done on the levees and come back with an estimated amount
  - Roy stated that each time any construction feature was completed, a training session was held, O&M manuals and drawings were submitted, but Gary has never accepted responsibility for O&M.
- 2. Jim stated that Corps estimate for maintenance of levee system was about \$2 million per year (estimate about 10 years old) \$1 million East Reach and \$1 million West Reach
- 3. Everyone agreed that O&M is critical and necessary to the project
- 4. It is the Commission's responsibility to assure O&M is done according to Army Corps guidelines
- 5. Roy Deda indicated that bridges are not part of the Army Corps responsibility (They accept closure structures).
  - Work on bridges is the responsibility of the locals

#### FEMA certification:

- 1. Corps will review what certification is needed by FEMA re: 4 houses west of Hohman
- 2. Ron McAhron stated not to get bogged down with FEMA certification, O&M, etc. Focus on finishing SVII and SVIII
  - Also asked about Corps certification (corps will look at and need to do)

#### Flooding in Gary:

- 1. The Corps indicated the primary cause for flooding in Gary was their storm/sanitary infrastructure and that it is Gary's responsibility to remediate.
- 2. Pokrajac indicated all completed project features served as designed by the Corps and if some items (pump stations) failed, the LCRBDC facilitated getting them back on line.
- 3. Corps indicated that the municipality has the first line of responsibility to install closure structures and if they do not have the manpower or equipment, they need to coordinate with the County and the State for assistance.

#### Betterments:

1. Corps explained that a betterment is local cost participation for paying the incremental cost difference between what the Corps is proposing and what changes or additions the locals request.

#### Summary (Imad presented):

- 1. Stage VII Milestones
- 2. Southmoor as a Stage VIII option
- 3. Four homes west of Hohman (2 weeks to evaluate)
- 4. Provide maps to LCRBDC for location, height, and type of project closures.
- 5. Provide digital maps of flooding
- 6. Provide data & correspondence for Southmoor area evaluations

#### After Summary Comments:

- 1. McAhron asked if post flood damages has been assessed, and if it was flood related for damage to project features (Could Corps cost participate).
  - Jim Pokrajac indicated when final 2008 inspection "unacceptable" items are summarized; he will coordinate with the Corps
- 2. Forest Avenue Levee (McAhron asked if IDNR could inspect)
  - Corps responded if they inspect the LCRBDC needs signed easement agreements and a right-of-entry.

## NOTES FROM WORK STUDY SESSION HELD AT MUNSTER TOWN HALL WEDNESDAY, FEBRUARY 18, 2009

In attendance: Dan Dernulc, Ron McAhron, Mark Gordish, Arlene Colvin Attorney Lou Casale, Jim Pokrajac, Sandy Mordus

#### Items of Discussion:

The main purpose of the Work Study Session was to formulate a draft letter addressing the RDA's request and having it ready for approval at the upcoming March 4<sup>th</sup> Board meeting. Ron McAhron presented a draft of the response letter. After discussion, staff was instructed to email the letter out to all commissioners for their review/comment. Staff will send the letter to the attorney last for his input. The letter will include several attachments, especially the overall operations costs projections through year 2012 and the Army Corps timeline for project completion.

Discussion was held on a proposal to hire a firm to do a web site for the Commission. Although it was determined that it would be helpful, there are no budgeted funds to allow for the cost of the creation of a site, nor any funds for the updating Staff expressed a concern for the amount of time that would have to be dedicated to provide information for the updating of the site. It was pointed out that the Army Corps already has a link to the Little Calumet River flood protection site on their web site.

Chairman Dernulc stated that he and Ron McAhron met with some of the residents on Southmoor Road in Hammond. The residents still oppose the levee construction in their backyards; they believe they are at an elevation high enough that a floodwall would not be needed in their backyards. Mr. Dernulc said they could not answer some of their questions because they didn't have the data. The Army Corps does all the design for the levee system and they determined that the protection is needed. Mark Gordish commented that the city of Hammond asked Christopher Burke Engineering to review the area and the current floodplain mapping and give an opinion regarding the necessity of a floodwall on Southmoor. Mr. Gordish said he hopes to have their opinion by the March 4 meeting. Discussion also took place on making the Southmoor area an option to the contract. Attorney Casale said there are about three missing easements that are in condemnation and he is working to complete; that does not include the two railroads. Ron McAhron thought that the railroads would also have to be obtained and not be made part of the option. Once they are signed, the LCRBDC could sign the right-of-entry if the Army Corps makes the Southmoor area an option. The town officials of Munster and the Munster residents would like to see both contracts let simultaneously, in order to complete the lines of protection earlier than the current schedule. Mr. Casale stated that if the contract was let with the option, he would have one year to obtain the remaining properties that were in the option. Chairman Dernulc asked the attorney to work as

quickly as possible to finish up the three remaining easements; he would like to see the easements obtained by the meeting date of March 4. Ron McAhron asked Attorney Casale for a list of the current status of the remaining properties. Attorney Casale also stated that he needs to set up a conference call with the Army Corps to talk about at what point during the condemnation process they would allow the Commission to sign the Stage VIII right-of-entry. Ron McAhron asked attorney Casale to give him the contact person for DC-1368. It was also determined to add DC-1303 onto the Claims Payable for approval list at the March 4<sup>th</sup> meeting.

Chairman Dernulc said, although we have been meeting in Munster, we can meet in other communities. Arlene Colvin from the city of Gary and Mark Gordish from the city of Hammond both offered to check on the availability of their facilities to hold a future LCRBDC Board meeting.

Discussion ensued on HB 1716, which restructures the current Commission Board from an eleven-member board to a five-member board. It has passed the House and now will go to the Senate. If the Senate has any changes to the bill, it will either go back to the House or go to conference committee; the Governor could also veto it. Mr. McAhron stated that there was a long session on February 17 in which the bill was presented. Although he planned to attend the bill hearing, the members met at the lunch recess and had already passed it 9-0. He understands there is a proposed amendment to the bill which adds that the Commission will provide O&M training to those persons that would be responsible for the maintenance of the levees. Mark Gordish expressed a concern that the project needs to keep moving forward. He would hope that the Governor would appoint new members who currently live in the floodplain and have experience and familiarization with the project. The session concludes the end of April.

Discussion ensued on a memorandum with background, applicability, procedure, and conclusion that attorney Casale shared with members regarding the request for an independent peer review of the Southmoor area. Attorney Casale was instructed to draft a letter for Commission review.

Jim Pokrajac talked about the increasing costs for the Stage V-2 pipeline corridor. The previous estimates were given to us about a year ago. Once he receives the revised estimated costs, he will share those with the Commissioners. He talked about the priority O&M items that the Army Corps instructed us that need to be completed or the Corps will have to write us a formal letter declaring some of the levees "unacceptable". The limited estimated costs we had for O&M earmarked in the \$1.7 million will be reprioritized to take care of the more pressing items that need to be addressed. Chairman Dernulc and Ron McAhron both agreed that the items need to be done immediately. Mr. McAhron asked Jim Pokrajac to put an agreement in place that would allow Dyer Construction to be "on call" in the event of a flooding situation to put closure structures in place. They talked about using concrete blocks instead of sand bags for closure. Jim

(continued, Page 3, February 18, 2009)

Pokrajac stated that he will be meeting with the city of Gary to talk about city plans for the permanent closure of Chase Street. Chairman Dernulc asked Jim Pokrajac to investigate the southwest corner of the bridge at the corner of Broadway at I.U.N. in Gary. He inquired about a "gap" there and wondered whether it is complete as it is or would something be amiss in the design.

Chairman Dernulc referred to an email from past Chairman William Biller in which Mr. Biller had asked whether or not we had responded back to the city of Hammond regarding the two proposals for raising funds to finish the project construction. Mr. Dernulc said he thought it should be discussed at a regular Board meeting. He also thinks we need to see how the Commission membership would be restructured and whether or not there will be funding in place for continuation.

The Work Study Session concluded at 6:30. The regular Board meeting will be March 4, 2009 at the Munster Town Hall.

# LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION MONTHLY BUDGET REPORT - March 4, 2009

UNALLOCATED 2009 Actual Actual Actual ALLOCATED BUDGETED BUDGET **JANUARY FEBRUARY** MARCH **APRIL** MAY JUNE TOTAL BALANCE 5801 PER DIEM EXPENSES 4,200.00 4,200.00 0.00 0.00 4,200.00 0.00 5811 LEGAL EXPENSES 3,500.00 283.33 283.33 283.33 849.99 2,650.01 **5812 NIRPC SERVICES** 12,299.98 86,462,00 13,322.25 10,672.12 36,294,35 50,167.65 5821 TRAVEL/MILEAGE 1,250.00 1,140.48 30.36 0.00 1,170.84 79.16 5822 PRINTING/ADVERTISING 750.00 113.13 215.00 24.60 352.73 397.27 5823 BONDS/INSURANCE 6,500.00 0.00 0.00 0.00 0.00 6,500.00 **5824 TELEPHONE EXPENSES** 6,500.00 637.09 666.83 834.94 2,138.86 4,361.14 **5825 MEETING EXPENSES** 0.00 0.00 0.00 0.00 0.00 5840 PROFESSIONAL SERVICES 263,373.00 42,405.25 22,254.20 35,481.15 100,140.60 163,232.40 5860 PROJECT LAND PURCHASE EXP. 500,380.00 146,060.00 0.00 299,800.00 445,860.00 54,520.00 5882 UTILITY RELOCATION EXP. 332,577.00 141,291.40 7,495.17 699.40 149,485.97 183,091.03 5883 PROJECT LAND CAP. IMPROV. 0.00 0.00 0.00 0.00 0.00 **5884 O & M BUDGET** 50,595.00 3,610.00 0.00 8,901.34 12,511.34 38,083.66 5892 PROJECT COST SHARE 605,500.00 605,500.00 0.00 605,500.00 0.00 1,861,587.00 44,267.14 957,540.66 356,696.88 0.00 0.00 0.00 1,358,504.68 503,082.32

ADMINISTRATIVE BUDGET	109,162.00			
REMAINING STATE FUNDS	50,683.00	47,893.00	47,519.00	45,419.60
REMAINING RDA MONIES	1,701,742.00	762,875.35	733,125.98	390,343.49

TOTAL ALL FUNDS

1,861,587.00

#### CLAIMS PAYABLE FOR MARCH 2009

ACCT	VENDOR NAME	AMOUNT	EXPLANATION OF CLAIM
5811	CASALE , WOODWARD & BULS LLP	283.33	MONTHLY RETAINER THROUGH FEBRUARY 17, 2009
5812	NIRPC	9,454.12	SERVICES PERFORMED JANUARY 2009
5812	INDIANA STATE BOARD OF ACCOUNTS	1,218.00	SPECIAL AUDIT
5822	THE TIMES	24.60	ADVERTISING FOR BIDS FOR FARM PROPERTIES
5824	VERIZON NORTH	160.71	BILLING PERIOD 2/16/09-3/16/09(TOTAL BILL285.82 KRBC 125.11 )
5824	AT & T	488.62	BILLING PERIOD 1/14/08-2/13/08(TOTAL BILL501.60,KRBC 12.98)
5824	AT & T TELECONFERENCE	185.61	CONFERENCE CALL 1/2/09 & 1/30/09
844	JAMES E POKRAJAC	6,087.33	ENGINEERING/LAND AGENT 1/16/09-1/31/09
844	JAMES E POKRAJAC	166.32	JANUARY MILEAGE
844	JAMES E POKRAJAC	5,082.60	ENGINEERING/LAND AGENT 2/2/09-2/13/09
5844	JUDITH VAMOS	3,038.00	LAND ACQUISITION AGENT SERVICES 1/16/09-1/30/09
844	JUDITH VAMOS	2,842.70	LAND ACQUISITION AGENT SERVICES 2/2/09-2/13/09
844	G. LORRAINE KRAY	1,122.50	CREDITING TECH & LAND ACQUISITION ASST 1/20/09-1/30/09
844	G. LORRAINE KRAY	1,032.70	CREDITING TECH & LAND ACQUISITION ASST 2/03/09-2/12/09
847	TORRENGA SURVEYING, LLC	900.00	SURVEY SERVICE RE: DC-1366
849	CASALE WOODWARD BULS	14,758.00	LAND ACQUISITION/LEGAL SERVICES THROUGH 2/
849	CASALE WOODWARD BULS	451.00	UTILITY RELOCATION LEGAL SERVICE THROUGH 2/
861	SONYA MAYFIELD & ALBERT REBA	500.00	ADDTL COST OF PURCHASE RE: DC-1365
861	NATIONAL CITY BANK TRUST # 972	299,000.00	PURCHASE PRICE OF DC-1303
861	7905 CALUMET BUILDING LLC	100.00	PURCHASE PRICE OF DC-1366
861	MERIDIAN TITLE CORPORATION	100.00	TITLE WORK RE: DC-1303
861	MERIDIAN TITLE CORPORATION	100.00	TITLE WORK RE: DC-1365
882	SHORT ELLIOTT HENDRICKSON INC	699.40	UTILITY COORDINATION SERVICES SVII
884	AUSTGEN ELECTRIC INC	2,850.00	O & M COST INCURRED RE: MEGGER TESTING(DIRECTION FROM USACE
			ON 2/6/09)
884	AUSTGENELECTRIC INC	4,985.00	O & M REPLACEMENT OF GROUND WIRE AT BURRST PUMP STATION
884	AUSTGENELECTRIC INC	1,066.34	SERVICE ON GRANT ST NON-WORKING PUMPS

TOTAL

356,696.88

ADMINSTRATIVE

RDA \$1,701,742.

DRAW FROM STATE



## APPROVAL TO PAY THE FOLLOWING INVOICES FROM O&M FUND FEBRUARY, 2009

\$76.14 to T-Mobile for costs incurred for cell phone for engineer field work; monthly service 1/11/09 – 2/10/09

Total \$ 76.14



John W. McNulty, Creative Owner 8202 Jackson Ave., Munster, IN 46321 www.firesharkdesign.com imcnulty@firesharkdesign.com phone: 219-588-5485

### Web Development Proposal

To:

Kent Gurley

Treasurer, Little Calumet River Commission

Date:

February 16, 2009

For:

Web Development Services: Plan, design, and produce complete new web site for Little Calumet River Commission. This site will inform community residents of updates and progression of the Little Calumet River Commission's ongoing projects.

Static Pages:

Up to eight static pages are included for the sake of this estimate.

Tentatively planned page titles/subjects are Home, About Us, Community, News,

Programs, Links, Contact Us, Privacy Policy.

Images:

Images supplied by you, as desired and appropriate, will be incorporated.

Professional stock images may be used.

Design/Code:

Site will have attractive visual design, created with your feedback and to your satisfaction, and be easily navigable and usable. Code will be W3C-standard HTML and CSS, and pages will be designed to display well on all major browsers at all

common monitor resolutions.

Usability:

Simplicity, cleanness of visual design, and ease of operation for the end-user will be high-priority considerations at each stage of the design process.

Dynamic Apps:

If needed, the site can have a Newsletter download link. A user would click the link and a .pdf copy of the newsletter would be saved to their hard drive. The Contact Us page can have a feedback form for the purpose of allowing visitors to ask questions pertaining to the River Commission's projects. When a visitor 'Sends' the form, it will be emailed to an approved email address.

Web Hosting:

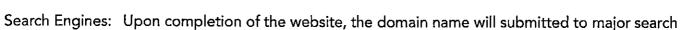
The site can be uploaded to any hosting company that is decided upon. If a hosting company is not found, FireShark Design, LLC will supply details and pricing of a service that fits the needs of the Little Calumet River Commission website.

Domain Name:

The domain name of the website must be decided upon prior to any decision over web hosting service. Usually, the domain name can be registered with the same

hosting company and at the same time that a hosting plan for the

website is purchased.



engines for the purpose of being 'searchable' by web users. Prior to submission, specific keyword must be decided upon that will assist in the searching by the users.

The more specific the keyword, the better the search results.

Testing: Web site will be tested for compatibility with all common operating systems,

browsers and monitor resolutions according to standard company policy.

Site Statistics: Detailed site statistics are provided by the web host, and will be easily accessible

to you at any time.

Domain Email: Once the domain name is set and the web hosting company is chosen,

specific emails can be set up.

Costs: Web development fee: \$1,000.00. Maintenance fee: \$1,000.00 (year). This figure is

an estimate, not a quote. It is based on the information provided, and may be inappropriate if additional information is forthcoming, or specifications change. If an existing logo is not available, FireShark Design, LLC can create one for \$250.00.

Web hosting fee: This fee varies depending on hosting company. The fee is generally a

2-year agreement.

Payment Terms: One-third of total web development fee invoiced and due before work begins. A

second one-third as well as the web hosting charge invoiced when page design templates are completed. Balance, adjusted for any changes, invoiced upon

delivery of working application. All invoices are Net 10 Days.

Change Orders: The addition of pages or significant functions or features not specified here may

result in additional costs; FireShark Design, LLC will make this clear via

Change Orders.

Contract: A standard Agreement and Specification will be provided upon verbal acceptance

of this estimate.

This estimate is good for 60 days from the date above.

Schedule: Work will begin within one week of signing of contract and receipt of deposit pay

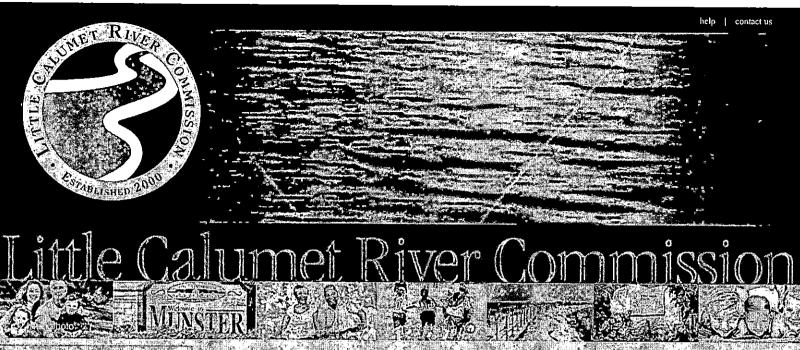
ment. Approximately 3 weeks will be required from start to finish, assuming that the processes of providing content, feedback, and approval are free

from delays.

Future Updates: This estimate includes a maintenance fee for 1 year performed by

FireShark Design, LLC. If training is needed for maintenance by others, there would be a \$25.00 an hour fee included. This fee does not include purchase of computer

software that may be needed to maintain site.



Home

Home

About Us

Community

News

Programs

Contact Us

#### Newsletter

Our quarterly newsletter has information regarding the Little Calumet River Commission, construition updates and news Download Here

## Welcome Message



Welcome to the Little Calumet River Commission website. We are here to inform you on the many projects that are in progress concerning the Little Calumet River. We hope you gain a better understanding of the Commission and its works.

#### **Community Cares**



Our mission is to keep the community informed and updated with specifics perfaming to the Little Calumet River and its varying improvement projects.

#### Recent News

- Construction updates

## Photo Updates



- Progression of levee construction
- Progression of levee construction
- Progression of levee construction.
- Progression of levee construction.

G2009 Little Calumet River Commission

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Legal Disclaimer



#### DEPARTMENT OF THE ARMY

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

27 January 2009

Construction-Operations Branch

Mr. Dan Dernulc Chairman Little Calumet River Basin Development Commission 6100 Southport Road Portage, Indiana 46368

SUBJECT: Little Calumet River-Permit for Project Modification Request 2007-01, Cleveland Street 30-in Water Main - Gary, IN

Dear Mr. Dernulc:

This letter is in response to a request from the Little Calumet River Basin Development Commission (LCRBDC) to have the U.S. Army Corps of Engineers, Chicago District review a design prepared by Indiana American Water Company in regards to constructing a 30-in Water Main across the Gary-South and Gary-North Levee Segments along Chase Street. This design was originally transmitted to our office March 7, 2007 and finally on December 10, 2008.

The Corps has reviewed the final plans submitted on December 10, 2008 and approves the requested modification to the levee system to construct the 30-in Water Main as shown on the enclosed drawings, provided that:

Upon termination or expiration of this permit (whether by voluntary relinquishment by the Indiana American Water Company, by revocation by the LCRBDC or otherwise) the Indiana American Water Company shall remove all structures, improvements, or appurtenances which may have been erected or constructed under this permit, and shall repair or replace any portion of the flood protection structure or right-of-way which may have been damaged by his operations (including grading and seeding, or sodding, if necessary), to the satisfaction of the LCRBDC. The structure or operation for which this permit is issued shall be maintained by the Indiana American Water Company in such manner as shall not injure or damage the flood protection structure, or interfere with its operation and maintenance in accordance with regulations of the Secretary of the Army.

The structure or operation covered by this permit may be damaged, removed or destroyed by the LCRBDC in time of flood emergency if such action is determined by the LCRBDC to be necessary in order to preserve life or property or prevent damage or impairment to the use or safety of the flood protection structure, and the LCRBDC shall not be liable to the Indiana American Water Company for such damage or destruction.

The construction, installation and maintenance of the structure or structures covered by this permit shall be subject to inspection by representatives of the LCRBDC and the United States at all reasonable times.

Indiana American Water Company agrees that it will not use the area or facilities covered by this permit, or permit such area to be used, for any purpose other than is specifically covered by this permit.

At the completion of this work, the As-Built drawings (2 paper copies and 2 electronic copies) are required to be submitted to the LCRBDC to properly maintain the levee project records.

If you have any questions, please contact Mr. William Rochford at (312) 846-5450 or me at your convenience.

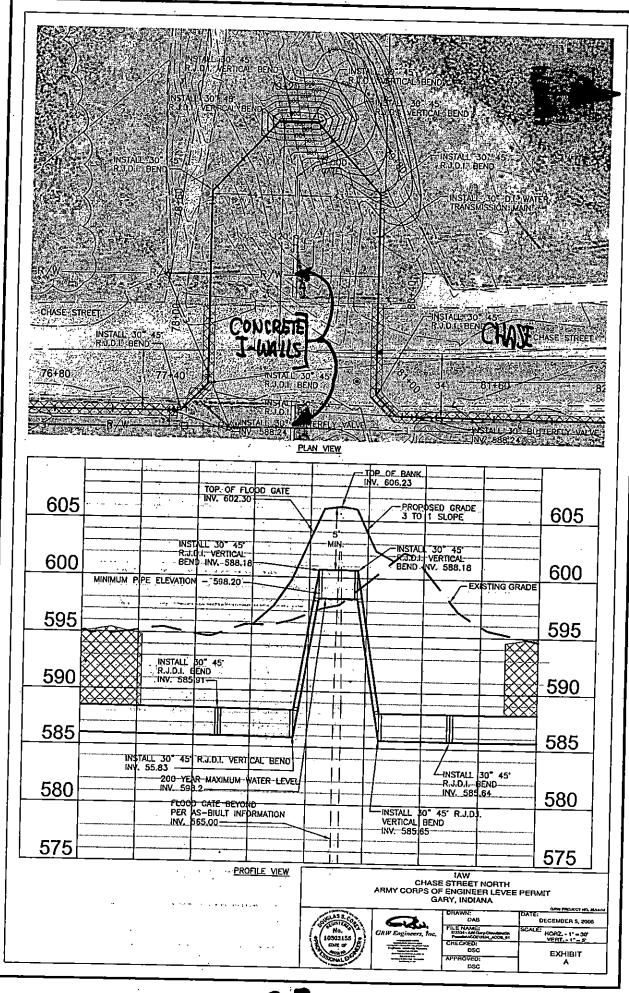
Sincérely,

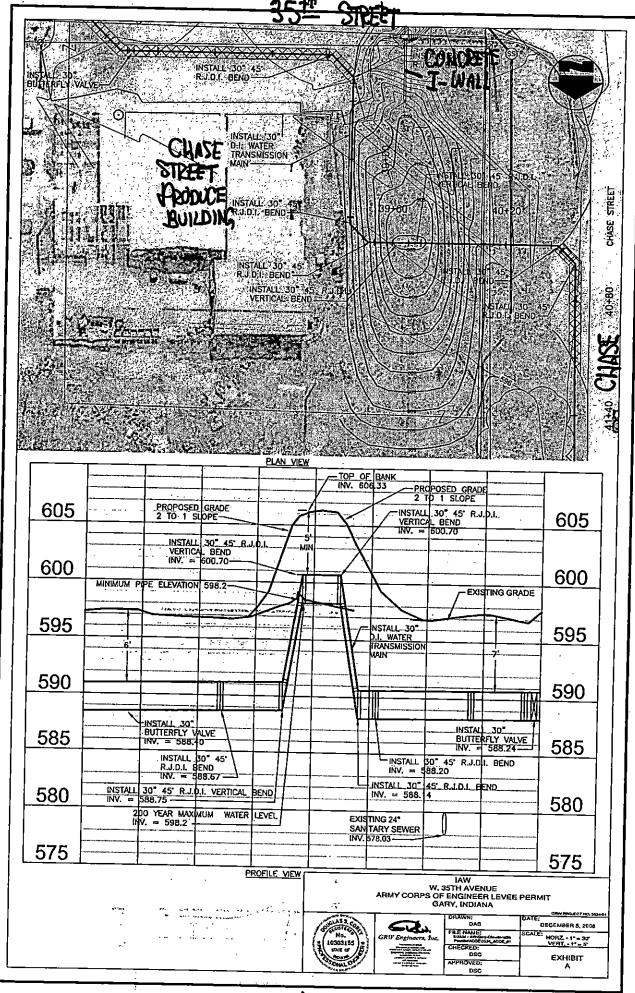
Shamel Abou-El-Seoud, P.E.

Chief, Construction-Operations Branch

Encl: Exhibit A-West 35<sup>th</sup> Avenue Exhibit A-Chase Street North

cf: Vinod Barot, Ph.D-Indiana American Water Company Doug Corey, P.E.-GRW, Inc.





# LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION FINANCIAL STATEMENT JANUARY 1, 2008 - JANUARY 31, 2009

CASH POSITION - JANUARY 1, 2009					
CHECKING ACCOUNT				102 102 02	
LAND ACQUISITION				193,123.92	
GENERAL FUND SAVINGS				118,336.33 28,004.80	
TOTAL OF ALL ACCOUNT	NTS			28,004.80	339.4
					SE 58.
RECEIPTS - JANUARY 1, 2008- JANUARY 31, 20 LEASE RENTS	09			11,595.24	
;; INTEREST INCOME(FROM CHECKING)				90.23	
LAND ACQUISITION				9,267.88	
ESCROW ACCOUNT INTEREST				165.73	
MISC. RECEIPTS	900 PACE				
KRBC REIMBURSEMENT RE: TELEPHONE	CHARGE			144.21	
TRANSFERRED FROM SAVINGS				328,102.64	
CITY OF MUNSTER FOR PROPERTIES TOTAL RECEIPTS					349.3
					000.000
<u>DISBURSEMENTS - JANUARY 1, 2008 - JANUAR</u> ADMINISTRATIVE	Y 31, 2009				
2008 EXPENSES PAID IN 2009			393,148.11		
PER DIEM				4,150.00	
LEGAL SERVICES				283.33	
NIRPC				37,071.82	
TRAVEL & MILEAGE				1,127.28	
PRINTING & ADVERTISING				113.13	
BONDS & INSURANCE				75.00	
TELEPHONE EXPENSE				822.98	
MEETING EXPENSE					
LAND ACQUISITION				10 660 66	
LEGAL SERVICES APPRAISAL SERVICES				19,660.66 750.00	
ENGINEERING SERVICES				730.00	
LAND PURCHASE CONTRACTUAL				4,275.00	
FACILITIES/PROJECT MAINTENANCE SERV	VICES			15,689.90	
OPERATIONS SERVICES	TELO				
LAND MANGEMENT SERVICES				16,322.57	
SURVEYING SERVICES				3,610.00	
MISCELANEOUS EXPENSES					
ECONOMIC/MARKETING SOURCES					
PROPERTY & STRUCTURE COSTS				148,114.00	
MOVING ALLOCATION					
TAXES					
PROPERTY & STRUCTURES INSURANCE UTILITY RELOCATION SERVICES				141,291.40	
LAND CAPITAL IMPROVEMENT				141,251.40	
STRUCTURAL CAPITAL IMPROVEMENTS					
BANK CHARGES HARRIS BANK				7.50	
PASS THROUGH FOM SAVINGS (O&M)				75.93	
PAYBACK TO SAVINGS					
TOTAL DISBURSEMENTS					393,4
CASH POSITION - JANUARY 31, 2009					
CHECKING ACCOUNT HARRIS BANK #6100				180.704.98	
LAND ACQUISITION (STATE FUNDS) GENERAL FUND				86,514.97	A
TOTAL FUNDS IN CHE	CKING ACCOU	INT		267,219.95	
			779 465 07		
CHASE SAVINGS ACCOUNT BALANCE #4	414	768,215.29	778,465.07		
(Balance of 1,701,742.) (O & M MONIES)		**9504.43			
SAVINGS INTEREST		745.35			
CHASE SAVINGS ACCOUNT BALANCE #4	747		623,792.31		
ARMY CORP CONSTRUCTION MO		616,820.00	023,792.31		В
ESCROW ACCOUNT INTEREST AVAILA		6,972.31			
The second and the se					
TOTAL OF	BOTH SAVING	S ACCOUNTS		1,402,257.38	
TOTAL OF	ALL ACCOUNT	TS		1,669,477.33	C
COMMITTED FUNDS: (FROM ABOVE)					
LAND ACQUISITION	A		180,704.98		
	В		616,820.00		
ARMY CORP ESCROW MONEY				871,952.35	
UNCOMMITTED FUNDS AVAILABLE)	C-(A+B)	_		0/1,732.33	

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

29

# NORTHWESTERN INDIANA REGIONAL PLANNING COMMISSSION

6100 SOUTHPORT ROAD PORTAGE, INDIANA 46368

TELEPHONE: (219) 763-6060

FAX: (219) 762-1653

# INVOICE

To:	Little Calumet River Basin Dev. Commission	Da	te:	17-Feb-09
For:	Services Performed: January 2009	Bil	ling Code:	1201-1012-03-01
河弧	DESCRIPTION			AMOUNT
	Salaries & Fringe: Sandy Mordus			4,915.00
	Occupancy Fees:			2,054.00
	Accounting Services: Administrative			846.00
	Accounting Services: Project Relating Accounting			846.00
	Postage: January 2009			288.28
	Copier Charges @ \$5.00/month plus \$.06 per copy:	#	4,222	258.32
	Color Prints made on Color Copier @ \$0.20 per page	#	850	170.00
	Fax machine/long distance @ \$5.00 plus current charges:			5.00
	Graphics, printing & clerical time @ \$40 per hour:	#	0.5	20.00
	Petty Cash Distributions:		-	51.52
** (+ :			DTAL/DUE:	\$ 9,454.12

The Times
Thursday,
February 5, '09

# Little Calumet basin panel seeing progress

Deals are met on pipeline relocation, right of entry

BY LU ANN FRANKLIN Times Correspondent

MUNSTER | Progress has been made on two portions of the Little Calumet River levee project, according to reports presented at Wednesday's meeting of the Little Calumet River Basin Development Commission at Town Hall.

All the pipeline relocation agreements have been signed for Stage VII of the project, including one with BP Pipeline. The utility work on this stage is located between Northcote and Columbia avenues in Munster on both sides of the river, said Jim Pokrajac, commission member and chairman of the engineering committee.

In addition, all the right-ofentry contracts have been completed, giving crews access to areas in Stage VII between Northcote and Columbia avenues.

Both matters were turned over to Imad Samara of the U.S. Army Corps of Engineers at the meeting.

The search continues for an engineering firm to oversee the final phases of the Little Calumet River levee project. Four engi-

neering firms submitted proposals for the project on Dec. 17.

Commission member Ron McAhron said the search committee he leads is still sorting through information.

"We're going back and forth about whether it's better to have a single individual or a firm (handling project management)," McAhron said. "We hope to have something solid next month."

In other business, the commission:

Targeted March 30 as the deadline for answering queries by the Regional Development Authority that were spelled out in a letter accompanying the \$2 million loan the RDA gave the Little Calumet River Basin Development Commission to keep operating.

• Learned that four homes that need to be acquired west of Hohman Avenue for this levee project are being appraised and that bids will be let for three parcels of land to be farmed this growing season.

heard about legislation introduced in the Indiana General Assembly for funding to finish the Little Calumet River levee project and then operate and maintain it once completed.

# Little Cal project advances

Last utility easement acquired; Army Corps told to resume work.

BY ERIK POTTER

Post-Tribune staff writer

MUNSTER — The Little Calumet River flood control project took a big step forward Wednesday, as the Army Corp of Engineers received the go-ahead to start work on the next-to-last phase of the

project.

The Little Calumet River Basin Development Commission acquired the last utility easement it needed for stage seven of the project, which stretches from Colombia to Northcote avenues, and gave the the Army Corps of Engineers the right to enter the properties along the project line.

The Army Corps will advertise the project this month and open bids in late March, with a contract to be awarded by late April.

Construction is expected to take 500 days, which means that whichever contractor is hired will have until late 2010 to complete the work.

In order to keep up progress on the final stage of the project, from Columbia Avenue to the state line, the Army Corps plans to advertise a two-part contract that has an option for the Southmoor Road neighborhood in Hammond.

Homeowners in the area, which sits on a high ridge, are worried that a flood wall in their neighborhood will just prevent rainwater from draining off their properties into the river.

They have contested the Commission's taking of easement rights on their properties and are requesting an independent audit of the Army Corps plans to verify that no harm will be done to their land.

Post Tribune Thurs., February 5, '09

# Munster tackles Little Cal and flood

Council OKs resolutions .... related to flood control plan

> BY LU ANN FRANKLIN Times Correspondent

MUNSTER | Flood prevention and the completion of the Little Calumet River levee project again came under scrutiny at Monday's Town Council meeting.

Council members unanimously approved eight resolutions, all related to the flood control project that began in 1980. Public comment led to the amendment of two of those resolutions before the vote was

: In 5-0 voting, the Town Council: Scheduled a public informational meeting with three local members of the Indiana General Assembly at 7 p.m. Thursday at Centennial Park

See COUNCIL, A5

## Council

#### Continued from A3

clubhouse. Rep. Linda Lawson, D-Hammond; Rep. Mara Candelaria Reardon, D-Munster; and Rep. Dan Stevenson, D-Highland, will discuss strategies and funding sources for the levee project.

 Supported Hammond Councilman Dan Repay's request that a portion of the gaming admission tax from Lake County casinos be redirected from the horse racing industry to the Little Calumet River Basin Commission to complete

the levee project.

• Agreed that if Lake County commissioners determine the Northcote Bridge needs to be elevated to the 200-year flood level that additional funding outside of Munster must be secured. If the county is the new elevations, then the council requests that county commissioners consider closing the bridge. In addition, the • Called for the state of Indicouncil added a sentence opposing taking residential property for this project after resident Tula Kavadias asked that this resolution be amended to include that provision.

 Directed town staff to prepare a comprehensive study of a multi-series property taxsupported bond issue. Money from the bond would be used for stormwater and sanitary sewer infrastructure and other River flood control project and measures needed to protect its long-term operations and Munster from future flooding.

 Threw its support behind Hammond Mayor Thomas McDermott Jr.'s proposal to use Sales Tax Increment Financing generated in the area of Cabela's for completion of the Little Calumet levee project and its future operation and maintenance.

Resolved that if the Little Calumet River is dredged, the project must be funded from sources outside of Munster and done throughout the waterway, not just in some areas in accordance with state and federal guidelines. The council eliminated any reference to "special or hazardous waste" from dredging in the original resolution after resident Steve Enger pointed out that such waste must be acidic or flammable to be put in that category. Town Engineer James unwilling to raise the bridge to Mandon said silt in the river would contain "chemical contaminants" just as the water does.

> ana to immediately create a Little Calumet River Conservancy District to clean and maintain the river as it runs through Lake County.

 Adopted a stance on a possible income tax in Lake County, voting that if the Local Option Income Tax is imposed on the county, that money be given back to Munster for the completion of the Little Calumet maintenance.

# Little Cal commission revamp moves to House

Daniels would appoint five members of panel under bill



**BY PATRICK GUINANE** 

pguinane@nwitimes.com 317.637.9078

INDIANAPOLIS | An Indiana House panel voted 9-0 Tuesday to advance legislation allowing Gov. Mitch Daniels to remake the embattled Little Calumet River Basin Development Commission.

House Bill 1716, authored by state Rep. Ed Soliday, R-Valparaiso,

See LITTLE CAL, A5

## Little Cal

Continued from A3

would be appointed by the Resources. governor. Local officials, including region mayors, would lose their appointments to the levee-building commission, which has taken the brunt of the blame background in construction for September flooding that management, flood control damaged more than 4,000 or a related field.

homes.

Soliday's legislation would require the governor to appoint four levee commission members from Lake would replace the current or Porter counties and one 11-member board with five representative from the Indicommissioners, all of whom ana Department of Natural

> The appointees could not hold another appointed or elected office, and three of five commission members would be required to have a

# Little Cal project gets some traction

Last legs of levee advance funding source still not final

#### BY SUSAN BROWN

sbrown@nwitimes.com 219.836.3780

MUNSTER | The U.S. Army Corps of Engineers has relented in insisting all right-of-entry be finalized before advertising construction contracts to complete the final legs of the federal levee

IF YOU GO	system.
	Tha
The Little Calumet	means the
River Basin	way has beer
Development	cleared to
Commission will next	conduct con-
meet at 6 p.m. March 4	struction
in Munster Town Hall.	concurrently
	on the last
two segments of the	ne levee, a goal
sought by Munsi	er and Hom.

mond residents urging the levee's

completion be accelerated.

Because of a recent settlement with BP over a stalled right-ofentry, plans to advertise contracts for Stage 7, which runs between Northcote and Columbia avenues, were launched this week and the same for Stage 8, which runs between Columbia Avenue and the Illinois state line, may not be far behind.

Ron McAhron, deputy director of the Indiana Department of Natural Resources and the Little Calumet River Basin Development Commission's point man with the governor's office, and commission Chairman Dan Dernulc recently met with the Southmoor Road residents who have opposed the levee system coming into their neighborhood.

The most significant development regarding the stalemate is that the Army Corps has now agreed to bid out Stage 8 without right-of-entry to Southmoor Road, he said Wednesday during a commission study session in Munster Town Hall.

Residents of the far west side Hammond neighborhood, already freed from having to obtain costly flood insurance because of the high elevation of their property, have long questioned the need for the levee on their part of the

They contend the levee can safely end at Lyman Avenue.

See LITTLE CAL, A5

# The limes Thursday, February 19, '09

## Little Cal

#### Continued from A3

McAhron said a tour of the the vicinity proved informative. "It's a complicated situation," he said.

mitments were made to the Southmoor residents. "We didn't give them any answers because we don't have any answers," Demulc said.

Also during the study session, Dernulc, McAhron, and fellow Commissioners Mark

Gordish and Arlene Colvin to contend uncertain funding Northwest Regional accounting of the spending, a posed budget. payment schedule, a final cost and a construction timeline said with some frustration. within 90 days.

The commission continues loan back?"

reviewed a draft of a letter to makes it difficult to totally ful-Indiana fill the RDA's request. Two Development versions of a funding bill are Authority as requested when making their way through the the RDA in January wrote a Legislature, one asking for Dernulc said no other com- second check, this time in the some \$15 million to finish the amount of \$1.7 million, to help levee and the other, \$9 miladvance the project. At the lion Only \$2 million appeared time, the RDA asked for an in Gov. Mitch Daniels' pro-

"This is a loan," Dernulc "How are we going to pay this

As currently drafted, the letter indicates a commitment by the commission to fulfill its original agreement to repay the loan as it receives state funding.

Assuming the commission receives its usual \$2 million appropriation over this biennium, the commission is offering a tentative \$250,000 repayment this biennium with a commitment to vigorously seek full repayment in the next biennial budget.

The Times
Tuesday,
February 24, '09

#### LAKE COUNTY

### Visclosky wants \$24M for Little Cal levee work

U.S. Rep. Pete Visclosky, D-Ind. announced Monday the Little Calumet River Flood Control and Recreation Project will receive \$24 million in the fiscal year 2009 Omnibus Appropriations Act.

The bill is scheduled for consideration and passage Wednesday.

The \$24 million represents a \$10 million increase over the original amount announced in July for the construction of levees between Northcote Avenue and the Illinois state line.

The question of the local match is currently pending before the Legislature.

The Times. February 26, 2009

## Federal funding hike for levee under way

Story

Discussion

BY SUSAN BROWN sbrown@nwitimes.com 219.835.3780 | Thursday, February 26, 2009 | (4 comment(s))

Foni Size,

HAMMOND | The Little Calumet River Flood Control and Recreation Project is expected to receive a big financial boost as this year's Omnibus Appropriations Act makes it through the U.S. House of Representatives.

Earlier this week the office of U.S. Rep. Pete Visclosky had announced a \$24 million appropriation for the federal levee project, up \$10 million from the \$14 million Visclosky announced last July.

Late Wednesday afternoon, Visclosky spokesman Jacob Rilvo said the vote on the bill was one of a series of votes currently under way. The measure was expected to be passed later.

"Congressman Visclosky sought and delivered \$24 million in federal funding for the Little Calumet River Flood Control and Recreation Project because that is half the amount of federal funds the Little Cal (River Basin Development Basin Commission) says it needs to complete the project in two years," Ritvo said. "The congressman is serious about finishing the levee construction within that two-year timeline and will do everything he can to secure the entire remainder of the federal cost next year."

Ritvo said it is critically important that all necessary local matching funds be secured to access the federal funding.

"This is a serious matter and the people of Northwest Indiana cannot afford to have completion of this project delayed any longer," Ritvo said.

A record rainfall in mid-September resulted in heavy flooding causing millions of dollars in damage to the area, particularly the town of Munster and the city of Gary.

In announcing the federal funding hike earlier this week, Visclosky said given the urgency of the matter, he hoped the state would act quickly to provide the funds to finish the project.

The financially hamstrung Little Cal commission received a small but much-needed \$1.7 million boost in January to continue operations, thanks to a second advance of a \$6 million loan from the Northwest Indiana Regional Development Authority, but the commission has estimated its capital needs at \$13 million to finish construction to the Illinois state line.

Plans to hire a construction management firm to lead the remainder of the project are on hold until the state determines its level of funding for the project.

Most recently, the Indiana House passed a one-year budget offering \$9 million in a local match for the project and also a bill reducing the 11-member Little Calumet commission to five, all to be appointed by the governor.

Previous Story

Next:Story

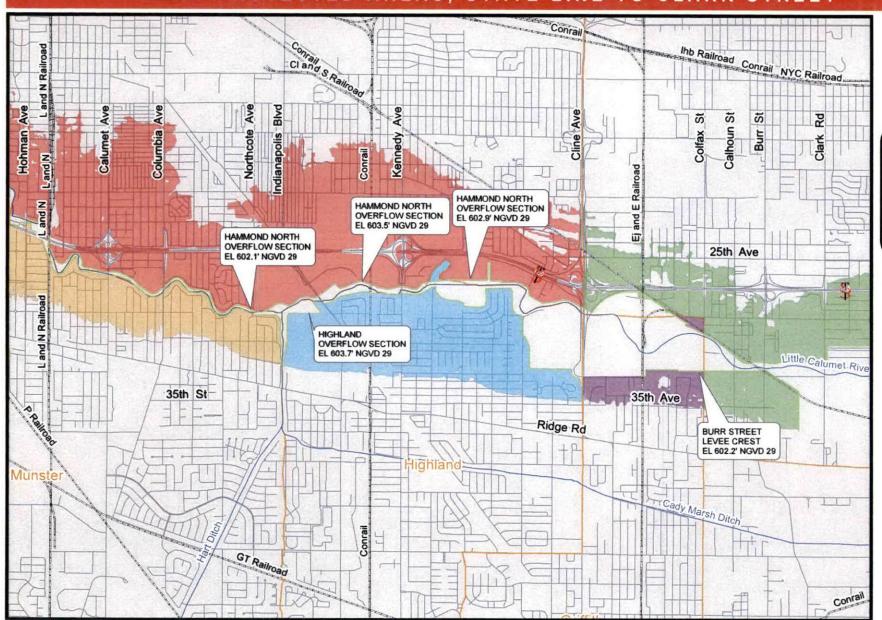
37

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**Print** 

### LCR - PROTECTED AREAS, STATE LINE TO CLARK STREET







#### Protection

own

- Gary (5.03 SQ. MILES)
- Griffith (0.26 SQ. MILES)

  Hammond (4.31 SQ. MILES)
- Highland (1.46 SQ. MILES)
- Munster (0.91 SQ. MILES)
- LEVEE / FLOODWALL

NOTE: PROTECTION AREA BASED ON TOP OF LEVEL OF PROTECTION (LEVEE CREST OR OVERFLOW SECTION). MAPS ASSUME PROJECT COMPLETION WITH RIVER ROAD AND HAMMOND LEVEE SEGMENTS INCORPORATED INTO THE PROJECT AREA.







#### LCR - PROTECTED AREAS, CLINE AVENUE TO MARSHALLTOWN Conrail Ihb Railroad is S Conrail S St S Broadway Harrison MARSHALLTOWN Ö LEVEE CREST EL 598.1' NGVD 29 Legend Protection 25th Ave GARY NORTH OVERFLOW SECTION Gary (5.03 SQ. MILES) Griffith (0.26 SQ. MILES) EL 601.6' NGVD 29 Other (0.08 SQ. MILES) LEVEE / FLOODWALL Little Calumet River NOTE: PROTECTION AREA BASED ON TOP OF LEVEL OF PROTECTION (LEVEE CREST OR OVERFLOW SECTION). MAPS ASSUME PROJECT COMPLETION **GARY SOUTH** Conrail WITH RIVER ROAD AND OVERFLOW SECTION 35th Ave HAMMOND LEVEE 35th Ave EL 601.8' NGVD 29 SEGMENTS INCORPORATED MC Railroat Conrail INTO THE PROJECT AREA. **BURR STREET** LEVEE CREST **Location Map** EL 602.2' NGVD 29 Ridge Rd Conrail Conrail Lake N and W Railroad Conrail MC Railroad Ej and E Railroad Conrai



The limes February 26, 2009

# Bill to overhaul Little Cal commission advances

Story

Discussion

BY PATRICK GUINANE
pguinane@nwitimes.com
317.637.9078 | Wednesday, February 25, 2009 | (2 comment(s))

Font Size:

INDIANAPOLIS | The Indiana House voted 95-2 on Wednesday to let Gov. Mitch Daniels restock the embattled Little Calumet River Basin Development Commission.

House Bill 1716, sponsored by Rep. Ed Soliday, R-Valparaiso, would replace the 11-member commission with five board members appointed by the Republican governor.

U.S. Rep. Pete Visclosky, D-Ind., called for the revamp in the wake of September flooding that damaged more than 4,000 region homes.

The commission, created 28 year ago to build protective levees along a 24-mile stretch of the river from Gary to Illinois, still hasn't finished the project. The panel took the brunt of the blame for the fall flooding.

"We had a number of floods, we shut down I-80/94 and we had damage to more than 4,000 homes," Soliday told House colleagues. "We need to make these changes in order to move that project forward and get it done."

The legislation requires that Daniels appoint four commissioners from Lake or Porter counties and one representative of the Indiana Department of Natural Resources. Three of the five appointees must have a background in flood prevention, construction management or related field.

The measure, which also requires annual audits of commission finances, now goes to the Senate.

House Bill 1716	Page 1 of 4
	Reprinted
	February 24, 2009
, as a second and a	
	HOUSE BILL No. 1716
DIGEST OF F	HB 1716 (Updated February 23, 2009 4:10 pm - DI 73)
Citations Affected: IC 14-13; n	oncode.
qualifications for membership or (commission). Requires record k commission to prepare reports as initial terms of the members. Re-	basin development commission. Changes the membership of and the in the Little Calumet River basin development commission teeping and audits of the commission's accounts. Requires the innually, or more frequently as required by the governor. Staggers the quires the commission to provide or provide for the training and esponsible for maintaining levees or other improvements related to flood ages.
Effective: June 1, 2009; July 1,	2009.
***************************************	
Soliday	, Lawson L, Stevenson , Candelaria Reardon
<b>Jacobson</b>	
February 19, 2009, amended,	ne and referred to Committee on Government and Regulatory Reform. reported _ Do Pass. d time, amended, ordered engrossed.
	·
	Reprinted

February 24, 2009

#### First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in this style type, and deletions will appear in this style type:

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or *this style type* reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

#### **HOUSE BILL No. 1716**

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

Be it enacted by the General Assembly of the State of Indiana:

SOURCE: IC 14-13-2-7; (09)HB1716.2.1. --> SECTION 1. IC 14-13-2-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 7. (a) The commission has eleven (11) members as follows:

- (1) One (1) member appointed by the county executive of Lake County:
- (2) One (1) member appointed by the county executive of Porter County.
- (3) One (1) member appointed by the executive of Gary:
- (4) One (1) member appointed by the executive of Hammond.
- (5) One (1) member appointed by the director:
- $\frac{(6) \sin (6)}{\sin (6)}$  five (5) members appointed by the governor.
- (b) Not more than six (6) members may belong to the same political party. The governor shall make appointments after all the others are made so that this requirement is feasible to implement.
- (b) The governor shall appoint members of the commission so that the following requirements are met:
  - (1) One (1) member must be a representative of the

department of natural resources. The member may not be an employee or elected official of a city, town, or county governmental unit.

- (2) The remaining four (4) members must meet the following requirements:
  - (A) Four (4) members must reside in a:
    - (i) city;
    - (ii) town; or
  - (iii) township (if the member resides in an unincorporated area of the county); that borders the Little Calumet River.
  - (B) At least three (3) of the members must have a background in:
    - (i) construction;
    - (ii) project management; or
    - (iii) flood control;
  - or a similar professional background.
  - (C) A member may not be an employee or elected official of a city, town, or county

#### governmental unit.

SOURCE: IC 14-13-2-10; (09)HB1716.2.2. --> SECTION 2. IC 14-13-2-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 10. (a) The commission shall meet on call of any of the following:

- (1) The chairman.
- (2) The executive director.
- (3) Any three (3) members.
- (b) Six (6) Three (3) commission members constitute a quorum.

  SOURCE: IC 14-13-2-17; (09)HB1716.2.3. --> SECTION 3. IC 14-13-2-17 IS AMENDED TO

READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 17. (a) The commission may provide for the construction, improvement, development, operation, and management of projects, including any facilities, betterments, and improvements that are part of projects, in the manner that the commission considers appropriate in furtherance of the purposes of this chapter.

- (b) The commission may enter into:
  - (1) a lease agreement as lessor or sublessor; or
- (2) an operation or a license agreement; with respect to all or part of a site, a facility, a betterment, or an improvement that is part of projects with at least one (1) public or private person or entity, including political subdivisions of the state and public agencies, departments, and agencies, on the terms and conditions that the commission considers appropriate in furtherance of the purposes of this chapter.
- (c) The commission shall provide or provide for the training and instruction of persons who are responsible for maintaining any levees or other improvements related to flood control under this article. The training and instruction must be sufficient to enable those persons to properly maintain the levees or other improvements related to flood control.

  SOURCE: IC 14-13-2-30; (09)HB1716.2.4. --> SECTION 4. IC 14-13-2-30 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 30. The commission is responsible for the safekeeping and deposit of money the commission
- receives under this chapter. The state board of accounts shall:
  (1) prescribe the methods and forms for the keeping of; and
  - (2) annually audit;

the accounts, records, and books of the commission and fund.

SOURCE: IC 14-13-2-31; (09)HB1716.2.5. --> SECTION 5. IC 14-13-2-31 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 31. (a) Subject to subsection (c), before November 1 of each year, the commission shall make a report of the commission's activities to the following:

- (1) The governor.
- (2) The legislative council.
- (b) A report made to the legislative council under this section must be in an electronic format under IC 5-14-6.
- (c) The governor may require the commission to issue reports more frequently than would otherwise be required under subsection (a).
- SOURCE: ; (09)HB1716.2.6. --> SECTION 6. [EFFECTIVE JUNE 1, 2009] (a) The definitions that apply to IC 14-13-2 also apply to this SECTION.
- (b) Notwithstanding IC 14-13-2-8, the terms of the members of the commission serving on June 30, 2009, expire on June 30, 2009.
- (c) The governor shall appoint five (5) members to the commission under IC 14-13-2-7, as amended by this act. Notwithstanding IC 14-13-2-8, the members appointed under this SECTION have the following initial terms:
  - (1) One (1) member has a term of one (1) year.

House Bill 1716 Page 4 of 4

- (2) One (1) member has a term of two (2) years.
- (3) One (1) member has a term of three (3) years.
- (4) Two (2) members have a term of four (4) years.
- (d) An individual appointed to the commission under subsection (c) becomes a member of the commission:
  - (1) on July 1, 2009; or
  - (2) on the date of appointment, if that date follows July 1,

#### 2009.

However, for purposes of determining when the initial term of a member appointed under subsection (c) expires, July 1, 2009, shall be treated as the date on which the member's term began.

(e) This SECTION expires July 1, 2013.

SOURCE: ; (09)HB1716.2.7. --> SECTION 7. An emergency is declared for this act.

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6100 Southport Road Portage, Indiana 46368 (219) 763-0696 Fax (219) 762-1653 E-mail: littlecal@nirpc.org

DAN DERNULC, Chairman Governor's Appointment

WILLIAM BAKER, Vice-Chairman Governor's Appointment

R. KENT GURLEY, Treasurer Lake County Commissioners' Appointment

MARK GORDISH, Secretary Mayor of Hammond's Appointment

WILLIAM BILLER Governor's Appointment

ARLENE COLVIN Mayor of Gary's Appointment

RON McAHRON Dept. of Natural Resources Appointment

JOHN MROCZKOWSKI Governor's Appointment

VACANCY Governor's Appointment

VACANCY Governor's Appointment

VACANCY Porter County Commissioners' Appointment

VACANCY Executive Director

LOU CASALE Attorney March 4, 2009

The Honorable Mitch Daniels Governor, State of Indiana Office of the Governor 200 W. Washington St., Rm. 206 Indianapolis, IN 46204

Re: Civilian request to agency for independent peer review of flood control project

Dear Governor Daniels:

I am the Chairman of the Little Calumet River Basin Development Commission (the "Commission"), an Indiana state agency established under Indiana Code § 14-13-2-1, et seq, for the purpose of conducting flood control and other ancillary activities in land adjacent to the Little Calumet River in Indiana. The Commission is specifically authorized and empowered to exercise the power of eminent domain to acquire land for said purposes.

In accordance with the purpose for which it was established, the Commission entered into a Local Cooperation Agreement with the United States Army Corps of Engineers ("USACE") on August 16, 1990, which agreement established the parameters of the Little Calumet River Basin project (the "Project"). Since that time, the Project has proceeded pursuant to the agreed plans developed in cooperation by the Corps and the Commission and is nearing completion.

In early February, 2009, the Commission received a request in the form of two letters written by a private citizen, Mr. Michael Zarantonello. Mr. Zarantonello requested independent peer review of a portion of the Project along Southmoor Road in Hammond, Indiana. Mr. Zarantonello specifically cited Section 2034 of the Water Resources Development of 2007 in making his request. Copies of the letters are enclosed herein for your reference.

The Commission is referring Mr. Zarantonello's request to Lieutenant General Robert L. Antwerp, Jr., the Chief of Engineers of the USACE. Pursuant to Section 2034(a)(3)(A)(ii) of the Water Resources Development Act of 2007, as Governor, you may request independent peer review of the Project. Such request would be made to General Antwerp. If you have any questions or need additional information, please contact me.

Sincerely,

Daniel Dernulc Chairman



6100 Southport Road Portage, Indiana 46368 (219) 763-0696 Fax (219) 762-1653 E-mail: littlecal@nirpc.org

DAN DERNULC, Chairman Governor's Appointment

WILLIAM BAKER, Vice-Chairman Governor's Appointment

R. KENT GURLEY, Treasurer Lake County Commissioners' Appointment

MARK GORDISH, Secretary Mayor of Hammond's Appointment

WILLIAM BILLER Governor's Appointment

ARLENE COLVIN Mayor of Gary's Appointment

RON McAHRON Dept. of Natural Resources' Appointment

JOHN MROCZKOWSKI Governor's Appointment

VACANCY Governor's Appointment

VACANCY Governor's Appointment

VACANCY Porter County Commissioners' Appointment

VACANCY Executive Director

LOU CASALE Attorney March 4, 2009

Lieutenant General Robert L. Antwerp, Jr. Chief of Engineers Headquarters, US Army Corps of Engineers 441 G. Street, NW Washington, DC 20314-1000

Re: Civilian request to agency for independent peer review of flood control project

Dear General Antwerp:

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The Commission now refers this request to you for your determination if independent peer review of the Project is necessary under the Water Resources Development Act of 2007. If you have any questions or need additional information, please contact me.

Sincerely,

Daniel Dernulc Chairman

# LCIBDC 2009 FATMLIG BIDS FUT FATH, LICITISE. - FOUR (-) ATIMS

# BREAKDOWN SHEET - FARM LICENSE BIDS

(MARCH 4, 2009 - BID OPENING)

	NOVE	HONE	₩	NONE	Excessions/comments
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		Descention			

### HOME:

AN ADOMON TO DIRECT MAILURG TO FROMERS WE HAVE HAD AGREMENTS.

WITH DU THE PAST, WE PUBLICLY ADVERTISED IN SEVERAL LOCAL

### RECOMMENDATION:

WE RECOMMEND USING THE FURMER INDICATED BY (B)) TO FARM EACH OF THE FOUR(4) SETURED FOR MITH BEDS. NO PUMPING CHARGES WILL BE OREDIED FOR ANY OF THESE BIDS.

#### CLAIMS PAYABLE FOR MARCH 2009 REVISED

ACCT	VENDOR NAME	AMOUNT	EXPLANATION OF CLAIM
811	CASALE ,WOODWARD & BULS LLP	283.33	MONTHLY RETAINER THROUGH FEBRUARY 17, 2009
812	NIRPC	9,454.12	SERVICES PERFORMED JANUARY 2009
812	INDIANA STATE BOARD OF ACCOUNTS	1,218.00	SPECIAL AUDIT
822	THE TIMES	24.60	ADVERTISING FOR BIDS FOR FARM PROPERTIES
822	POST TRIBUNE	14.08	ADVERTISING FOR BIDS FOR FARM PROPERTIES
824	VERIZON NORTH	160.71	BILLING PERIOD 2/16/09-3/16/09(TOTAL BILL285.82 KRBC 125.11 )
824	AT & T	488.62	BILLING PERIOD 1/14/08-2/13/08(TOTAL BILL501.60,KRBC 12.98)
824	AT & T TELECONFERENCE	185.61	CONFERENCE CALL 1/2/09 & 1/30/09
844	JAMES E POKRAJAC	6,087.33	ENGINEERING/LAND AGENT 1/16/09-1/31/09
844	JAMES E POKRAJAC	166.32	JANUARY MILEAGE
844	JAMES E POKRAJAC	5,082.60	ENGINEERING/LAND AGENT 2/2/09-2/13/09
844	JAMES E POKRAJAC	5,200,80	ENGINEERING/LAND AGENT 2/16/09-2/27/09
844	JUDITH VAMOS	3,038.00	LAND ACQUISITION AGENT SERVICES 1/16/09-1/30/09
844	JUDITH VAMOS	2,842.70	LAND ACQUISITION AGENT SERVICES 2/2/09-2/13/09
844	JUDITH VAMOS	2,325.70	LAND ACQUISITION AGENT SERVICES 2/16/09-2/27/09
844	JUDITH VAMOS	51.48	FEBRUARY MILEAGE
844	G. LORRAINE KRAY	1,122.50	CREDITING TECH & LAND ACQUISITION ASST 1/20/09-1/30/09
844	G. LORRAINE KRAY	1,032.70	CREDITING TECH & LAND ACQUISITION ASST 2/03/09-2/12/09
844	G. LORRAINE KRAY	1,066.38	CREDITING TECH & LAND ACQUISITION ASST 2/16/09-2/27/09
847	TORRENGA SURVEYING, LLC	900.00	SURVEY SERVICE RE: DC-1366
849	CASALE WOODWARD BULS	14,758.00	LAND ACQUISITION/LEGAL SERVICES THROUGH 2/17/09
849	CASALE WOODWARD BULS	451.00	UTILITY RELOCATION LEGAL SERVICE THROUGH 2/17/09
861	SONYA MAYFIELD & ALBERT REBA	500.00	ADDTL COST OF PURCHASE RE: DC-1365
861	NATIONAL CITY BANK TRUST # 972	299,000.00	PURCHASE PRICE OF DC-1303
861	7905 CALUMET BUILDING LLC	100.00	PURCHASE PRICE OF DC-1366
861	DUSAN & MARTA ZUBIC	7,200.00	PURCHASE PRICE OF DC-1363
861	KGM DEVELOPMENT	27,500.00	PURCHASE PRICE OF DC-1368
861	JOSEPH MALLOY	445.00	PURCHASE PRICE OF DC-1312
861	DIVINE WORD CHURCH	11,127.50	PURCHASE PRICE OF DC-1372
861	MERIDIAN TITLE CORPORATION	100.00	TITLE WORK RE: DC-1303
861	MERIDIAN TITLE CORPORATION	100.00	TITLE WORK RE: DC-1365
882	SHORT ELLIOTT HENDRICKSON INC	699.40	UTILITY COORDINATION SERVICES SVII
884	AUSTGEN ELECTRIC INC	2,850.00	O & M COST INCURRED RE: MEGGER TESTING(DIRECTION FROM USACE ON 2/6/09)
884	AUSTGENELECTRIC INC	4 985 OO	O & M REPLACEMENT OF GROUND WIRE AT BURRST PUMP STATION
	AUSTGENELECTRIC INC	201000000000000000000000000000000000000	SERVICE ON GRANT ST NON-WORKING PUMPS
5884 5884	AUSTGENELECTRIC INC		MARSHALLTOWN PUMP REPAIR

TOTAL 418,626.82

ADMINSTRATIVE

RDA \$1,701,742.

DRAW FROM STATE

## LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION MONTHLY BUDGET REPORT - March 4, 2009 Revised

								1	UNALLOCATED
	2009	Actual	Actual	Actual				ALLOCATED	BUDGETED
	BUDGET	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	TOTAL	BALANCE
5801 PER DIEM EXPENSES	4,200.00	4,200.00	0.00	0.00		_		4,200.00	0.00
5811 LEGAL EXPENSES	3,500.00	283.33	283.33	283.33				849.99	2,650.01
5812 NIRPC SERVICES	86,462.00	12,299.98	13,322.25	10,672.12				36,294.35	50,167.65
5821 TRAVEL/MILEAGE	1,250.00	1,140.48	30.36	0.00				1,170.84	79.16
5822 PRINTING/ADVERTISING	750.00	113.13	215.00	38.68				366.81	383.19
5823 BONDS/INSURANCE	6,500.00	0.00	0.00	0.00				0.00	6,500.00
5824 TELEPHONE EXPENSES	6,500.00	637.09	666.83	834.94				2,138.86	4,361.14
5825 MEETING EXPENSES	-	0.00	0.00	0.00		•		0.00	0.00
5840 PROFESSIONAL SERVICES	212,690.00	42,405.25	22,254.20	43,225.51				107,884.96	104,805.04
5860 PROJECT LAND PURCHASE EXP.	500,380.00	146,060.00	0.00	345,127.50				491,187.50	9,192.50
5882 UTILITY RELOCATION EXP.	332,577.00	141,291.40	7,495.17	0.00				148,786.57	183,790.43
5883 PROJECT LAND CAP. IMPROV.	<b>-</b> ,	0.00	0.00	0.00				0.00	0.00
5884 O & M BUDGET	50,595.00	3,610.00	0.00	15,900.34				19,510.34	31,084.66
5892 PROJECT COST SHARE	605,500.00	605,500.00	0.00					605,500.00	0.00
	1,810,904.00	957,540.66	44,267.14	416,082.42	0.00	0.00	0.00		393,013.78
	•					<del></del>			
ADMINISTRATIVE BUDGET	109,162.00								
REMAINING STATE FUNDS	50,683.00	47,893.00	47,519.00	44,974.60					
REMAINING RDA MONIES	1,701,742.00	762,875.35	733,125.98	328,872.63					
TOTAL ALL FUNDS	1,861,587.00								



6100 Southport Road Portage, Indiana 46368

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

DAN DERNULC, Chairman Governor's Appointment

WILLIAM BAKER, Vice-Chairman Governor's Appointment

R. KENT GURLEY, Treasurer Lake County Commissioners' Appointment

MARK GORDISH, Secretary Mayor of Hammond's Appointment

WILLIAM BILLER Governor's Appointment

ARLENE COLVIN Mayor of Gary's Appointment

RON McAHRON Dept. of Natural Resources' Appointment

JOHN MROCZKOWSKI Governor's Appointment

VACANCY Governor's Appointment

VACANCY Governor's Appointment

VACANCY
Porter County Commissioners'
Appointment

VACANCY Executive Director

LOU CASALE Attorney February 26, 2009

Mr. Shamel Abou-El-Seoud, PE Chief, Construction-Operations Branch U.S. Army Corps of Engineers 111 N. Canal Street Chicago, Illinois 60606-7206

Dear Shamel:

This letter is to acknowledge that the Development Commission has addressed the five items you indicated were mandatory for us to complete no later than February 27. Those items are listed as follows, along with the status of each:

(1) Replace the grounding at the Burr Street Pump Station

• This work was completed on February 24, 2009

(2) Marshalltown Pump Station – Reactivate non-functioning pumps
 This work was completed on February 25, 2009

(3) Megger testing for all six pump stations in Gary
• This work was completed February 23, 2009

- (4) And (5) Provide closure exercise at the north line of protection on Chase Street To have plan in place to do closures during flood event
  - The exercise for installing the closures is scheduled for February 27. After completion of this exercise, Dyer Construction Company will provide a cost to the Development Commission to install these closures upon being notified in the event of a flood.

We hope this meets your immediate needs for emergency action regarding the unacceptable and critical items as the result of the 2008 inspections. If you have any questions or need any additional information, please contact me and I will forward you what you need.

Sincerely,

Land Management/Engineering

/sjm

cc: William Rochford, Imad Samara, USACE
Dan Dernulc, Kent Gurley, Ron McAhron, LCRBDC

# LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION ATTENDANCE ROSTER

NAME OF MEETING: LCCBDC DATE: 3-4-09								
LOCATION Manuala = M. II QUAIDMAN D. Daniel								
	LUC		GN IN					
		NAME (PLEASE PRINT)	ORGANIZATION, ADDRESS, PHONE NUMBER					
	1	Restrie Plurand	8237 HOWARD 1110.					
	2	Lin 1 Or Aulu	8102 Ostwood Ar					
	3	alie Value	2102 OHLWOOD ANX					
epp	4	Julyan W. Doldmon	7935 Calumet ave					
	5	(Karen Lours	270 Southmon Hand					
boo	6	Bulget Godelald	8335 Chestion					
deo	7	Start Ergyl	E248 Hawthern.					
200	8	JOHN MULUSA	8049 JEFFERSON					
app	9	Dean Button	501					
Byth	10	THOMAS HARES	27 Ruck Dr.					
2	11	Kalliope + James & Addelow	8140 White Oak ave					
all	12	JOHN (BECKMAN)	LAKE LO FISH & GAME 1575 AOLER 46368					
	13	MIKE WOOD	8211 ogk wody)					
May	14	Katha Coleman	7804 CATA/pa HAM'S					
	15	Men Tolling	8212 Basing level					
	16	Army 2 Sally	8212 Daring level					
	17	Bestrice Hanusin	munster					
0/	18	Bernie Maskung	8004 Monrol					
082	19	Bob Lauger	WhiteOak					
	20	Craig Manusin	Munrter-Howard Av					
	21	PAU/GONS	8240 NORTHOUTE MUNSTER					
odel	22	Duane Wedelow, Jr.	216 Southmoor Rd. Havid Dr.					
j.	23	Jayson Keeves	3137 W8+2/ Aw Gary, In					
100	24	Marel Campains	1817 Crestwood Are Manster					
all a	25	Coxil Magsaysay	8128 Oakwood Auc Munster					
an								

# DEVELOPMENT COMMISSION ATTENDANCE ROSTER

NAME OF MEETING: LCABDC DATE: 3-4-09

LOCATION: MUNSTER TOWN HALL CHAIRMAN: Dan Dernylc

### PLEASE SIGN IN

PLEASE SIGN IN								
		NAME (PLEASE PRINT)	ORGANIZATION, ADDRESS, PHONE NUMBER					
	1	PATRICIA Huber	8146 Linden Ave-Munster					
* * * ***	2	PATRICIA RIEKARCZYK	8147 LIN DEN HUE 923-3657					
	3	John 1- addigon	7801 Variesh Az Hammood					
	4	DAVID NEUSUS	Town of MUNSTIEN COUNCIL -					
adok	5	Vanessa Villarreal	U.S. Army Corps of Engineers					
	6	Lypne whelan	11					
	7	John MoGLE	8205 BAZING/923-1028.					
	8	RUTH MORES V	Southmoor RQ HAM'S					
	9	make ZARANTINELLOV	Southworn RD					
	10	TINA KUTKOSKI	HAMMOND IN 46324					
ald	11	STEVE CACO	1246 RIVER DR. MUNSTER					
odd	12	Halina Hnatusko	8216 NORTHCOTE MUNSTY					
all	13	GREG STARRETT	8351 CRESTWOOD AVE. MUNTER					
	14	BUL PETRITES V	MIGHLAND RESIDENT					
das	15	Barbara Whitakar	1921 Alta Vista Munster					
16	16	Rose Taylor	8027 Tapper					
of C	17	Don Taylor	8027 Tapper					
all	18	David Fchibers	8043 TAPPER					
ale	19	BOR GRIFFIN	8009 MADISON					
alel	20	LuAnn Franklin	The Times.					
0.	21	Polit Farm	Gryph God anto					
	22	JAMES PETERMAN	8029 Linden					
in	23	Elizabeth Johnson	Congressman Viscloshy					
ob de	24	JON & DIANE GLEARON	21 River DR., MUNGER					
Be	25	MARIA + MIALL MCSHANE	1821 CRESTWOOD AVE					
K								

# DEVELOPMENT COMMISSION

ATTENDANCE ROSTER								
NAME OF MEETING: LCRBDC DATE: 3-4-09								
LOCATION: Munster Town Hall CHAIRMAN: Dan Dernyle								
PLEASE SI	GN IN							
NAME (PLEASE PRINT)	ORGANIZATION, ADDRESS, PHONE NUMBER							
1 Mary Cov-Paul Daniels	North cofe munster							
2 Ronnie Smith	North cofe munster							
3								
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TCCC

					TS-C-S			
CONTRACT NO.:	W912P6-05-C-0010		CONTRACT TYPE:	Construction	D. Anderson			
CONTRACTOR:	Illinois Constructors				Edd			
DESCRIPTION:	Local Flood Protecti	on Little Calumet	River, Indiana Stage VI-	-1 North Levee	Lee			
ORIGINAL CONTR	ACT AWARD DATE	AMOUNT:		30-Sep-05	5,566,871.00			
NTP DATE./CURRE	NT CONTRACT AM	OUNT: Mods	A00007 & P00012	19-Oct-05	5,751,905.19			
ORIGINAL CONTR.	ACT COMPLETION I	DATE/ORIGINAL	DURATION:	21-Jul-07	640			
	CT COMPLETION D.			27-Nov-07	769			
PENDING SCHEDU	LED COMPLETION	DATE/PENDING	TIME EXTENSIONS:	27-Nov-07	0			
AREA ENGINEER'S	ESTIMATED SUBST	TANTIAL COMPL	ETION DATE:	N/A				
ESTIMATED PROG	RESS							
A. Pres	ent Earnings as of Pay	Est. No.	15		5,238,793.88			
B. Esti	mated Earnings thru en	d of reporting peri	od		287,711.31			
C. Valu	ue of work Performed of	on Directed Mods (	Earnings not paid for)		0.00			
TOTAL ESTIMATE	D PROGRESS (A+B+	C)			5,526,505.19			
TOTAL ESTIMATE	D FINAL CONTRACT	AMOUNT						
D. Curr	rent Contract Amount t	hru Mod.	A00007 & P00012		5,751,905.19			
E. Curr	ent Value of Overruns	/Underruns (+/-)	(Variations in estimate	ed Quantities)	-33,041.65			
	cted, Pending Modifica		(Misc Changes in Pr		14,600.00			
TOTAL ESTIMATE	D FINAL CONTRACT	AMOUNT (D+E	+F)		5,733,463.54			
<b>FUNDS OBLIGATE</b>	D FOR PAYMENT: th	ru Modification	A00007 & P00012		5,751,905.19			
ACTUAL PERCENT	COMPLETE (A+B+C	C)/(D+E+F)			96.39%			
SCHEDULED PERC	ENT COMPLETE (per	NAS or Progress	Chart)		96.00%			
TOTAL EARNINGS	AT THE END OF FY	08	(Includes \$287,711.31	accruals made in FY08)	5,526,505.19			
Earnings	Funds Available	Earnings	Funds Available	Earnings	Funds Available			
0.00 Oct	225,400.00	0.00	Feb 225,400.00	70,000.00 Jun	25,400.00			
0.00 Nov	225,400.00	65,000.00	Mar 160,400.00	0.00 Ju	25,400.00			
0.00 Dec	225,400.00	0.00	Apr 160,400.00	0.00 Au	g 25,400.00			
0.00 Jan	225,400.00	65,000.00	May 95,400.00	0.00 Se	25,400.00			
G. Current Projection of	f Total Fiscal Year Earnir	igs		200,000.00				
H. Initial Projection of I	Fiscal Year Earnings (Fro	m First Progress Rep	ort This FY)	200,000.00				
I. Amount Ahead of Init	tial Earnings Projection (	Negative Indicates B	ehind) (G-H)	0.00				
ACCRUALS THIS M	ONTH	Obligation	CURRENT	THIS MONTH	TOTAL			
	LINE ITEM	WORK ITEM	ACCRUAL	ACCRUAL	ACCRUAL			
FED	0002	1C94LF	\$267,571.52	\$0.00	\$267,571.52			
NON-FED	0001	KF4KF0	\$20,139.79	\$0.00	\$20,139.79			
		TOTAL	\$287,711.31	\$0.00	\$287,711.31			

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, 100% Contractor respon. Work completed on removing and replacing nonconforming sat fill. Topsoil final grading and seeding remain, awaiting warm weather. Final Inspection on hold until grading/sedding are completed. 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. \*\* 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. Krosan Properties crossed easements and tied into MH 172 with RCP outlet line and placed minor retaining wall on levee land side slope, LCRBDC informed. Waiting for final cross sections after repairs. \*\*SUBSTANTIAL COMPLETION WAS 11/27/07 - LEVEE CRACK RESOLUTION MAY AFFECT\*\*\*

			2000				
CONTRACT NO.	W012BC 07 C 0002				TS-C-S		
CONTRACT NO.:	W912P6-07-C-0003		CONTRACT TYPE:	Construction	D. Anderson		
CONTRACTOR: DESCRIPTION:	Dyer Construction (		IN OF		Edd/Nielsen		
DESCRIPTION:	LCR, Local Flood P	rotection, Burr Str	eet Phase 2 East		Craib		
	ACT AWARD DATE			28-Feb-07	3,342,583.22		
NTP DATE./CURRE	NT CONTRACT AM	OUNT: Mods	A00004	13-Mar-07	3,248,957.86		
ORIGINAL CONTR	ACT COMPLETION	DATE/ORIGINAI	L DURATION:	5-Jul-08	480		
REVISED CONTRA	CT COMPLETION D	ATE/REVISED D	URATION:	30-Jul-08	505		
PENDING SCHEDU	LED COMPLETION	DATE/PENDING	TIME EXTENSIONS	30-Jul-08	0		
AREA ENGINEER'S	ESTIMATED SUBS	TANTIAL COMP	LETION DATE:	30-Jul-08			
ESTIMATED PROG							
	sent Earnings as of Pay		8		2,831,385.55		
	mated Earnings thru er				180,000.00		
			(Earnings not paid for)		0.00		
TOTAL ESTIMATE	D PROGRESS (A+B+	C)			3,011,385.55		
TOTAL PETIMATE	D EDILL CONTROL C	F + 1 4 O 1 D 27					
	D FINAL CONTRACT						
	rent Contract Amount		A00004		3,248,957.86		
	rent Value of Overruns ected, Pending Modific		(Malt Channe)		0.00		
	D FINAL CONTRACT		(Mult. Changes)		90,000.00		
TOTAL ESTIMATE	D FINAL CONTRACT	AMOUNT (D+E	(+F)		3,338,957.86		
FUNDS OBLIGATED	D FOR PAYMENT: th	nu Modification	A00004		3,248,957.86		
		a incamount	7100004		3,240,937.00		
ACTUAL PERCENT	COMPLETE (A+B+C	C)/(D+E+F)			90.19%		
	,				, , , , ,		
SCHEDULED PERC	ENT COMPLETE (pe	r NAS or Progress	Chart)		95.00%		
TOTAL EARNINGS	AT THE END OF FY	0 (Includes \$180	,000.00 accruals made	in FY08)	3,011,385.55		
Earnings	Funds Available	Earnings	Funds Available	e Earnings	Funds Available		
0.00 Oct		0.00	Feb 237,572.31	75,566.31	Jun -122,994.00		
0.00 Nov	The second secon	105,000.00	Mar 132,572.31	0.00	Jul -122,994.00		
0.00 Dec		105,000.00	Apr 27,572.31	0.00	Aug -122,994.00		
0.00 Jan	237,572.31	75,000.00	May -47,427.69	0.00	Sep -122,994.00		
				2702 2703 27			
Server on the server of the se	Total Fiscal Year Earnin			360,566.31			
H. Initial Projection of I				360,566.31	•		
I. Amount Ahead of Init	ial Earnings Projection (	Negative Indicates E	Behind) (G-H)	0.00			
ACCRUALS THIS M	ONTH		CURRENT	THE MONTH	TOTAL		
ACCRUALS THIS M	LINE ITEM	WORK ITEM	CURRENT ACCRUAL	THIS MONTH	TOTAL		
FEDERAL	0001	1C94L4	90,000.00	ACCRUAL 0.00	ACCRUAL 90,000.00		
NON-FED	0002	B72JJ5	90,000.00	0.00	90,000.00		
			70,000.00	TOTAL	180,000.00		
				TOTAL	100,000.00		
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 installed.
- RFP sent to Contractor for miscellaneous mod, received preliminary approval from LCRBDC. Proposal being reviewed.
- Negotiations completed to extend Sheet Pile Wall with small levee at West Closure. Modification being processed.
- Final Quantities being determined, awaiting contractor resubmittal.

					TCCC
CONTRACT NO	D.: W912P6-07-0	2-0011	CONTRACT TYPE:	Construction	TS-C-S D. Anderson
CONTRACTOR		ction Co., Inc.	connect Titl.	Construction	Edd/Ibrahim
DESCRIPTION		lood Protection, Stage 5	5-2		Babcock
	-	Annual Street,			Dalocole
ORIGINAL CO	NTRACT AWARD	DATE/AMOUNT:		29-Sep-07	13,140,189.41
NTP DATE/CU	RRENT CONTRAC	T AMOUNT: Mods	A00010/P00009	17-Oct-07	17,232,052.71
		ΓΙΟΝ DATE/ORIGINA		5-Nov-09	750
REVISED CON	TRACT COMPLET	ON DATE/REVISED	DURATION:	5-Nov-09	750
PENDING SCH	EDULED COMPLE	TION DATE/PENDING	G TIME EXTENSIONS	5-Nov-09	0
AREA ENGINE	ER'S ESTIMATED	SUBSTANTIAL COM	PLETION DATE:	30-Jun-10	
ESTIMATED P					
	Present Earnings as		13		10,314,228.02
		thru end of reporting pe			80,000.00
			s (Earnings not paid for)		0.00
TOTAL ESTIM	ATED PROGRESS	A+B+C)			10,394,228.02
TOTAL ESTIM	ATED FINAL CON	ED A CT A MOUNT			
	Current Contract A		A00010/P00009		17 222 052 71
			(over strip/impervioiu	e)	17,232,052.71 600,000.00
		difications (see comments		5)	1,718,000.00
		TRACT AMOUNT (D+			19,550,052.71
		(2			17,000,002.71
FUNDS OBLIG.	ATED FOR PAYME	NT: thru Modification	A00010/P00009		13,078,734.95
ACTUAL PERC	ENT COMPLETE (	A+B+C)/(D+E+F)			53.17%
SCHEDULED P	ERCENT COMPLE	TE (per NAS or Progres	ss Chart)		53.00%
TOTAL FARM	NGS AT THE END	OF FMOO			
TOTAL EARNI	NGS AT THE END	JF FY08	(Includes \$790,000.0	00 accruals made in FY	08) 9,768,247.54
Earnings	Funds Availab	le Earnings	Funds Available	Earnings	Funds Available
0.00	Oct 3,310,487.4		Feb 2,684,506.93	1,000,000.00	Jun -418,493.07
390,310.56	Nov 2,920,176.8		Mar 2,234,506.93	1,000,000.00	Jul -1.418.493.07
73,547.86	Dec 2,846,628.99	CONTRACTOR STATES	Apr 1,408,006.93	1,000,000.00	Aug -2,418,493.07
82,122.06	Jan 2,764,506.9	The state of the s	May 581,506.93	808,742.15	Sep -3.227,235.22
G. Current Project	ion of Total Fiscal Yea	r Earnings		6,537,722.63	
H. Initial Projection	n of Fiscal Year Earni	igs (From First Progress R	Report This FY)	6,508,742.15	
I. Amount Ahead	of Initial Earnings Proj	ection (Negative Indicates	Behind) (G-H)	28,980.48	
ACCRUALS TH		OBLIGATION		THIS MONTH	TOTAL
	LINE ITEM	WORK ITEM	ACCRUAL	ACCRUAL	ACCRUAL
NON EED	0001	VEAVEO	0.00	5 500 00	
NON-FED FEDERAL	0001 0002	KF4KFO 1C94L4	0.00	5,600.00	5,600.00
FEDERAL (Reci		1C94L4	0.00	74,400.00 0.00	74,400.00
NON-FED (Recr		KF4KFO	0.00	0.00	0.00
HOIT-I ED (NECI	TOTAL	KIAKIO	0.00	80,000.00	80,000.00
PROJECT STAT	US/MAJOR ISSUE	2.	0.00	00,000.00	00,000.00

#### PROJECT STATUS/MAJOR ISSUES:

This Contract is incrementally funded. - The Contractor has requested a total of 61 work days (not calendar days) for in-process contract modifications due to interference from utilities that were not relocated in advance, contract changes, and differing site conditions. The Contractor is also due an increase of 38 work days as compensation for unusually severe weather through Octoberr 2008. The Weather Days through October have been negotiated to a new completion date of January 13, 2010, modification being processed. The remaining 61 works days plus adverse weather experienced in November and December of 2008 and the anticipated winter shutdown period will result in a contract extension approximately to the end of June 2010. This estimate does not include additional modifications or more unusually severe weather. Sheet piling essentially installed, Working on 5N Levee, Many DSC/Debris instances, LCRBDC has taken care of some interfering existing abandoned utilities. Planning to start Utility Corridor work January 2009.

- Pending mods- not all listed \* Abandoned Pump Sta Fndtn. \* Trail/Fence Changes,-RFP issued
  - \* Baring Ave Pump Sta overflow outlet DSC, RFP to be re- issued with design changes, IGE in process.
  - \* 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 \* Excess excav material, 6N
  - \* Overstrip/Imperv. fill in var. locns. \$600,000 add to contract \* Riprap issues with IDEM cleared.
- \* Seepage concerns 1040 If of cutoff structures RFP issued, design change to impervious cut off trench, work complete Due to permit issues, will separate riprap from Hart Ditch and No. Drive I-Wall changes. IDEM approved, RFP pending.

CONTRACT N CONTRACTOR DESCRIPTION	R: The Hartford	r - Pump Station I	CONTRACT TYPE: C	and the second s	TS-C-S D. Anderson G. Anderson Craib
NTP DATE./CU ORIGINAL CO REVISED CON PENDING SCH	NTRACT AWARD DATE JERRENT CONTRACT AN NTRACT COMPLETION I TRACT COMPLETION I EDULED COMPLETION EER'S ESTIMATED SUBS	MOUNT: Mods DATE/ORIGINA DATE/REVISED DATE/PENDING	DURATION: G TIME EXTENSIONS:	25-Jan-08 17-Jul-08 12-Jul-09 12-Jul-09 20-Sep-09 30-Jun-09	725,845.54 725,845.54 360 360 70
B. C.	ROGRESS Present Earnings as of Pa Estimated Earnings thru of Value of work Performed ATED PROGRESS (A+B-	end of reporting poly			67,926.98 0.00 0.00 67,926.98
D. E. F.	ATED FINAL CONTRAC Current Contract Amount Current Value of Overrur Directed, Pending Modifi ATED FINAL CONTRAC	thru Mod. ns/Underruns (+/-) cations			725,845.54 25,000.00 0.00 750,845.54
FUNDS OBLIG	ATED FOR PAYMENT: t	hru Modification	None		725,845.54
ACTUAL PERC	CENT COMPLETE (A+B+	C)/(D+E+F)			9.05%
SCHEDULED P	ERCENT COMPLETE (p	er NAS or Progre	ss Chart)		12.00%
TOTAL EARNI	NGS AT THE END OF FY	708			0.00
0.00 0.00 0.00 0.00 65,000.00	Funds Available Oct 725,845.54 Nov 725,845.54 Dec 725,845.54 Jan 660,845.54	Earnings 50,000.00 250,000.00 225,000.00 75,000.00	Funds Available Feb 610,845.54 Mar 360,845.54 Apr 135,845.54 May 60,845.54	Earnings 60,845.54 0.00 0.00 0.00	Funds Available Jun 0.00 Jul 0.00 Aug 0.00 Sep 0.00
H. Initial Projection	tion of Total Fiscal Year Earn on of Fiscal Year Earnings (Fr of Initial Earnings Projection	rom First Progress I		725,845.54 725,845.54 0.00	
ACCRUALS TH	IIS MONTH LINE ITEM	WORK ITEM	CURRENT ACCRUAL	THIS MONTH ACCRUAL	TOTAL ACCRUAL
FEDERAL NON-FED	0001 0001A	00229B 00229C	0.00 0.00 0.00	46,500.00 3,500.00 50,000.00	46,500.00 3,500.00 50,000.00
PROJECT STAT	US/MAJOR ISSUES:				

Preconstruction Meeting held 11 JUN 2008.

NTP acknowledged on 17 JUL 2008.

South Kennedy SW Pump No. 3 tested 11 NOV 2008. Results appear favorable.

Removed South Kennedy SW Pump 2 - Currently being Rebuilt.

Fabrication of Walnut Avenue Pump No. 6 in Progress.

SS001 Pending Change - \$15,000.00 and 10 week time extension proposed for add'l pump rehab for So Kennedy No. 2.

CONTRACT N	IO.:	W912P6-08-C-0016		CONTRA	ACT TYPE:	Con	struction			-C-S derson
CONTRACTO	R:	Theineman Construction				001	on action			rahim
DESCRIPTION	<b>1</b> :	PUMP STATION 2A F								raib
									IC.C	iaio
ORIGINAL CO	NTRAC	T AWARD DATE/AMOU	INT:				26-Jun-08		1 64	4,000.00
NTP DATE/CU	URRENT	CONTRACT AMOUNT:	Mods		None		15-Jul-08		1,01	0.0
ORIGINAL CO	NTRAC	T COMPLETION DATE/O	ORIGINAL DURAT	ION:			22-Jun-09			340
		COMPLETION DATE/RI					7-Aug-09			40
PENDING SCH	IEDULE	D COMPLETION DATE/	PENDING TIME EX	CTENSIC	NS:		7-Aug-09			(
		TIMATED SUBSTANTIA					31-Oct-09			,
ESTIMATED P										
		arnings as of Pay Est. No.			3				116	5,723.91
		Earnings thru end of repo		1					120	0,000.00
		work Performed on Directe	ed Mods (Earnings n	ot paid fo	or)					0.00
TOTAL ESTIM	IATED P	ROGRESS (A+B+C)							236	5,723.91
TOTAL PETIM	ATEDE	INAL CONTRACT AMO								
		ontract Amount thru Mod.								
					None				1,644	00.000,1
		alue of Overruns/Underrun	ns (+/-)							0.00
		Pending Modifications	INTER ON LEVE							0.00
TOTAL ESTIM	AIEDF	INAL CONTRACT AMO	UNI (D+E+F)						1,644	00.00
FUNDS OBLIG	ATED F	OR PAYMENT: thru Mod	ification		None				1,644	,000.00
ACTUAL PERO	CENT CO	MPLETE (A+B+C)/(D+E	+F)							7.10%
SCHEDULED I	PERCEN	T COMPLETE (per NAS o	or Progress Chart)							0.00%
TOTAL EARNI	NGS AT	THE END OF FY08							12	,208.00
Earnings		Funds Available	Earnings		Funds Av	ailabla	Earnings		Funds A	المالية
0.00	Oct	1,631,792.00	0.00	Feb	1.527.27		100,000.00	Jun	707,2	
0.00	Nov	1,631,792.00	120,000.00	Mar	1.407.27		69,000.00	Jul	638.2	
73,272.00	Dec	1,558,520.00	300,000.00	Apr	1.107.27		200,000.00	Aug		
31,243.91	Jan	1,527,276.09	300,000.00	May	807,276		29,520.00	Sep	408,75	
G. Current Projec	tion of To	al Fiscal Year Earnings					1.631.792.00	)		
H. Initial Projection	on of Fisca	l Year Earnings (From First I	rogress Report This F	Y)			1,629,000.00	)		
I. Amount Ahead	of Initial I	Earnings Projection (Negative	Indicates Behind) (G-	H)			2,792.00	-		
ACCRUALS TH	IIS MON	TH			CURREN	T	THIS MONT	н	TOTAL	
		LINE ITEM	WORK ITEM	I	ACCRUA		ACCRUAL		ACCRU	AL.
		0001	1C94LF				\$ -			
FEDERAL		0001	1034L1		S	-	3 .		S	

#### PROJECT STATUS/MAJOR ISSUES

The contractor continues to submit technical submittals and is setup for temporary pumping so that he can take out the first set of pumps by the end of Dec 08. The contractor was issued a letter of concern for lack of progress. A meeting was held on 18 Dec to discuss his plan to complete work by the current contract completion date. He submitted a new schedule shown that he can. The schedule is tight, but it's possible. He is aware and the government will continue to watch.

CONTRACT NO.: CONTRACTOR: DESCRIPTION:	W912P6-08-C-002 Garner Services, LI Little Calumet Rive	C		PE: Construction		TS-C-S D. Anderson M.Ibrahim R. Craib
ORIGINAL CONTR NTP DATE./CURRI ORIGINAL CONTR REVISED CONTRA PENDING SCHEDU AREA ENGINEER'S	ENT CONTRACT AN ACT COMPLETION CT COMPLETION JLED COMPLETION S ESTIMATED SUB	MOUNT: Mods N DATE/ORIGIN DATE/REVISED N DATE/PENDIN	DURATION: G TIME EXTENS	30-Sep-08 20-Oct-08 13-Apr-10 20-Oct-08 20-Oct-08 30-Jun-08		18,903,380.00 18,903,380.00 540
B. Esti	sent Earnings as of Pa mated Earnings thru ue of work Performed	end of reporting p		d for)		350,924.00 75,000.00 0.00 425,924.00
E. Cur	rent Contract Amoun rent Value of Overrus ected, Pending Modif	t thru Mod. ns/Underruns (+/- ications			ļ	18,903,380.00 0.00 -11,800.00 18,891,580.00
FUNDS OBLIGATE ACTUAL PERCENT			P00003			2,500,000.00 2.25%
SCHEDULED PERC			0.00%			
TOTAL EARNINGS	AT THE END OF F	Y08				0.00
Earnings  0.00 Oct  350,924.00 Nov  0.00 Dec  0.00 Jan	2,149,076.00 2,149,076.00	Earnings 75,000.00 250,000.00 250,000.00 1,200,000.00	Funds Availl Feb 2,074,076. Mar 1,824,076. Apr 1,574,076.0 May 374,076.0	750,000.00 00 1,000,000.0 00 1,500,000.0	0 Jul 0 Aug	Funds Available -375,924.00 -1,375,924.00 -2,875,924.00 -3,875,924.00
G. Current Projection of H. Initial Projection of I. Amount Ahead of Ini	Fiscal Year Earnings (F	rom First Progress I		6,375,924 5,125,000 1,250,924	.00	
ACCRUALS THIS M	IONTH LINE ITEM	WORK ITEM	CURRENT	THIS MONT		TOTAL ACCRUAL
FEDERAL NON-FEDERAL	0001 0002			0.00 69,750. 0.00 5,250.	00	69,750.00 5,250.00

#### Contract Awarded 30 September 2008

- NTP acknowledged on 20 October 2008.
- Contractor is currently submitting pre-construction submittals.
- Modification P00003 was issued. This modification adds \$1.5M to the obligated amount making it \$2.5M.



6100 Southport Road Portage, Indiana 46368

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

DAN DERNULC, Chairman Governor's Appointment

WILLIAM BAKER, Vice-Chairman Governor's Appointment

R. KENT GURLEY, Treasurer Lake County Commissioners' Appointment

MARK GORDISH, Secretary Mayor of Hammond's Appointment

WILLIAM BILLER Governor's Appointment

ARLENE COLVIN Mayor of Gary's Appointment

RON McAHRON Dept. of Natural Resources' Appointment

JOHN MROCZKOWSKI Governor's Appointment

VACANCY Governor's Appointment

VACANCY Governor's Appointment

VACANCY Porter County Commissioners' Appointment

VACANCY Executive Director

LOU CASALE Attorney March 4, 2009

Mr. Dave Woodsmall MARATHON PIPELINE LLC 3106 Kickbush Drive Valparaiso, Indiana 46385

Dear Mr. Woodsmall:

This letter is to acknowledge your request for an increase cost from \$210,000 to \$330,000 (an increase of \$120,000) for the pipeline corridor on the NSSR right-of-way in Highland, and Hammond, IN. We will use this revised estimate as a basis for review and reimbursement of final invoices when they are received, once work is completed.

As per our signed agreement dated April 24, 2008 with Marathon Pipeline LLC, we are meeting our obligation to send you a letter of authorization whereby you may start this work immediately upon receipt of this letter (Section IV). If you have any concern about your ability to proceed under this contract, please contact me at 219-972-4521 or dd2927@sbcglobal.net.

Sincerely,

Daniel Dernulc Chairman Little Calumet River Basin Development Commission

/sjm

cc: Ryan Bandy, Farnsworth Group
LCRBDC members
Lou Casale, LCRBDC attorney
Jim Pokrajac, Agent, Engineering
Imad Samara, Sheldon Edd, USACE



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

March 4, 2009

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VACANCY Governor's Appointment

VACANCY Governor's Appointment

VACANCY
Porter County Commissioners'
Appointment

VACANCY Executive Director

LOU CASALE

Mr. Fred Hipshear WOLVERINE PIPELINE CO. 8075 Creekside Drive Suite 210 Portage, Michigan 49024

Dear Mr. Hipshear:

This letter is to acknowledge your request for an increase cost from \$102,200 to \$221,600 (an increase of \$119,400) for the pipeline corridor on the NIPSCO right-of-way in Highland, and Hammond, IN. We will use this revised estimate as a basis for review and reimbursement of final invoices when they are received, once work is completed.

As per our signed agreement dated June 23, 2008 with Wolverine Pipeline Company, we are meeting our obligation to send you a letter of authorization whereby you may start this work immediately upon receipt of this letter (Section IV). If you have any concern about your ability to proceed under this contract, please contact me at 219-972-4521 or dd2927@sbcglobal.net.

Sincerely,

Daniel Dernulc Chairman Little Calumet River Basin Development Commission

/sjm

cc: LCRBDC members
Lou Casale, LCRBDC attorney
Jim Pokrajac, Agent, Engineering

Imad Samara, Sheldon Edd, USACE



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March 4, 2009

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VACANCY Governor's Appointment

VACANCY Governor's Appointment

VACANCY Porter County Commissioners' Appointment

VACANCY Executive Director

LOU CASALE Attorney

Ms. Marcie Foster BP PIPELINES INC. 28100 Torch Pkwy, Suite 600 Warrenville, Illinois 60555

Dear Ms. Foster:

This letter is to acknowledge your request for an increase cost from \$239,335 to \$602,775 (an increase of \$363,440) for the pipeline corridor on the NIPSCO right-of-way in Highland, and Hammond, IN. We will use this revised estimate as a basis for review and reimbursement of final invoices when they are received, once work is completed.

As per our signed agreement dated May 19, 2008 with BP PIPELINES (NORTH AMERICA) INC. we are meeting our obligation to send you a letter of authorization whereby you may start this work immediately upon receipt of this letter (Section IV). If you have any concern about your ability to proceed under this contract, please contact me at 219-972-4521 or dd2927@sbcglobal.net.

Sincerely,

Daniel Dernulc Chairman Little Calumet River Basin Development Commission

/sjm

cc: Phil Dittman, BP Pipelines
LCRBDC members
Lou Casale, LCRBDC attorney
Jim Pokrajac, Agent, Engineering
Imad Samara, Sheldon Edd, USACE



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VACANCY Governor's Appointment

VACANCY Governor's Appointment

VACANCY Porter County Commissioners' Appointment

VACANCY Executive Director

LOU CASALE Attorney The Honorable Mitch Daniels Governor, State of Indiana Office of the Governor 200 W. Washington St., Rm. 206

Re: Civilian request to agency for independent peer review of flood control project

Dear Governor Daniels:

Indianapolis, IN 46204

I am the Chairman of the Little Calumet River Basin Development Commission (the "Commission"), an Indiana state agency established under Indiana Code § 14-13-2-1, et seq, for the purpose of conducting flood control and other ancillary activities in land adjacent to the Little Calumet River in Indiana. The Commission is specifically authorized and empowered to exercise the power of eminent domain to acquire land for said purposes.

In accordance with the purpose for which it was established, the Commission entered into a Local Cooperation Agreement with the United States Army Corps of Engineers ("USACE") on August 16, 1990, which agreement established the parameters of the Little Calumet River Basin project (the "Project"). Since that time, the Project has proceeded pursuant to the agreed plans developed in cooperation by the Corps and the Commission and is nearing completion.

In early February, 2009, the Commission received a request in the form of two letters written by a private citizen, Mr. Michael Zarantonello. Mr. Zarantonello requested independent peer review of a portion of the Project along Southmoor Road in Hammond, Indiana. Mr. Zarantonello specifically cited Section 2034 of the Water Resources Development of 2007 in making his request. Copies of the letters are enclosed herein for your reference.

The Commission is referring Mr. Zarantonello's request to Lieutenant General Robert L. Antwerp, Jr., the Chief of Engineers of the USACE. Pursuant to Section 2034(a)(3)(A)(ii) of the Water Resources Development Act of 2007, as Governor, you may request independent peer review of the Project. Such request would be made to General Antwerp. If you have any questions or need additional information, please contact me.

Sincerely,

Daniel Dernulc Chairman



6100 Southport Road Portage, Indiana 46368

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

March 4, 2009

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VACANCY
Porter County Commissioners'
Appointment

VACANCY Executive Director

LOU CASALE Attorney

Lieutenant General Robert L. Antwerp, Jr. Chief of Engineers Headquarters, US Army Corps of Engineers 441 G. Street, NW Washington, DC 20314-1000

Re: Civilian request to agency for independent peer review of flood control project

Dear General Antwerp:

I am the Chairman of the Little Calumet River Basin Development Commission (the "Commission"), an Indiana state agency established under Indiana Code § 14-13-2-1, et seq, for the purpose of conducting flood control and other ancillary activities in land adjacent to the Little Calumet River in Indiana. The Commission is specifically authorized and empowered to exercise the power of eminent domain to acquire land for said purposes.

In accordance with the purpose for which it was established, the Commission entered into a Local Cooperation Agreement with the Corps on August 16, 1990, which agreement established the parameters of the Little Calumet River Basin project (the "Project"). Since that time, the Project has proceeded pursuant to the agreed plans developed in cooperation by the Corps and the Commission and is nearing completion.

In early February, 2009, the Commission received a request in the form of two letters written by a private citizen, Mr. Michael Zarantonello. Mr. Zarantonello requested independent peer review of a portion of the Project along Southmoor Road in Hammond, Indiana. Mr. Zarantonello specifically cited Section 2034 of the Water Resources Development of 2007 in making his request. Copies of the letters are enclosed herein for your reference.

The Commission now refers this request to you for your determination if independent peer review of the Project is necessary under the Water Resources Development Act of 2007. If you have any questions or need additional information, please contact me.

Sincerely,

Daniel Dernulc Chairman F1 7

Mr. Leigh Morris, Chariman Northwest Indiana Regional Development Authority 9800 Connecticut Drive Crown Point, IN 46307

Dear Chairman Morris:

The Little Calumet River Basin Development Commission wants to sincerely thank the RDA for the December 31, check in the amount of \$1,701,742. Those funds made it possible for the Commission to meet our FY 2009 Federal Escrow obligations on February 4<sup>th</sup> the Commission was able to provide the US Army Corps of Engineers the right of entry documentation necessary to enable the Corps to initiate the bid process for construction of Stage VII of the flood control project. Stage VII involved 46 property easements and 8 separate utility agreements. Without the RDA funding these prerequisite steps to actual levee construction would not have been possible.

Moreover the Commission has now obtained all right of entry agreements necessary for Stage VIII except for a contested section in South Hammond and soon the Corps will be able to bid this final section of the project. Note that Stage VIII extends from Northcote to Columbia and Stage VIII picks up at Columbia and continues essentially to the State Line. This area of severe flooding last fall will soon welcome construction on the new levee system. Again thanks for your help in making this possible.

We offer the following in response to the requests in your December 31, 2008 transmittal letter:

- 1. The RDA is requiring assurance that these funds are being used for the purposes outlined in Exhibit A of the grant request dated April 18, 2008.
  - a. Attached please find Exhibit 1 which includes copies of our request with itemized projected expenditures and our account tracking for

the project. Out of the \$3,082, 742 received to date from the RDA, \$1,986,500 has been directly given to the Corps as the 7% project cost share consistent with the intent if not the amounts and timing specified in Exhibit A of the April 18, 2008 grant request. The remaining funds are being spent in accordance with the Budget Request included in our December 19, 2008 letter to Tim Sanders (Exhibit 2) we have also included a copy of the cost center tracking summary that categorizes each expenditure. These expenditures are consistent with the categories identified in Exhibit A although amounts and timeframes have changed with the evolution of the project. Please note that there are items included in our December 19, 2008 request that are outside of the categories identified in Exhibit A, most notably in the area of Operation and Maintenance and liability insurance coverage. The O&M items are essential to the integrity of the system and the liability insurance coverage is both good business and a Corps requirement. We ask that you allow these expenditures in these areas in accordance with our December request. We will provide itemized expenditures in these areas in subsequent reports.

- 2. A repayment schedule with sources of funds and a time frame for the repayment of this RDA loan.
  - a. As you recall the terms of the original loan required a good faith effort to have the loan repaid from subsequent general fund budget appropriations. This was reiterated in the September 24, 2007 letter from Governor Daniels and Congressman Visclosky (Exhibit 4) committing the Commission to work with legislators to repay these funds through state appropriations in the biennial state budget over the next several years. For a variety of reasons this year's state budget will be lean and we are a long way from knowing how much will be allotted to the Commission. We are rightly focused on doing everything necessary to see that the levee system is completed as

expeditiously as possible and maintaining those sections that have been completed. We also intend to begin the repayment process out of this biennial budget and to vigorously seek the balance of the repayment in future biennial budgets.

- 3. A final cost, to the best of your knowledge, for the completion of this project.
  - a. In our request letter dated December 19, 2008 we indicated that a project budget was being developed. Attached please find a copy of the "Overall Operations Cost Projections through Year 2012" (Exhibit 5) which reflects a cost to the LCRBDC of \$13,591,344 to complete all segments of the levee project.
- 4. A timeline, to the best of your knowledge, for completion of this project.
  - a. Exhibit 6 contains the most recent timeline from the Corps. The contracting process for the penultimate phase of the project, Stage 7. The Corps projects 500 days for the work which would make a fall 2010 completion date for Stage VII. Stage VIII should be ready to bid in April 2009 and the Corps projects a 750 day contract period for this phase which would result in project completion in mid 2011. We will work with the Corps in an attempt to accelerate project completion. The LCRBDC is responsible for rework on a section of levee in Griffith and another section of levee in Hammond west of Hohman Avenue (Forest Avenue Levee); it is our intent to have those projects completed by the fall of 2010.

I would be remiss if I did not alert you that as we keep pressing forward with the project we are making commitments for expenditures that may require further draws on the initial \$6 million dollar line of credit, or even an amount beyond the \$6 million. As you know monies from the biennial budget would not be available for the project until after July 1, and we may have needs to provide funding to keep construction going until those funds become available. Any funds that we

seek from you for that purpose would be sought from the State Budget Committee at their first meeting for immediate repayment.

We are excited about the progress we are making to complete the LCRBDC actions necessary to allow completion of this project. Thank you again for your assistance, past and future, and please do not hesitate to contact me with any questions you may have.

Sincerely,

Dan Dernulc, Chairman

Enc.

Open on the distribution

Governor?

Pete?

Corps?

## LEGISLATIVE SERVICES AGENCY OFFICE OF FISCAL AND MANAGEMENT ANALYSIS

200 W. Washington, Suite 301 Indianapolis, IN 46204 (317) 233-0696 http://www.in.gov/legislative

#### FISCAL IMPACT STATEMENT

LS 6569 NOTE PREPARED: Feb 25, 2009
BILL NUMBER: HB 1716 BILL AMENDED: Feb 23, 2009

SUBJECT: Little Calumet River Basin Development Commission.

FIRST AUTHOR: Rep. Soliday BILL STATUS: As Passed House

FIRST SPONSOR: Sen. Charbonneau

FUNDS AFFECTED: X GENERAL IMPACT: State & Local

DEDICATED FEDERAL

<u>Summary of Legislation</u>: (Amended) *Commission Membership*. This bill changes the membership of and the qualifications for membership on the Little Calumet River Basin Development Commission. The bill requires record keeping and audits of the Commission's accounts. It requires the Commission to prepare reports annually, or more frequently as required by the Governor. It also staggers the initial terms of the members and makes conforming changes.

Maintaining Levees. The bill requires the Commission to provide or provide for the training and instruction of persons who are responsible for maintaining levees or other improvements related to flood control.

Effective Date: June 1, 2009; July 1, 2009.

Explanation of State Expenditures: Commission Membership. The bill reduces the membership of the Commission from 11 to 5. This provision will reduce per diem and traveling expenses associated with Commission meetings. The Commission meets monthly, and 10 members, who are local, receive \$50 per meeting. (One state employee is not reimbursed.) Total commission costs are estimated at \$6,000. Reducing membership by 6 could reduce costs by \$3,600.

Expenses of the Commission are paid from state General Fund appropriations. For the FY 2007-2009 biennium, the Commission was appropriated \$2 M for repair and rehabilitation.

Commission Reporting. Each year, the commission must report the commission's activities to the Governor and the Legislative Council. The Governor may require the commission to issue reports more frequently. These provisions will increase administrative expenses for the commission.

HB 1716+

(Revised) Maintaining Levees. The bill requires the Commission to provide or provide for the training and instruction of persons who are responsible for maintaining levees or other improvements related to flood control. The bill contains no appropriations. As indicated above, expenses of the Commission are paid from state General Fund appropriations. For the FY 2007-2009 biennium, the Commission was appropriated \$2 M for repair and rehabilitation.

State Board of Accounts (SBA): The SBA must prescribe the methods and forms for record keeping and annually audit the accounts, records, and books of the commission and fund. The provision will increase administrative expenses for the SBA. However, the SBA should be able to accomplish these tasks given its existing level of resources. The SBA reverted \$463,000 in FY 2008.

#### **Explanation of State Revenues:**

<u>Explanation of Local Expenditures:</u> Commission Membership The bill provides that members may not be employees or elected officials of a city, town, or county governmental unit. Therefore, there should be no local expenses related to membership of the commission.

(Revised) *Maintaining Levees*. The bill provides no appropriation to provide funding that may or may not be needed to provide the required training.

Preliminary information of an audit on the commission indicated that expenditures through July of the state's latest \$2 M appropriation indicated that nearly \$1.7 M was spent on real estate acquisition, utility relocation, railroad negotiations, and capital costs.

The commission receives other funding. In addition to state appropriations, the Indiana Economic Development Commission provided \$6 M for development of a project to Northcote Avenue. The Regional Development Commission made a \$6 M loan available. The commission must submit claims for reimbursement.

#### **Explanation of Local Revenues:**

State Agencies Affected: SBA.

<u>Local Agencies Affected:</u> Little Calumet River Basin Development Commission.

<u>Information Sources:</u> Ron McAhron, Deputy Director, Department of Natural Resources; SBA; NWI.com, http://www.ask.com/bar?q=little+calumet+river+basin+development+commission&page=1&qsrc=0&zoom=&ab=1&u=http%3A%2F%2Fnwi.com%2Farticles%2F2008%2F09%2F25%2Fnews%2Ftop\_news%2Fdoc206485072a932f64862574cf00029fa1.txt.

Fiscal Analyst: Bernadette Bartlett, 317-232-9586.

HB 1716+ 2



#### DEPARTMENT OF THE ARMY

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

March 11, 2009

Programming and Project Management Branch

Mr. Dan Dernulc Chairman Little Calumet River Basin Development Commission 6100 Southport Road Portage, Indiana 46368

#### Dear Mr. Dernulc:

As indicated in my January 5, 2009 letter, I am requesting additional Non-Federal Matching funds since additional Federal funds have been allocated in the FY 09 Omnibus Bill. The president today signed the FY09 Omnibus Appropriations Bill which includes \$16,000,000 additional Federal funds for FY09.

At this time I am requesting that the Little Calumet River Basin Development Commission provide the additional local cash contribution of \$1,204,000 for the Little Calumet River Flood Protection and Recreation Project in accordance with Articles II and VI of the Local Cooperation Agreement (LCA) executed on August 16, 1990. Please deposit the funds into the established escrow account (Number 7500-0244-4747) as specified in Article VI.6.2 of the LCA

The requested cash contribution represents the Commission's obligation of the 7 percent of the project costs estimated to be incurred through the end of the Federal Government Fiscal Year (FY) 2009 ending on September 30, 2009. FY 2009 began on October 1, 2008.

If you have any questions, please contact me at 312-846-5560.

Imad N. Samara

Project Manager

#### Jim Pokrajac

From:

Samara, Imad LRC [Imad.Samara@usace.army.mil]

Sent:

Monday, February 23, 2009 2:18 PM McAhron, Ron; Daniel E Dernulc

To: Cc:

Sandy Mordus; Jim Pokrajac

Subject:

Little Calumet River, Southmoor Road Levee, Burke Engineering Findings



Southmoor\_CBBEL0 001.pdf (127 K...

I'm not sure if you have received this but here is Christopher Burke Engineering evaluation of USACE Floodwall design for the southmoor area. This was done for the City of Hammond.

Imad N Samara
Project Manager
USACE, Chicago District
Chicago, IL 60606
(W) 312-846-5560
(F) 312-353-4256
(Cell) 312-860-0123
----Original Message-----

-----Original Message----

From: Imad Samara [mailto:isamara58@yahoo.com]

Sent: Monday, February 23, 2009 2:11 PM

To: Samara, Imad LRC

Subject:

Imad Samara
Homer Glen, IL 60491
312-860-0123



#### 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

February 18, 2009

William Joseph O'Connor President, Corporation Counsel Board of Public Works and Safety Hammond City Hall 5925 Calumet Ave. Hammond, IN 46320

Subject:

Southmoor Road Levee Segment

Dear Mr. O'Connor:

At the request of the City of Hammond engineering department, Christopher B. Burke Engineering, Ltd. (CBBEL) has investigated the issues that have arisen regarding the segment of the Little Calumet River Flood Control/Recreation Project in the vicinity of Southmoor Road. It is our understanding that a number of homeowners in this area have voiced opposition to the segment of the project that is proposed to be constructed across their property. The opposition centers on the fact that some of the properties have been able to obtain Letters of Map Amendments (LOMA's) based on additional technical data such as a detailed survey that demonstrates the property was incorrectly included in the designated Special Flood Hazard Area (SFHA). The homeowners have apparently argued that since their properties are above the Base Flood Elevation (BFE) or the 100-year flood elevation as it is commonly referred to as, the floodwall through their properties is not necessary to maintain the necessary flood protection of the overall levee system.

As you may be aware, the Little Calumet River Flood Control/Recreation Project was designed by the U.S. Army Corps of Engineers (Corps) to provide a 200-year level of flood protection for the areas prone to riverine flooding from the Little Calumet River. This design level is consistent with efforts currently underway nationally to mandate a minimum of 200-year (0.5% annual exceedence chance) level of protection for levees protecting densely populated areas, such as the area being protected by the Little Calumet River Levee System. In keeping with current national standards for levee design, the Corps' design includes an allotment for levee/floodwall freeboard above the established 200-year flood elevation to account for inherent uncertainties in the determination of that flood elevation.

The City of Hammond has indicated that one of their primary goals for the levee system is to obtain a Letter of Map Revision (LOMR) that would officially rezone most of the properties along the Little Calumet River from the high risk SFHA they are currently in to a moderate risk flood zone. To obtain a LOMR for these areas, the Federal Emergency Management Agency (FEMA) requires that the levee system provide a continuous line of protection up to the 100-year BFE plus an additional measure of freeboard which may range from 3 to 4 feet. Refer to the enclosure for the Corps' plan and profile of the Southmoor levee segment with our annotation in red of the 100-year and 200-year flood elevations.

After reviewing the data provided to us, including design plans and specifications from the Corps, CBBEL has determined that the entire floodwall through the Southmoor Road area is necessary to provide both the 200-year level of flood protection that the project has been designed for as well as the 100-year level of protection necessary to obtain a LOMR from FEMA. The properties that have received LOMA's along Southmoor Road appear to be above the BFE but they do not necessarily provide the necessary freeboard. While some of the homes are situated on ground high enough to provide the needed freeboard for 100-year level of protection, this high ground exists only in the immediate vicinity of the homes and not along the designed alignment of the floodwall. Using this high ground would require revising the alignment of the floodwall by tying the wall into the existing high ground and would significantly encroach on one of the houses near station 4+50. This change would reduce the protection level of the overall levee system to only a 100-year level of protection, at best, and would also render the project inconsistent with the Corp's goals and certification criteria of providing 200vear level of protection. Although the 100-year level of protection is acceptable for LOMR purposes, it is widely believed among leading floodplain management experts that such level of protection is not adequate or prudent for a heavily populated area such as this. In addition, having this high area with houses on top of it as part of the "levee system" could pose future vulnerabilities to the entire levee system as residents may inadvertently create potential levee breach paths through landscape activities and drainage improvements. We acknowledge that an alternative floodwall alignment may be possible to accommodate the residents in this area. However, it is likely that any such re-alignment would require extensive closure structures that would introduce additional undesirable vulnerability to the overall levee system.

If you have any questions regarding our findings or recommendations, please contact me at (317) 266-8000. We thank you for the opportunity to work with you on this very important project.

Sincerely

Brian W. McKenna, P.E., CFM Water Resources Engineer

CC: Stan Dostatni, City of Hammond Mark Gordish, City of Hammond

Joel Schmidt, US Army Corps of Engineers

Siavash Beik, CBBEL David Haas, CBBEL

Enclosure

BWM

Letter\_Hammond\_Soutmoor\_20090218.doc



6100 Southport Road Portage, Indiana 46368

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

March 4, 2009

DAN DERNULC, Chairman Governor's Appointment

WILLIAM BAKER, Vice-Chairman Governor's Appointment

R. KENT GURLEY, Treasurer Lake County Commissioners' Appointment

MARK GORDISH, Secretary Mayor of Hammond's Appointment

WILLIAM BILLER Governor's Appointment

ARLENE COLVIN Mayor of Gary's Appointment

RON McAHRON Dept. of Natural Resources' Appointment

JOHN MROCZKOWSKI Governor's Appointment

VACANCY Governor's Appointment

VACANCY Governor's Appointment

VACANCY
Porter County Commissioners'
Appointment

VACANCY Executive Director

LOU CASALE Attorney Mr. Don Samala BUCKEYE PARTNERS 9999 Hamilton Blvd. Tek #5 Breinigsville PA 18031

Dear Mr. Samala:

This letter is to acknowledge your request for an increase cost from \$441,668 to \$667,000 (an increase of \$225,332) for the pipeline corridor on the NIPSCO right-of-way in Highland, and Hammond, IN. We will use this revised estimate as a basis for review and reimbursement of final invoices when they are received, once work is completed.

As per our signed agreement dated April 3, 2008 with Buckeye Partners, we are meeting our obligation to send you a letter of authorization whereby you may start this work immediately upon receipt of this letter (Section IV). If you have any concern about your ability to proceed under this contract, please contact me at 219-972-4521 or dd2927@sbcglobal.net.

Sincerely,

Daniel Dernulc Chairman Little Calumet River Basin Development Commission

/sjm cc:

Brad Bonner, Buckeye Al Kosier, Buckeye LCRBDC members Lou Casale, LCRBDC attorney Jim Pokrajac, Agent, Engineering Imad Samara, Sheldon Edd, USACE

#### Sandy Mordus

From: McAhron, Ron [rmcahron@dnr.IN.gov]

Sent: Wednesday, March 18, 2009 7:28 AM

To: Arlene Colvin; biller6625@comcast.net; castleridge@sbcglobal.net; dd2927@sbcglobal.net;

gordishm@sbcglobal.net; GurleyRK@teng.com; Rudy Sutton

Cc: Sandy Mordus
Subject: Latest Draft

All:

I can't make it tonight but here is the draft that I sent to the RDA for their Board meeting. I understand they found it acceptable although I do not have details. This came up in a hurry and after we talked down here we decided that we should delay asking for any more money from the RDA until we saw how things were developing regarding a long term solution to our money needs, how our cash flow is going versus budget, and to give the the new Executive Director of RDA a chance to get started and so on. Perhaps most important, the RDA asked specific questions and we need to answer them and show how we are doing before we stick our hand out again. I am the one that got ahead of the task at hand so I apologize for taking you on the side trip.

I do hope we can keep our responses tied closely to the agreement and the original categories identified in the original agreement and reiterated by the letter from the Governor and Congressman. One way that helps us do that and I believe it is the right thing to do anyway is to assign staff salaries and outside contract work including Lou's time to project components. In short Jim's O&M time should be so assigned and is not creditable at this time under the terms of the RDA agreement nor for that matter the Local Cooperation Agreement with the Corps. I do believe we should ask the RDA to allow O&M expenditures as the draft does but ideally should not include them in the current accounting of the distribution of their funds. If that is not possible I do understand that our December request did address O&M expenditures. Conversely Jim's time with the pipeline relocation work is to me creditable to both. If we do not have the specific sheets on current timesheets a good estimate for the purposes of the RDA response would seem appropriate.

I note that the RDA letter to Bill conveying the check and the request for the response we are currently finalizing had no outside distribution list, I would suggest the same for our response. I would not want to run our response out to March 31 if we can avoid it but next week should be fine to get this out.

Thanks Ron Mr. Leigh Morris, Chariman Northwest Indiana Regional Development Authority 9800 Connecticut Drive Crown Point, IN 46307

Dear Chairman Morris:

The Little Calumet River Basin Development Commission wants to sincerely thank the RDA for the December 31, check in the amount of \$1,701,742. Those funds made it possible for the Commission to meet our FY 2009 Federal Escrow obligations. Also on February 4<sup>th</sup> the Commission was able to provide the US Army Corps of Engineers the right of entry documentation necessary to enable the Corps to initiate the bid process for construction of Stage VII (Northcote to Columbia). Stage VII involved 46 property easements and 8 separate utility agreements. Without the RDA funding these prerequisite steps to actual levee construction would not have been possible.

Moreover the Commission has now obtained virtually all right of entry agreements necessary for Stage VIII (Columbia to State Line) and soon the Corps will be able to bid this final section of the project. This area of severe flooding last fall will soon welcome construction on the new levee system. Again thanks for your help in making this possible.

We offer the following in response to the requests in your December 31, 2008 transmittal letter:

- 1. The RDA is requiring assurance that these funds are being used for the purposes outlined in Exhibit A of the grant request dated April 18, 2008.
  - a. Attached please find Exhibit 1 which includes copies of our request with itemized projected expenditures and our account tracking for the project. Out of the \$3,082, 742 received to date from the RDA, \$1,986,500 has been directly given to the Corps to satisfy their requests for 7% escrow requirement for project cost share. These expenditures are consistent with the intent if not the amounts and timing specified in Exhibit A of the April

- 18, 2008 grant request, with the differences attributable to changes in Federal funding levels. The remaining funds are being spent in accordance with the Budget Request included in our December 19, 2008 letter to Tim Sanders (Exhibit 2) we have also included a copy of the cost center tracking summary that categorizes each expenditure. These expenditures are consistent with the categories identified in Exhibit A although amounts and timeframes have changed with the evolution of the project. Please note that there are items included in our December 19, 2008 request that are outside of the categories identified in Exhibit A, most notably in the area of Operation and Maintenance and liability insurance coverage. The O&M items are essential to the integrity of the system and the liability insurance coverage is both good business and a Corps requirement. We ask that you allow these expenditures in these areas in accordance with our December request. We would of course provide itemized expenditures in these areas in subsequent reports.
- 2. A repayment schedule with sources of funds and a time frame for the repayment of this RDA loan.
  - a. As you recall the terms of the original loan required a good faith effort to have the loan repaid from subsequent general fund budget appropriations (Exhibit 3). This was reiterated in the September 24, 2007 letter from Governor Daniels and Congressman Visclosky (Exhibit 4) committing the Commission to work with legislators to repay these funds through state appropriations in the biennial state budget over the next several years. For a variety of reasons this year's state budget will be lean and we are a long way from knowing how much will be allotted to the Commission. We are rightly focused on doing everything necessary to see that the levee system is completed as expeditiously as possible and maintaining those sections that have been completed. We also intend to begin the repayment process out of this biennial budget and to vigorously seek the balance of the repayment in future biennial budgets.
- 3. A final cost, to the best of your knowledge, for the completion of this project.

- a. In our request letter dated December 19, 2008 we indicated that a project budget was being developed. Attached please find a copy of the "Overall Operations Cost Projections through Year 2012" (Exhibit 5) which reflects a cost to the LCRBDC of \$13,516,344 to complete all segments of the levee project.
- 4. A timeline, to the best of your knowledge, for completion of this project.
  - a. Exhibit 6 contains the most recent timeline from the Corps. The contracting process for the penultimate phase of the project, Stage 7 is currently ongoing with contractor selection scheduled for late March. The Corps projects 500 days for the work which would make a fall 2010 completion date for Stage VII. Stage VIII should be ready to bid this Spring and the Corps projects a 750 day contract period for this phase which would result in project completion in mid 2011. We will work with the Corps in an attempt to accelerate project completion. The LCRBDC is responsible for rework on a section of levee in Griffith and another section of levee in Hammond west of Hohman Avenue (Forest Avenue Levee); it is our intent to have those projects completed by the fall of 2010.

In summary, the LCRBDC is making significant progress and pressing forward with their responsibilities in the project. We are excited about the progress we are making can say without equivocation that completion of the project is within reach. Thank you again for your assistance, past and future, and please do not hesitate to contact me with any questions you may have.

Sincerely,

Enc.

# STAGE V - PHASE 2 NSRR and NIPSCO R/W - PIPELINE CORRIDOR

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	Suite 210	<b>)</b>	\$102,200.00	8/7/2007	1/18/2008	3/18/2008	agreement to Wolverine					
	Portage MI 49024						on 6/26/2008					
 	NIPSCO	8"			<del></del>	<del></del>			Anticipate total cost will be less		be less	
- 1	801 E. 86th Avenue	12"	\$204.551.00	8/26/2007	1/3/2008	3/4/2008	Completed	3/20/2008	than agreement because fewer welds			
	Merrillville IN 46410	30"				J	Completed	J,20,2000	will be required			
ſ	BP Pipelines	8"	\$119,667.50				<del> </del>	<u> </u>	Amount in	<u> </u>		
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COST INFORMATION

Total Cost on Existing Agreements \$1,737,333.00

Add'l Amount above Original Agreements \$842,172.00

Total Modified Cost (after Scope of Work Change) \$2,579,505.00

Amount of Money in Cost Projections Add'l Amount Anticipating Incoming Total Amount for V-2

\$1,800,000.00 <u>\$450,000.00</u> \$2,250,000.00