MEETING NOTICE

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

AT 6:00 P.M. WEDNESDAY, APRIL 1, 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

4. Approval of Minutes from March 4, 2009

5. Chairman's Report
   • Work Study Session held March 18
   • Meeting with Colonel Quarles on March 25, 2009
   • Corps letter requesting 7% escrow - $1,204,000
   • Update on Stage VII bid opening

6. Action Required:
   Finance: Approval of claims for March 2009
   Approval of O&M claims for March 2009
   Land Acq: Any Action?
   Land Mgmt: Any Action?
7. Standing Committees:
   A. **Finance Committee** – Treasurer Kent Gurley
      - Financial Status Report for end of February 2009
      - NIRPC invoice for February 2009
      - Corps letter requesting draw from escrow account
   
   B. **Land Acquisition/Land Management Committee** – Arlene Colvin
      Land Acquisition – Arlene Colvin
      - Status of Stage VIII acquisition
        > Letter from town of Munster sent to NICTD regarding easement needed by Commission
      Land Management – Bill Baker
      - Items of Discussion

   C. **Project Engineering Committee** – Kent Gurley
      - Status of Stage V-2 pipeline corridor
      - Update on Stage VII utilities

   D. **Operation & Maintenance** – Jim Pokrajac
      - Chase Street closure installed on March 10 rain event

   E. **Legislative Committee** – Ron McAhron
      - Update on HB 1716 - restructuring of Commission
      - Update on HB 1001 - $9,000,000 appropriation
      - NIRPC Resolution 09-01 supports $13.5 million for Commission

8. Other Issues / New Business

9. Statements to the Board from the Floor

10. Set date for next meeting; adjournment
MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION HELD AT 6:00 P.M. WEDNESDAY, MARCH 4, 2009

Held at
Munster Town Hall,
1005 Ridge Road, Munster, IN

Chairman Dan Dernulc called the meeting to order at 6:00 p.m. Roll call of six (6) Commissioners declared a quorum. Pledge of Allegiance was recited. Chairman Dernulc thanked the visitors for coming and asked them to please sign in.

Development Commissioners:
Rudy Sutton
Dan Dernulc
Arlene Colvin
William Baker
Ron McAhron
Kent Gurley

Visitors:
Bob Griffin – Madison St.
LuAnn Franklin – The Times
Karen Lorenz – Southmoor Rd, Hmd
Jon/Diane Gleason, Munster
Maria/Niall McShane - Munster
Lynne Whelan - USACOE
Vanessa Villarreal - USACOE
Julian Robinson – Calumet Avenue
Bridget Bedefeld - Crestwood
Steve Enger - Munster
John Mullissa - Jefferson
Dean Button – SEH
Irene Behling - Munster
Thomas Hayes – River Drive
James/Kalliope Dedelow - Munster
James Peterman – Lincoln, Munster
John Beckman – Lake Cty Fish & Game
Leon/Alice Kozlowski – Oakwood, Munster
John Mogle – Baring, Munster
Kathy Coleman – Catalpa, Hammond
Robert Farag – Griffith Golf Center
Marc Campagna - Crestwood, Munster
Gail Magsaysay - Oakwood, Munster
Ronnie Smith - Munster
Roy Deda – USACE
Imad Samara - USACE
Paulson’s – Northcote, Munster
Elizabeth Johnson – Congressman’s Office
Dave Nellans – Munster Town Council
Paul/MaryLou Daniels-Castle Dr, Munster

Visitors:
Bill Petrites – Highland
Bob Gauger – White Oak
Patricia Piekarczyk – Munster
Pat Huber – Munster
Ruth Mores – Southmoor Rd, Hmd
Tina Kutkoski – Hmd
Mike Zarantonello – Southmoor Rd, Hmd
Duane Dedelow – Southmoor, Hammond
Steve Caco – River Dr, Munster
Halina Hnatusko – Northcote, Munster
Beatrice Plunard – Howard Ave, Munster
Greg Starrett - Crestwood, Munster
John Harrigan – Northcote, Hmd
Barbara Whitaker - Munster
Bernie Mashura - Monroe, Munster
Don/Rose Taylor - Tapper
Craig/Beatrice Hanusin – Howard Ave
Jayson Reeves – 21st Ave., Gary
David Fehlberg - Tapper
Mike Wood - Munster
Arlene Colvin made a motion to approve the minutes of the February 4 meeting; motion seconded by William Baker; motion passed by a roll call vote of 6-0.

Chairman's Report – Chairman Dan Dernulc introduced Rudolf (Rudy) Sutton, an appointment of the Porter County Commissioners.
• Chairman Dernulc talked about the officers meeting with Colonel Quarles and other Corps representatives on January 28. The meeting was an opportunity for the members to meet the Colonel and learn a little of the history of the flood control project. It is hoped that these meetings will continue on a regular basis.
• A Work Study Session was also held on February 18. Notes from the meeting are contained in the agenda packet.

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. He referred to the unallocated budgeted balance at being $393,013.78. He expressed concern that there are invoice commitments coming in that are not accounted for in the 90-day budget that will have to be addressed. Staff is tracking all line items.
• Mr. Gurley referred to the revised claims payable for the March meeting at a total of $418,626.82 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 $76.14; motion seconded by Arlene Colvin; motion passed with a roll call vote of 6-0.
• Mr. Gurley referred to a proposal for the creation of a web site for the Development Commission. Although the Commission is listed on the Army Corps web site, this would be a separate web site just for the Commission. He tabled the approval of the proposal at this time because there is no funding in place for this type of activity.
• Mr. Gurley referred to Chairman Dernulc for the status report on the RDA response letter. He reported that we are in the process of finalizing the letter; it will be discussed at the Work Study Session in two weeks.
• Land Management Action – Bill Baker referred to the breakdown sheet of farm bids received for about 300 acres of property that is owned by the State of Indiana and controlled by the Development Commission. Mr. Baker made a motion to approve the highest bids received which were:

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<th>Area</th>
<th>Acres</th>
<th>Bidder</th>
<th>Bid Price</th>
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<tr>
<td>#1</td>
<td>140</td>
<td>Plum Grove Farm</td>
<td>$116/acre</td>
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<tr>
<td>#2</td>
<td>86</td>
<td>Tim &amp; Ed Bult</td>
<td>$62/acre</td>
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<tr>
<td>#3</td>
<td>52</td>
<td>Jerry Ewen</td>
<td>$75/acre</td>
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</table>

(Second bid received was for $100/acre)
(Second bid received was for $5/acre)
(Second bid received was for $62/acre)

motion seconded by Kent Gurley; motion passed with a roll call vote of 6-0.
• Mr. Gurley made a motion to approve granting an easement to the IN American Water Company for the construction of a water line on Commission property. He referred to the letter from the Army Corps saying it will be in compliance with Army Corps design and construction recommendations for the flood control project. Motion seconded by Arlene Colvin; motion passed with a roll call vote of 6-0.
Search Committee – Ron McAhron reported that the Commission will table the hiring of an engineering firm. At the time the RFP was sent out, it was considering worthwhile. Since then, it has been reconsidered and given that we are almost done with all acquisition and the Army Corps is responsible for the engineering coordination, construction award, and construction oversight, it does not seem feasible to hire a firm. He added that each staff member has been assigned to a Commission member for reporting. Chairman Dernulc added that it was reported in the paper that the Commission is leaderless. He said that is not true. Each staff member is reporting directly to a Commissioner.

Finance Committee – Treasurer Kent Gurley referred to the Financial Statement for the month ending January 31, 2009. He pointed out that the Statement is about six weeks behind. On the financial sheet, it states that $47,893 if remaining down state. As of today, there is $44,974.60 remaining down state.
• Discussion ensued on the continuing concern for funding to complete the project to the state line. Mr. McAhron asked the USACE if the Commission is currently funded with the Corps for the 7% cost share. Imad Samara replied that, at this point, the Commission is currently funded. However, if the Army Corps receives an additional $16 million of Federal money (they have already received $8 million for this fiscal year), he will be sending a letter to the Commission requesting the 7% cost share for the additional money, which would be about $1.2 million. There would be 60 days to provide that additional funding. That would satisfy the Army Corps’ non-federal share to October 09. Mr. McAhron stated that the cost share does not just fund one construction contract; it is used for all ongoing contracts, design cost, recreation costs, mitigation costs, etc.

Land Acquisition/Land Management Committee – Commissioner Arlene Colvin deferred to attorney Casale for an update on Stage VIII. He reported that we now have either condemnation orders or started easement agreements on all properties east of the east railroad r/w lines westward to Holman Avenue, which includes Southmoor Road in Stage VIII. He has requested the Army Corps to consider advertising Stage VIII with an option for the Southmoor residents and the two railroads (CSX and NICTD). That would give him enough time to complete the easement acquisition of the railroads and Southmoor. Several properties are contested so we will be back in court with them but we have the right to take at this point.

Engineering Committee – Commissioner Kent Gurley reported that he accompanied Jim Pokrajac to inspect some of the construction activities on the V-2 pipeline corridor. Work seems to be progressing. Activities will be accelerating very quickly with the pipeline relocation work. That area is on schedule; we are looking at a completion date by early to mid-April. Once the pipeline work is completed, Dyer Construction can do the sheet piling.
• All utility agreements in Stage VII are signed. The Stage VII BP utility relocation work may start as soon as their work is completed in Stage V-2. Mr. Gurley asked Imad Samara for an update on Stage VII. He replied that it is out for bids, with the bid opening being on March 24. A pre-bid meeting was held on March 3 for interested contractors. The bid award should be by the end of March with the Notice-to-Proceed to the selected contractor by April 15.
• Jim Pokrajac stated that the pump station contracts for 1A, 2B, and 2A are ongoing. It encompasses 9 pump stations. Pump Station 2A should be completed by end of 2009. Pump
Station contracts 1A and 2B have a September 09 completion date. The total of all pump station contracts is over $26 million.  
- Jim Pokrajac stated that he attended a meeting with the Lake County Highway Department on February 27. They will be meeting on an as needed basis to discuss the raising of some of the bridges in Lake County. Preliminary engineering studies have begun to determine estimated costs and design. They will seek funding after the study and report have been completed.  
- Jim Pokrajac referred to the maps in the packet depicting the design overflow sections that have been identified by the Army Corps.

Operation & Maintenance Committee -- Jim Pokrajac informed the Board members that a closure structure exercise on Chase Street took place on February 27. It took one hour and 10 minutes to close off the street; exercise went very well. This is usually the first area that floods in Gary. The exercise was part of the emergency response procedure. Mr. Pokrajac added that the Commission will have an agreement put in place with Dyer Construction to do this closing and the closing at 35th Street in the event of a flooding situation.  
- Jim Pokrajac reported that the five items identified by the Army Corps as part of O&M, have been completed and the procedure for the closure installation is being written and will be the basis for the agreement with the installer. The grounding was replaced at the Burr Street Pump Station and the Marshalltown pump station was reactivated. Megger testing for all six pump stations is ongoing right now. We have met the deadline date of February 27 to have those five items completed. He will forward copies to Mr. Gurley.
- It was also reported that we should be receiving a 75% portion of the total costs incurred as part of emergency response during the September flooding. Staff has been working with FEMA to obtain this reimbursement.

Legislative Committee -- Commissioner Ron McAhron discussed HB1716, the restructuring of the Commission from 11 members to 5 members, all of which will be Governor’s appointments. It did pass out of the House and has been assigned to a Natural Resource Committee today. No hearing date has been identified in the Senate. Mr. McAhron also stated that there is $9 million identified in this year’s biennial budget for the flood control project.  
- One point that Commissioner McAhron wanted to make was that there had been a perception by many residents that the residents who live on Southmoor in Stage VIII were slowing the project down because of the ongoing condemnations. That is not true. He has talked to the Army Corps several times on this and their neighborhood is being treated as an option. Having that area as an option gives us the opportunity to give the right-of-entry to the Corps, they can advertise and start construction, and we will have one year to complete all the legal portion of the condemnations. Having the option does not hold up any construction activities so Mr. McAhron hopes the issue of blame and criticism toward the Southmoor residents can be put to rest.

Other Business -- Mr. McAhron thanked the two ladies from Munster for setting up a neighborhood meeting in Munster to talk about the project. Mr. McAhron and Chairman Dan Dernulc attended and thought it went very well.
Statements from the Floor – Chairman Dan Dernulc asked that statements be kept to a "polite" 3-minute time period. Statements were received from the floor by John Beckman, Mike Wood, John Mogle, Steve Enger, Bob Farag, and Jayson Reeves.

- John Beckman represented the Lake County Fish & Game Protective Assoc. He distributed a resolution declaring that the Association endorses using open lands for water storage capacity in flood events. Resolution is attached hereto as Exhibit A.
- Mike Wood commented that, considering we do not have an overseeing firm in place, the only reason the Commission has moved forward quickly is because of the pressure from the Munster residents. Commissioner McAhron replied that a management firm does not make sense at this point in time. We do not have a construction management role; only the Army Corps does. It would not be financially wise to hire an engineering firm now.
- John Mogle from Munster inquired about closure structures and the Lake County Highway Dept. considering raising of some of bridges. Jim Pokrajac informed him that the five bridges that are currently being looked at are the Northcote bridge, Kennedy Avenue bridge, and three bridges in Gary by Harrison, Calhoun, and Clark roads. They are doing a feasibility study now; a report will be forthcoming. Ron McAhron added that FEMA is presently doing remapping of Lake County where flood zones will be re-defined. Because the project is not completed yet, only minor remapping will be done in the project area. When the project construction is finished, there will be a map revision. If you are part of the project area, flood insurance rates will be re-evaluated. There will be a series of public meetings.
- Steve Enger – He and other engineering residents have formed the Wicker Park Neighborhood Association. He thanked the Congressman’s Office for setting up a meeting with them and the Army Corps where technical information was shared and a better understanding of the flood protection plan was shared. He said the Association is available to meet with the Commission if they can assist in any way.
- Bob Farag, owner of Griffith golf course, reiterated his dismay in working with the Commission over the years in trying to come to a suitable conclusion of what to do with his property. He was disappointed that, once we started working with him, the priority shifted and the Commission was only focusing on Stage VII and Stage VIII. After 20 years, Commissioner Ron McAhron was the only Commissioner who actually came out and met him on the property. Chairman Dernulc added that the Commission is moving in a productive direction and will continue to do so. They hope to work something out with Mr. Farag. Mr. McAhron added that he was glad to meet with him but he will not apologize for focusing on VII and VIII, based upon sheer numbers. There are several other areas that need attention, after Stage VIII is awarded, and Griffith levee is one of them. Mr. Farag’s situation will come to a closure; the Commission wants everything on this project finished by the end of 2010.
- Jayson Reeves, from Gary, stated he has an engineering background and proceeded to discuss the need for the Commission to regularly meet with the drainage boards, stormwater management entities, and highway officials to better coordinate project features.

There being no further business, the meeting was adjourned. The next meeting is scheduled for Wednesday, April 1, 2009 at the Munster Town Hall.
Whereas: The Little Calumet River Watershed has acute needs for water storage capacity in flood stage periods;

Whereas: there are open lands readily available that landowners are willing to volitionally provide for re-created wetlands on terms agreeable to all site specific stakeholders;

Whereas: neighboring and re-created wetlands have exceptional capacity for water storage at competitive costs for construction/maintenance;

Whereas: high quality wetlands present the bio-diversity where native species can thrive sustainably over long periods of time;

Whereas: high quality wetlands provide excellent filtering capacities, especially for sanitary discharges that occur when local sanitary districts' capacities are exceeded;

Therefore be it resolved: that Lake County Fish & Game Protective Association endorses this approach be included in “Best Management Practices” as the Little Calumet Watershed is re-examined for major improvements to reduce flooding.
Programming and Project
Management Branch

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

March 11, 2009

Dear Mr. Demulc:

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.

Sincerely Yours,

[Signature]

Imad N. Sanara
Project Manager
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<th>Description</th>
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<th>Actual FEBRUARY</th>
<th>Actual MARCH</th>
<th>Actual APRIL</th>
<th>Actual MAY</th>
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**Administrative Budget**

109,162.00

**Remaining State Funds**

50,683.00 47,893.00 47,519.00 44,974.60 40,150.35

**Remaining RDA Monies**

1,701,742.00 762,875.35 733,125.98 328,872.63 297,776.08

**Total All Funds**

1,861,587.00
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<td>DYER CONSTRUCTION</td>
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TOTAL 46,206.63

ADMINISTRATIVE

RDA $1,701.42

DRAW FROM STATE
APPROVAL TO PAY THE FOLLOWING INVOICES
FROM O&M FUND
April 1, 2009

- $76.14 to T-Mobile for costs incurred for cell phone for engineer field work; monthly service 2/11/09 – 3/10/09

Total $ 76.14
CASH POSITION - JANUARY 1, 2009
CHECKING ACCOUNT
   LAND ACQUISITION  193,123.92
   GENERAL FUND   118,336.33
   SAVINGS   28,004.80
TOTAL OF ALL ACCOUNTS   339,465.05

RECEIPTS - JANUARY 1, 2008- FEBRUARY 28, 2009
LEASE RENTS   23,191.28
:: INTEREST INCOME (FROM CHECKING)   164.59
LAND ACQUISITION   12,431.88
ESCROW ACCOUNT INTEREST   372.36
MISC. RECEIPTS
KRBC REIMBURSEMENT RE: TELEPHONE CHARGE   149.03
TRANSFERRED FROM SAVINGS   363,191.70
CITY OF MUNSTER FOR PROPERTIES   73,335.00
TOTAL RECEIPTS   472,835.64

DISBURSEMENTS - JANUARY 1, 2008- FEBRUARY 28, 2009
ADMINISTRATIVE
   2008 EXPENSES PAID IN 2009   393,148.11
   PER DIEM   4,150.00
   LEGAL SERVICES   566.66
   NIRPC   50,394.07
   TRAVEL & MILEAGE   1,157.64
   PRINTING & ADVERTISING   328.13
   BONDS & INSURANCE   75.00
   TELEPHONE EXPENSE   1,796.01
   MEETING EXPENSE
LAND ACQUISITION
   LEGAL SERVICES   34,154.11
   APPRAISAL SERVICES   36,756.00
   ENGINEERING SERVICES
   LAND PURCHASE CONTRACTUAL   4,275.00
   FACILITIES/PROJECT MAINTENANCE SERVICES   15,685.90
   OPERATIONS SERVICES
   LAND MANGEMENT SERVICES   34,497.44
   SURVEYING SERVICES   19,349.24
   MISCELLANEOUS EXPENSES
   ECONOMIC/MARKETING SOURCES   114,114.00
   PROPERTY & STRUCTURE COSTS
   MOVING ALLOCATION
   TAXES
   PROPERTY & STRUCTURES INSURANCE
   UTILITY RELOCATION SERVICES   139,601.63
   LAND CAPITAL IMPROVEMENT
   STRUCTURAL CAPITAL IMPROVEMENTS
   BANK CHARGES HARRIS BANK   31.50
   PASS THROUGH FOR SAVINGS (O&M)   152.07
   PAYBACK TO SAVINGS
   TOTAL DISBURSEMENTS   457,082.40

CASH POSITION - FEBRUARY 28, 2009
LAND ACQUISITION (STATE FUNDS)
GENERAL FUND
TOTAL FUNDS IN CHECKING ACCOUNT
   243,575.25 A
   83,265.88
   326,841.13

CHASE SAVINGS ACCOUNT BALANCE #4414
   743,625.14
   (Balance of 1,701,742.)
   233,126.23
   (O & M MONEY)
   956,750.35
   SAVINGS INTEREST
   954.48

CHASE SAVINGS ACCOUNT BALANCE #4747
   623,998.94
   ARMY CORP CONSTRUCTION MONEY
   616,820.00
   ESCROW ACCOUNT INTEREST AVAILABLE
   7,178.94

TOTAL OF BOTH SAVINGS ACCOUNTS   1,367,624.68
TOTAL OF ALL ACCOUNTS   1,694,465.21

COMMITTED FUNDS: (FROM ABOVE)
   LAND ACQUISITION
   243,575.25 A
   ARMY CORP ESCROW MONEY
   616,820.00 B
   UNCOMMITTED FUNDS AVAILABLE: C-(A+B)
   834,069.96

REMAINING STATE APPROPRIATIONS AVAILABLE (As of FEBRUARY 28, 2009)
   47,519.00

**Note: O & M Fund comprised of remaining LEI Money, $185,000 Interest Money, and $133,721.49 Marina Sand Money**
NORTWESTERN INDIANA REGIONAL PLANNING COMMISSION

6100 SOUTHPORT ROAD
PORTAGE, INDIANA 46368

TELEPHONE: (219) 763-6060
FAX: (219) 762-1653

INVOICE

To: Little Calumet River Basin Dev. Commission
For: Services Performed: February 2009
Date: 12-Mar-09
Billing Code: 1201-1012-03-02

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TOTAL DUE: $9,422.54

12
March 9, 2009

Bank One, Indiana, NA
1801 Kennedy Avenue
Schererville, Indiana 46375

SUBJECT: Little Calumet River Project Construction Fund Escrow Account Number 7500-0244-4747

To Whom It May Concern,

The Department of the Army hereby issues a written request for withdrawal of $600,000 from the referenced escrow account in accordance with the escrow agreement entered into on August 19, 1990.

Please provide the amount requested above in the form of electronic fund transfer. Please use the instructions in the attached sheet to perform this transaction. If you have any question please call Imad Samara at 312-846-5560.

Sincerely,

[Signature]

Vincent V. Quarles
Colonel, U.S. Army
District Commander

Attachment

Copy Furnished:

Mr. Jody Melton
Interim Executive Director
Little Calumet River Basin Development Commission
March 23, 2009

Mr. Gerald Hanas, Executive Director
Northern Indiana Commuter Transportation District
33 East U.S. Highway 12
Chesterton, Indiana 46304

Dear Mr. Hanas:

This letter is to advise you that the Town of Munster requests that NICTD cooperate to the fullest extent possible with the efforts of the Little Calumet River Basin Development Commission to acquire an easement for the Little Calumet River Flood Control Levee across property owned by NICTD located in the City of Hammond, Indiana. This is one of the last, vital, properties necessary to complete acquisition of Stage VIII of the Little Calumet River Flood Control Project. Stage VIII will allow the construction of levees from the Town of Munster through the City of Hammond. It is essential that these negotiations proceed as quickly as possible so as to allow the Little Calumet River Basin Development Commission to certify completion of acquisition of Stage VIII of the flood control project so that the Army Corp of Engineers can advertise for construction of this last and critical stage of the project. The sooner issues are resolved, the sooner construction can commence; hopefully preventing, in the future, a catastrophic flooding event as occurred last September throughout Lake County and in particularly, in the Town of Munster and the City of Hammond.

It is our understanding that the area upon which the Development Commission and US Army Corp of Engineers are requesting an easement does not contain any present railroad facilities or an active track. It would be greatly appreciated if you would use every effort to move these negotiations forward as quickly as possible. Successful conclusion of transfer of easement across this property is essential for the health safety and welfare for the citizens for the City of Hammond and Town of Munster Indiana.

Presently, negotiations are being conducted between this Commissions Attorney, Louis M. Casale who can be contacted at 219-736-9990 and Judith Vamos the Commission Land Acquisition Agent (219-763-0696) and Mr. Bruce Thevenin of NICTD. It is my hope that you will consider this a topic of vital concern and will authorize appropriate action.

Thank you for your anticipated cooperation in this matter.

Yours truly,

Thomas F. DeGiulio
Town Manager

cc: Little Calumet River Basin Commission

TFR/pip/letters/LCRBDC.munster.stageVIII/6/
## Action List: House Bill 1716

### 2009 Regular Session

**Authors:** Soliday, Candelaria Reardon, Lawson, Stevenson

<table>
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<tr>
<th>Date</th>
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<td>Authored by Representative Soliday</td>
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<tr>
<td>01/22/2009</td>
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<td>Coauthored by Representatives Dobis, L. Lawson and Lehe</td>
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<td>01/22/2009</td>
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<td>H</td>
<td>Representatives Lehe and Dobis removed as coauthors</td>
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<tr>
<td>02/10/2009</td>
<td>H</td>
<td>Representatives Stevenson and Candelaria Reardon added as coauthors</td>
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<td>Committee report: amend do pass, adopted</td>
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<td>Second reading: amended, ordered engrossed</td>
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<td>Amendment 1 (Soliday), prevailed; Voice Vote</td>
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<td>Third reading: passed; Roll Call 261: Yeas 95, Nays 2</td>
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<td><strong>Referred to the Senate</strong></td>
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<td><strong>Senate Sponsors:</strong> Senators Charbonneau, Mrvan and Rogers</td>
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Citations Affected: IC 4-2; IC 4-12; IC 4-30; IC 4-31; IC 4-33; IC 4-35; IC 5-10.4; IC 5-28; IC 6-1.1; IC 6-9; IC 7.1-4; IC 9-25; IC 9-29; IC 12-15; IC 20-19; IC 20-40; IC 21-18; IC 21-41; IC 21-42; IC 21-43; IC 22-4; IC 33-37; noncode.

Synopsis: Budget bill. Makes appropriations for the 2009-2010 state fiscal year for operation of state government and various other uses (other than department of child services and grade K-12 education programs). Authorizes the issuance of bonds for various capital projects. Prohibits certain reversions and fund balance transfers. Requires a feasibility study of the benefits of changing the design and method for verifying, tracking, and tracing cigarette stamps. Specifies that a state officer or employee who retaliates or threatens to retaliate against an employee or certain other persons for communicating with a member of the general assembly or who refuses or threatens to refuse to allot appropriated money for failing to acquiesce in an unlawful request is subject to a $500 civil penalty. Requires the budget agency to report actual and proposed reversions, fund transfers, and appropriation reassignments exceeding $250,000 to the legislative council on a quarterly basis. Voids an administrative rule requiring the holder of a gaming license to pay a fee to transfer the license and provides for refunds of previously paid transfer fees. Changes the formula for depositing and using money in the pension stabilization fund. Provides a circuit breaker replacement grant to civil taxing units. Changes the permitted uses for Tippecanoe County innkeeper's taxes. Requires a managed care provider's contract or agreement under the Medicaid program to include a prescription drug program. Prohibits reductions in Medicaid provider reimbursement rates. Permits chiropractic services, public employee retirement health benefits, and supplemental disproportionate share distributions to be paid from the Indiana check-up plan trust fund. Requires student test numbers to be reported and stored so that the current location of students can be ascertained. Increases the maximum property tax levy that may be imposed for a school capital projects fund to pay insurance or utility costs. Provides that actions of the commission for higher education are nonbinding recommendations. Increases the automated record keeping fee. Authorizes certain industrial development loans. Makes other changes.

Effective: Upon passage; July 1, 2007 (retroactive); January 1, 2009 (retroactive); July 1, 2009.

Crawford, Pelath

January 12, 2009, read first time and referred to Committee on Ways and Means.

February 17, 2009, amended, reported _ Do Pass.
ENFORCEMENT
Preventive Maintenance 125,000
STATE MUSEUM
Preventive Maintenance 381,250
ENTOMOLOGY
Repair and Rehabilitation 500,000
WAR MEMORIALS COMMISSION
Preventive Maintenance 617,000
IWM Fire Suppression/Material abate 150,000
Indiana War Memorial ADA Access 125,000
Repair and Rehabilitation 346,000
LITTLE CALUMET RIVER BASIN COMMISSION
Build Indiana Fund (IC 4-30-17)  
Repair and Rehabilitation 9,000,000
The above appropriation for the Little Calumet River Basin Commission shall be used to match federal funds and may be used only for tangible construction activities. Notwithstanding IC 4-13-2-19 or any other law, the above appropriation for the Little Calumet River Basin Commission does not revert to the general fund or another fund at the close of any state fiscal year but remains available to the Little Calumet River Basin Commission until the purposes of which it was appropriated are fulfilled.
KANKAKEE RIVER BASIN COMMISSION
Build Indiana Fund (IC 4-30-17)  
Repair and Rehabilitation 1,500,000
PROPHETSTOWN STATE PARK SWIMMING POOL
Tippecanoe County Innkeeper's Tax (IC 6-9-7-7)
Design, Construction, and Financing Costs 2,000,000
The budget agency shall separately account for money received from the Tippecanoe County innkeeper's tax in a separate fund, and the department of natural resources may use the amounts received solely for the purposes of the above appropriation.
D. TRANSPORTATION
DEPARTMENT OF TRANSPORTATION
State Highway Fund (IC 8-23-9-54)
Buildings and Grounds 12,500,000
The above appropriations for highway buildings and grounds may be used for land acquisition, site development, construction and equipping of new highway facilities and for maintenance, repair, and rehabilitation of existing state highway facilities after review by the budget committee.
AIRPORT DEVELOPMENT
Airport Development 1,200,000
The foregoing allocation for the Indiana department of transportation is for airport
RESOLUTION 09-01

A RESOLUTION OF THE NORTHWESTERN INDIANA REGIONAL PLANNING COMMISSION IN SUPPORT OF FULL FUNDING FOR THE LITTLE CALUMET RIVER BASIN LEVEE PROJECT

WHEREAS, the U.S. Army Corps of Engineers’ Little Calumet River Flood Control Project has reached a critical stage in construction; and

WHEREAS, the local sponsor of the project, the Little Calumet River Basin Development Commission, does not have adequate funding to complete the local sponsor’s responsibilities to the project; and

WHEREAS, the September 2008 severe flooding devastated portions of Northwest Indiana near the Little Calumet River in areas where the project has not been completed and the project must be constructed as soon as possible to prevent any future flooding; and

WHEREAS, the Little Calumet River Basin Development Commission is seeking $13.5 million in local funds to match the federal dollars needed to finish the project; and

WHEREAS, the Indiana General Assembly is meeting at this time to determine funding for important state projects, several communities have suggested ways to obtain local financing, and an emergency exists in the area where the levee is not completed.

NOW, THEREFORE, BE IT RESOLVED, that the Northwestern Indiana Regional Planning Commission (NIRPC) supports the completion of the Little Calumet River Flood Control Project and supports the request of the Little Calumet River Basin Development Commission for $13.5 million in State of Indiana funds to finish the construction; and

BE IT FURTHER RESOLVED, that NIRPC requests the future repayment of $6 million by the State of Indiana to the Northwest Indiana Regional Development Authority for its loan to the Little Calumet River Basin Development Commission to expedite completion of the project; and

/9
Resolution 09-01

BE IT FURTHER RESOLVED, that NIRPC supports the request of the City of Hammond to the State of Indiana to permit the dedication of Sales Tax Increment Financing (STIF) funds toward costs associated with the local match for construction and operating costs for the Little Calumet project.

Duly adopted by the Northwestern Indiana Regional Planning Commission on this 26th day of February, 2009.

ATTEST:

Chairman

Secretary
Little Cal River panel reconsiders leadership
Options now include a sole director, not firm

BY SUSAN BROWN
susan.brown@nwi.com, (219) 836-3780

MUNSTER | The Little Calumet River Basin Development Commission is taking a step back from hiring a construction management firm to replace its former longtime executive director, Dan Gardner.

Leaderless since Gardner's resignation in the wake of last September's massive flooding, the commission had aimed to have new leadership in place by March 1, but instead has currently halted its search efforts.

William Baker, the commission's vice chairman, on Tuesday confirmed the commission is reconsidering its options, which include hiring another executive director instead of a firm.

Baker said not only is the makeup of the commission itself in flux because of legislation pending in the state Senate, but the existing state statute establishing the commission requires it be led by an executive director.

It's no time for the commission to lock itself into contracts that may not work out, he said.

The decision is further complicated by the uncertainty of the commission's funding.

Gardner had worked half-time for the commission and half-time for the Northwestern Indiana Regional Planning Commission for an annual salary of $80,000. In contrast, cost estimates from four firms varied widely, ranging from $300,000 to $2.5 million.

"It's almost like putting the cart before the horse," Baker said of making a hire without an ongoing funding mechanism, both to complete the levee system and then manage its operation and maintenance, or O & M.

Long-term O & M is not included in the commission's $13.5 million budget estimate because under the original agreement O & M becomes the responsibility of the cities and towns along the levee once the U.S. Army Corps of Engineers completes construction.
Panel changes course on hires
Little Cal group 'not leaderless,' chief says

BY LU ANN FRANKLIN
Times Correspondent:

MUNSTER — Despite published reports that state law says an executive director must lead the Little Calumet River Basin Development Commission, the organization is “not leaderless,” Chairman Dan Dernulc said at Wednesday’s commission meeting at Munster Town Hall.

The search for an engineering firm to oversee construction management of the Little Calumet River levee project has been suspended because hiring a firm “makes less sense,” said Ron McAhron, commission member and chairman of the search committee. The U.S. Army Corps of Engineers is doing construction management of the project, McAhron said.

A search for an executive director to replace Dan Gardner, who resigned under pressure in the wake of last September’s massive flooding, also is on hold.

“We (the commissioners) have split up the duties (of an executive director),” Dernulc said. “This is a business-type model. Some staff members report to certain commissioners and some report to other commissioners. And they all report to me.

“We’re not running this organization where the left hand doesn’t know what the right hand is doing,” he said.

Wednesday’s meeting was the first for Rudy Sutton, of Chesterton, who was appointed to the Little Calumet River Basin Development Commission by Porter County commissioners. Sutton is an excavating contractor and owner of R.V. Sutton Inc.

Funding sources again came under discussion at the commission meeting. If the U.S. Senate approves the $410 billion omnibus spending bill Friday, $16 million will be made available to the U.S. Army Corps of Engineers for the Little Calumet River levee project, McAhron said.

However, he said, the commission will have to come up with $1.12 million in matching local funds within 60 days.

The infusion of money would accelerate phase seven of the project, which runs from north and south of the river from Columbia Avenue to Northcote in Munster.

Whether five bridges across the Little Calumet River will be raised to prevent closure during future floods is being studied by officials in Lake County, according to Jim Pokrajac, a member of the commission staff.

“Lake County is doing a study right now (of raising the bridges) and doing a feasibility study and cost estimates,” Pokrajac told commissioners. “Then they will go to state and federal officials for funding.”

Those five structures being considered for raising are bridges at Northcote Avenue in Munster, Kennedy Avenue in Hammond, Harrison Avenue near Indiana University Northwest in Gary and at Calhoun Street and Clark Road in Gary.

In other business, the commission:

• Heard that work on phase seven of the levee project is progressing on schedule.

• Accepted the high bids from farmers to cultivate 300 acres along Interstate 80/94, Interstate 65, and Clay and Chase streets that is owned by the state, but controlled by the commission. Commissioners are working with the state on selling the acreage.

• Tabled any action on a Web site due to lack of funding.

• Learned that six pumping stations along the Little Calumet River have been tested.

• Heard that the Federal Emergency Management Agency probably will reimburse the commission $35,000 it spent on flood recovery efforts during September. That is 75 percent of the costs expended by the commission during that emergency.

“We’re not running this organization where the left hand doesn’t know what the right hand is doing.”

DAN DERNULC, CHAIRMAN
Munster gets plea for road closures

Resident says town's control over streets may be the solution

By Carmen McCollum

MUNSTER | Residents in the Wicker Park neighborhood made an impassioned plea to Munster Town Council members Monday night to close two streets to Northcote Avenue bridge traffic.

The Northcote Avenue bridge has been the subject of discussion for many months after the September rain and subsequent flooding that damaged hundreds of homes and businesses in Munster.

Munster residents blame the bridge, which spans the Little Calumet River between Hammond and Munster, for being the low point that causes flooding.

Resident Tula Kavadias said the bridge is owned by Lake County, and only the county can close or remove the bridge. However, she said state law gives the town exclusive, territorial jurisdiction over the road.

"It does not appear the county will close the bridge," Kavadias said.

"We want the town to close Northcote Avenue and River Drive to bridge traffic," she said.

Town Council members listened but took no action. Many councilmen and workers stood alongside residents who monitored the river and brought sandbags to Northcote and 'Columbia' during the weekend rains. Munster officials said they didn't have to sandbag this past weekend.

Munster Town Council President Michael Mellon previously has said his position is that the Northcote Avenue bridge should be closed or elevated. Last month, the council adopted a resolution in line with that.

Hammond Mayor Thomas McDermott Jr., who is the new Lake County Democratic Party chairman, has said he wants to keep the bridge open because it is an important traffic artery.

One resident called the issue before town officials one of the "biggest challenges" they ever will face. She encouraged the council to "step up to the plate and take action."

As the region braces for a second round of rain, Wicker Park residents Marc and Gina Campagna said they moved back into their home Feb. 29 after being out of it for five and a half months.

"I sat and watched the rain this weekend and wondered if it would rise and come into the house," Marc Campagna said. "Please close the streets. You have the support of the residents."

Meanwhile, two of the residents who spoke to the council Monday night were not pleased with the resolution that calls for the town to buy four pieces of property along River Drive.

They are 1 River Drive, 15 River Drive, 21 River Drive and 27 River Drive.

Neither Robert and Ruth Krol, 1 River Drive, nor Dennis and Judy Bakes, 15 River Drive, want to sell their home.

During a break in the meeting, Munster Town Manager Thomas DeGhilve said this is the beginning process of declaring eminent domain to purchase the properties.

He said officials are convinced that even after the levee is complete, the town can not protect those four properties from flooding.

He said two owners are willing to sell and two others are not. He said no offers have been made, and the town still has to get appraisals and determine where the money will come from to make the purchase.
Rain raises fears, frustrations for residents

A rain continued to fall Tuesday, feeding "anxiety and frustration" for some Munster residents along the Little Calumet River.

If you head east to Gary's East Oak neighborhood, frustration is an all-too-familiar feeling for residents whose streets, backyards and homes fill with water after each major rain or snow melt.

Memories and evidence of the September floods remain fresh in Munster's northern neighborhoods. Large metal storage boxes sit in ditches full of possessions that survived floodwaters. Reconstruction work continues at some homes, while others remain uninhabited and dark.

Although rain can bring beautiful things to life, it also brings misery, said Dan Leibacker, of Munster.

"After a disaster like what happened here in September, you never look at rain the same again," he said.

CONTINUED FROM PAGE A1

Rain

way again," she said. "We need to look out for our neighbors and get ready to sandbag again if needed.

Several inches of rain filled the Johnson family's basement Tuesday morning in the 1200 block of Howard Avenue as the sump pump failed. Debra Johnson, 20, had to install a new sump pump in the afternoon for her family before water could begin draining from the basement.

The town of Munster on Tuesday evening cleared the Northcot Avenue "bridge crossing" that connects the town to Hammond, because of concerns about the rising river level. A water barricade was placed near the bridge used to keep water at bay along with sandbags. The bridge remained closed Tuesday night.

The elevation of the Little Calumet River in Hammond measured 12.92 feet at 4:15 p.m. Tuesday. Flood stage is 12 feet, but the river's depth is expected to drop slowly over the next few days.

About 20 miles south of LaPorte, the depth of the Kankakee River at U.S. 30 was 15 feet at 8 p.m. Tuesday. The river stage is 10 feet. At 11 a.m., officials reported flooding is occurring in some areas.

The second stage at the location is 13.8 feet, which the National Weather Service expects to reach Tuesday.

The depth of the Kankakee River south of Kouts measured 13.04 feet at 8 p.m. Tuesday. Flood stage is 11 feet, but the river's depth is expected to rise to the next level by Thursday morning.

The depth of the Chicago River near the railroad bridge in Gary is expected to reach 13 feet by Thursday morning. Flood stage is 12 feet.

The Chicago River is expected to rise to 13.5 feet by Thursday morning. Flood stage is 12 feet.

The Chicago River is expected to rise to 13.5 feet by Thursday morning. Flood stage is 12 feet.

The Chicago River is expected to rise to 13.5 feet by Thursday morning. Flood stage is 12 feet.

The Chicago River is expected to rise to 13.5 feet by Thursday morning. Flood stage is 12 feet.
EDITORIAL

Get the Little Calumet panel unstuck

Recent high water levels a reminder of the need to get this levee work done quickly, as Gov. Mitch Daniels indicated must be done.

The recent rains that brought flooding back to Northwest Indiana are a reminder that the Little Calumet River Basin Development Commission's work is urgent. Yet the commission is just spinning its wheels, unsure what to expect from the Indiana General Assembly.

The commission is waiting for answers to two questions:

• How much will the state provide in its new budget for the commission's work?
• Will the commission's membership be changed?

The answer to that first question isn't going to come before the Legislature wraps up its work at the end of April. That's just the nature of the budget process as political deals are cut at the last minute.

But the commission shouldn't be forced to wait until the end of April to see how its membership might change.

House Bill 1716, now before the Senate Committee on Natural Resources, should be zipping through the process and become law soon. Just look at the support this legislation has received in the region:

• Authored by state Rep. Ed Soliday, R-Valparaiso;
• Co-authored by Reps. Dan Stevenson, D-Highland; Linda Lawson, D-Hammond; and Mara Candelaria Reardon, D-Munster;
• Sponsored by the Senate by Ed Charbonneau, R-Valparaiso; Frank Mrvan, D-Hammond; and Earline Rogers, D-Gary;
• Cosponsored by Sens. Sue Landske, R-Cedar Lake; and Karen Tallian, D-Ogden Dunes.

HB 1716 would shake up the commission membership, require audits and financial reports, and make other changes.

Until that is resolved, how can the commission know whether to hire a management company or an executive director? The agency is dead in the water, so to speak, until this legislation is passed.

Meanwhile, the rains will continue to come, and the threat of floods will continue because of the unfinished levee work.

The recent high water levels are a reminder of the need to get this work done quickly, as Gov. Mitch Daniels has indicated must be done.

Revamp the commission, then get to work on finding the funds to finish, finally, this long overdue project.
Little Cal panel needs $1.2M local match for levee project due in 60 days

BY SUSAN BROWN
susanbrown@riol.com, (219) 836-3780

The U.S. Army Corps of Engineers has asked for $1.2 million in local matching funds from the cash-strapped Little Calumet River Basin Development Commission, and it's due in 60 days.

The request came Wednesday, the day President Barack Obama signed the 2009 Omnibus Appropriations Bill that included $16 million in additional federal funds for the Little Calumet River Flood Control and Recreation Project.

Officials representing the Army Corps and the Little Cal commission said last week the $1.2 million will not increase the commission's $33.5 million cost estimate as presented to the Legislature. It does, however, accelerate the required payment to the Army Corps to keep the project on track.

Army Corps Project Manager Imad Z. Samara said the commission had been aware he might come back for additional dollars beyond the $605,500 he asked for in January. That figure had been based on the president's budget of $8 million until the budget was finally worked out by Congress and signed by the president, he said.

The latest request should not alter the commission's budget because Samara had provided the commission with its share of the project's cost for each remaining year of the project, he said.

The rub is that now the figure is final, it's due in 60 days or work on the levee project might have to be reevaluated.

Samara said he is working on the premise the commission will come up with the money.

This legislative session is scheduled to conclude April 29 but could go longer with the state's fiscal year not kicking in until July 1.

"I'm comfortable it will be addressed," said Ron McAlmon, the commission's point man with the Legislature. "This doesn't change the overall project cost."

The House passed a one-year budget containing $9 million toward the levee project, he said. Another bill is starting to wind its way through the Senate.
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**Administrative Budget**: 109,162.00

**Remaining State Funds**: 50,683.00

**Remaining RDA Monies**: 1,701,742.00

**Total All Funds**: 1,861,587.00
Munster officials push to finish flood control

Town leaders hope to meet soon with local lawmakers with legislators and are planning to hire a powerhouse Indianapolis law firm to push their agenda.

Clerk-treasurer Dave Shafer attended the Northwest Indiana Forum and the Northwestern Indiana Regional Planning Commission reception Tuesday at the Marriott Hotel in Indianapolis.

By Carmen McCollum
ccollum@nwitimes.com
219.662.5537

MUNSTER | In an effort to lobby legislators for completion of the Little Calumet River levee, town officials are meeting with community leaders and are planning to hire a powerhouse Indianapolis law firm to push their agenda.

"They agree the project needs to be done but they don't know where the money is going to come from," Sen. Frank Mrvan said. "I'm proposing that a million dollars from the state's general fund be dedicated to the project, but I haven't heard any more about that," Shafer said.

Munster Town Council President Michael Mellon said Shafer has organized a meeting between local legislators and residents. He said he has made some contacts but has not had any response yet.

At the next Town Council meeting, we will be adopting a series of resolutions formally requesting a meeting," he said. "We also are going to hire (Indianapolis law firm) Barnes & Thornburg to assist us with our lobbying efforts. We intend to take a trip to Indianapolis but we're going to do that closer to when the budget is passed.

Some residents have asked that Munster officials lobby all legislators, not just those from Northwest Indiana, to garner support to finish the levee project. Munster officials have been moving ahead with temporary levee repairs to prevent or decrease future flooding.

Town leaders contend if the Little Calumet River flood control project had been completed, disaster would not have struck. The flood control project has been under way for many years, but officials have not found enough money to finish the project in Munster is not available.

Mrvan, who is Munster's representative to NIRPC, a 13-county planning and conflict-resolution commission, said he talked to legislators from Lake and Porter counties. He said he got no commitments but all understand the importance of finding a solution.
Two days of hard rain

I-65 ramp to Borman closed even as river levels in region begin to recede.

Post-Tribune staff report

Heavy rains led to the closure of the ramp that connects Interstate 65 north traffic to the Borman Expressway's west-bound lanes on Wednesday.

Water began covering the road on Tuesday, and a right lane was closed while a pump tried to siphon water off the road.

The Indiana Department of Transportation said the ramp will remain closed until the water can be cleared.

Also, standing water led to the closure of the right lane of the ramps that connect the Borman's eastbound lanes to I-65 south and the Ridge Road exit.

River levels are still high, officials say, but starting to recede.

The Little Calumet River at Munster was at 11.9 feet on Wednesday, receding from a high of 13 feet on Tuesday. Flood stage is 12 feet. The Northcote bridge between Hammond and Munster remains closed due to flooding concerns.

The Kankakee River at Shelbyville was at 12.9 feet on Wednesday, according to the National Weather Service. Flood stage is 9 feet, but levees are equipped to handle waters up to 12 feet.

In southern Lake County, meanwhile, flooding was bad but it could have been much worse, officials said.

Lowell Town Administrator Susan Peterson said the town has received reports of water in people's yards, but, overall, the rains caused minimal problems. "Back in September, it was way worse," Peterson said. No road closures were attributed to the recent heavy rains and the water appeared to be drying up nicely on Wednesday, she said.

September's flooding gave Cedar Lake officials a chance to see where drainage improvements were needed and many of those improvements since have been implemented, according to Ian Nicoll, town administrator.

According to National Weather Service meteorologist Stephen Rodriguez, 4.7 inches of rain fell in Cedar Lake in September. The weather service did not have rainfall totals for Cedar Lake for this week, but its Web site said between 3.5 and 4.5 inches of rain fell in the Lowell and Cedar Lake areas in the past week.

The flood-prone Wicker Meadows subdivision fared better this time around thanks to some drainage improvements, Nicoll said, although it's still too early for a full assessment.

Not all drainage improvements identified since September have been completed, however, Nicoll said. "It's a work in progress," he said.

Cedar Creek did cross over 144th and 145th streets during this last rainfall, he said, but the roads remained passable and were marked with signs.

Post-Tribune staff writer Christin Nance Laszunu and correspondent Carrie Napoleon contributed to this report.
Lawmaker seeking $15M for Little Cal


The request, made public Friday, follows September flooding that damaged more than 4,000 homes along unfinished portions of the levees, primarily in Munster.

"The safety of thousands of families is at risk each time the water rises," Mrvan wrote. "According to the Army Corps of Engineers, when this project is completed it will prevent an average of $11 million in flood damage each year."

The two-year state budget proposal Daniels delivered in January offered $2 million toward the project. Local officials say at least $13.5 million is needed to complete the levees. — BY PATRICK GUINANE, THE TIMES
Land buys for levee nearly done

Only two easements stalling contract bids

BY SUSAN BROWN
susan.brown@nwilive.com, (219) 836-3780

MUNSTER | Land acquisition for the final stage of the Little Calumet River Flood Control and Recreation Project is close enough to completion that Town Manager Tom DeGiulio has appealed to the Northern Indiana Commuter Transportation District for its cooperation in swiftly releasing a railroad-controlled easement needed for the levee project.

Only the acquisition of two parcels of land, one controlled by NICTD and the other by CSX, stand in the way of the U.S. Army Corps of Engineers being able to advertise construction contracts for the last stage of the levee system.

Several properties in the Southmoor Road neighborhood in Hammond remain in contention, but the dispute will not prevent the project from moving forward once the railroad easements are acquired.

DeGiulio said the land involves the old Monon Railroad property running from 45th Avenue in Munster north into Hammond. The property was purchased jointly by the town of Munster, the city of Hammond and NICTD in the early 1990s but is controlled by NICTD. The land requested for the levee project contains no railroad facilities or active track.

See LITTLE CAL on Page A7

CONTINUED FROM PAGE A3

Little Cal

"What we're asking (NICTD) is to please help us," DeGiulio said.

The Little Calumet River Basin Development Commission, which is responsible for acquiring the land needed for the project, is working to conclude all land purchases, except Southmoor Road, as early as next week when the commission meets in public session at Munster Town Hall.

Gerald Hanas, NICTD general manager, said the only outstanding issue on NICTD's part involves possibly relocating a bike trail on the west side of the easement.

"As soon as we get that discussion over with, we're all close to getting the engineering plans done," Hanas said.
Little Cal overhaul advances
Funding picture should get clearer next week

BY PATRICK GUINANE
patrick.guinane@nwltimes.com, (317) 637-9078

INDIANAPOLIS | If you boot them, the money will come. Region legislators pressed ahead Monday with legislation allowing Gov. Mitch Daniels to dump the 11 members of the Little Calumet River Basin Development Commission. The levee panel, blamed for failing to keep the river from flooding that damaged more than 4,000 region homes, would be replaced by five appointees of the Republican governor.

The commission overhaul, House Bill 1716, is seen as a first step to securing up to $15 million from the state to complete the levee project and repay a loan of up to $6 million from Indiana Regional Development Authority. But a cost range of $13.5 million to $15 million still is only a best guess.

“We need greater accountability. We need transparency, and we need to get this thing done,” said Rep. Ed Soliday, R-Valparaiso.

State lawmakers created the commission 28 years ago to oversee construction of about 25 miles of protective levees from Gary to the Illinois border. But about two miles of levees and $30 million in work remains.

Soliday is sponsoring the levee commission overhaul, which advanced Monday to the full Senate on a 6-1 vote of the Senate Natural Resources Committee.

He and others argue that having mayors and other regional officials make five appointments to the levee commission has dulled the panel’s focus.

A House-passed version of a new state budget includes $9 million for the Little Calumet commission, which would cover a $6 million match needed to unlock $24 million in federal funding.

The state Senate will present its budget plan next week. One thing is clear: The $2 million Daniels offered in his budget proposal would not go very far.

“The $2 million in the budget will absolutely do very little or nothing,” said Sen. Frank Mrvan, D-Hammond.

“This is important. What’s most important is the people don’t suffer again like they did in September.”

NEXT LITTLE CAL MEETING

The latest updates on the Little Calumet Flood Control and Recreation Project will be available Wednesday when the Little Calumet River Basin Development Commission meets in regular session at Munster Town Hall.

The regular meeting begins at 6 p.m., preceded by a work study session at 5:30.

Among the topics will be the status of a construction contract for the final stages of the levee project and updates on the General Assembly’s activities, which include addressing funding and changing the commission’s composition.

The Portage-based commission is meeting in Munster to be accessible to property owners within the flood plain.
Local officials challenge gov's revamp of Little Cal Commission

MUNSTER | As the Little Calumet River Basin Development Commission meets tonight, efforts to reduce its ranks from 11 to five currently appear to be sailing through the General Assembly.

The proposal calls for all five members of the commission to be solely appointed by Gov. Mitch Daniels. The potential has raised the ire of local officials.

"The problem was the state never provided the money," Lake County Commissioner Roosevelt Allen Jr. said. Without local input on the costly levee project, now entering its final stages, Allen said there won't be room for the state to continue to criticize local decision-making. "(Daniels) won't be able to run back here to Lake County and blame us," he said.

Like Allen, Hammond Mayor Thomas McDermott Jr. said locals have been made the "fall guy." McDermott defended his appointee, Hammond Assistant City Engineer Mark Gordish.

"He's been on the board for years and somehow now he's the scapegoat," McDermott said. "The culprit on the Little Cal project is state government."

OFFICIAL: Temporary levee work is proceeding along Little Cal

MUNSTER | The town is spending about $700,000 for interim levee improvements to the Little Calumet River and the work is proceeding very well, Munster's town manager says.

The town began a project to make repairs to the levee where it had been breached by the Little Calumet River during September rains, damaging thousands of homes and businesses in Munster.

Following the flood, repairs were made to segments of the levee where it had been overwhelmed by the river. Concrete barriers have been installed in some segments while others have been cleaned of debris and replaced with clay. A few spots will be walled with sandbags.

Munster Town Manager Tom DeGiulio said the temporary fix involves a two-mile stretch along the river between Northcote and Hohman avenues.

-- BY CARMEN MCCOLLUM, THE TIMES
Dear Mr. Deda:

Thank you for your time and a positive discussion regarding the actions necessary to proceed with bidding and construction of Stage VIII (Columbia to Hohman Avenue) of the Little Calumet River Flood Control Project. The purpose of this letter is to memorialize our understanding of those actions and the responsibilities for their satisfactory and timely completion. Specifically:

1. **Southmoor** The line of protection along the Little Calumet River roughly parallel to Southmoor Road extending west the NICTD Right of Way to Hohman Avenue will be treated as an “option” in the Stage VIII bid package.

2. Permanent easements allowing construction and maintenance of the line of protection on the CSX and NICTD property identified on the attached map as DC 1344 and DC 209 will be obtained by the Commission and delivered to the Corps on or before June 2, 2009.

3. Pursuant to Article II c. and further specified in Article VI b. 4 of the Local Cooperation Agreement between the Department of the Army and the Little Calumet River Basin Development Commission (Local Agreement) will deposit in the escrow account the $1,200,000 requested in the March 11, 2009 letter to the Commission from Mr. Samara.

4. The Corps will offer a contract that requests completion of the line of protection for Stage VIII by December 20, 2010.

The LCRBDC acknowledges that in the event the Commission is unable for any reason to fulfill the commitments specified in items 2 and 3 of this letter, the Corps at its sole discretion may suspend the bidding process for Stage VIII until such time as the actions enumerated in items 2 and 3 are satisfactorily completed.

Thank you for your cooperation in this important effort to complete the levee construction as expeditiously as possible.

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**TOTAL** 114,939.90

ADMINISTRATIVE

RDA $1,701,742.

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<td>20. Ronald Albin</td>
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<td>John Beckman</td>
<td>5166 1575 Anderson Circle 4638</td>
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<td>marc Campagna</td>
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<td>Christine Fain</td>
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<td>Mary Lou &amp; Paul Daniels</td>
<td>Castle on, Munster</td>
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<td>Susan &amp; Michael Wood</td>
<td>Oakwood, Munster</td>
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<tr>
<td>Jennifer &amp; Bob Grow</td>
<td>Northcore, Munster</td>
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This resolution was approved February 17th by LCF&G, and February 21st by the Izaak Walton League of America, Porter County Chapter, March 4th by the Griffith Chapter, and Calumet Ecological Park Association March 10th, 2009.

Whereas: The Little Calumet River Watershed has acute needs for water storage capacity in flood stage periods;

Whereas: there are open lands readily available that landowners are willing to volitionally provide for re-created wetlands on terms agreeable to all site specific stakeholders;

Whereas: neighboring and re-created wetlands have exceptional capacity for water storage at competitive costs for construction/maintenance;

Whereas: high quality wetlands present the bio-diversity where native species can thrive sustainably over long periods of time;

Whereas: high quality wetlands provide excellent filtering capacities, especially for sanitary discharges that occur when local sanitary districts’ capacities are exceeded;

Therefore be it resolved: that Lake County Fish & Game Protective Association endorses this approach be included in “Best Management Practices” as the Little Calumet Watershed is re-examined for major improvements to reduce flooding.

Approved by Calumet Ecological Park Association
Approved by the Izaak Walton League - Griffith Chapter
Approved by the Izaak Walton League - Porter County Chapter
Submitted to the three Surveyors in Lake, Porter & LaPorte Counties
Submitted to the Little Calumet River Basin Development Commission