



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

DANIEL DENULC, 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 MICCZKOWSKI
Governor's Appointment

RUDOLF SUTTON
Porter County Commissioners' Appointment

VACANCY
Governor's Appointment

VACANCY
Governor's Appointment

VACANCY
Executive Director

LOU CASALE
Attorney

MEETING NOTICE

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

AT 6:00 P.M. WEDNESDAY, JUNE 10th, 2009
5:30 WORK STUDY SESSION

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

5:00 pre-U.S.S. for Commission members only

AGENDA

1. Call to order by Chairman Dan Dernulc
2. Pledge of Allegiance
3. Recognition of Visitors and Guests
4. Approval of Minutes from May 6, 2009
5. Chairman's Report
 - Status of Stage VIII (Columbia Avenue to the state line, both sides of the river)
 - Right-of-Entry given to Corps
 - Pre-bid meeting held May 18th
 - June 2 bid opening
 - Status of Stage VII contract (Northcote to Columbia, both sides of the river) awarded to CERES Environmental Services-Imad Samara
6. • Action Required:
 - Finance: Approval of claims for May 2009
 - Approval of O&M claims for May 2009

Any other action required?

Date Change

June 10th

1-5

*6-7
8*

*Blue dress slacks
black belt with silver
black spandex jacket*

7. Standing Committees:

- A. Finance Committee – Treasurer Kent Gurley
- Financial Status Report for end of May 2009
 - NIRPC invoice for May 2009
 - RDA letter requesting 7% local cash contribution and RDA's response to Commission
- B. Land Acquisition/Land Management Committee – Arlene Colvin
- Land Acquisition – Arlene Colvin
 - Items of Discussion
 - 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
 - Update on Stage VIII utilities
 - ~~FEMA re-mapping of Lake County flood zone~~
- D. Operation & Maintenance – Kent Gurley
- Items of Discussion
- E. Legislative Committee – Ron McAhron
- Update on State budget
 - Update on HB 1716 - restructuring of Commission
 - Update on HB 1001 – Funding for project completion

8. Other Issues / New Business

9. Statements to the Board from the Floor

10. Set date for next meeting; adjournment

April

9
10

11-18

remove

19-22

MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT
COMMISSION HELD AT 6:00 P.M. WEDNESDAY, MAY 6, 2009

Held at
Munster Town Hall,
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:

Dan Dernulc
William Biller
Arlene Colvin
William Baker
Ron McAhrn
Mark Gordish

Staff:

Jim Pokrajac
Sandy Mordus
Lou Casale
Judy Vamos

Visitors:

Ronald Albin - Munster
Sue Brown - The Times
Bill Howard - Munster WPNA
Kaaren/Bernie Mashwa - Monroe St.
Stan/Bethe Slazyk - Munster
Lynne Whelan - USACOE
Vanessa Villarreal - USACOE
Craig/Bea Hanusin - Howard Ave.
Bridget Bodefled - Crestwood, Munster
Bob/Pat Olson - Baring, Munster
Imad Samara - USACOE
Senator Frank Mrvan - Hammond
Elizabeth Johnson - Congressman's Office
Marc Campagna - Crestwood, Munster
John Mogle - Baring, Munster
Leon/Alice Kozlowski - Oakwood, Munster
John Beckman - Lake Cty Fish & Game

Visitors:

Bill Petrites - Highland
Carolyn Marsh - Sand Ridge Audubon
David Nellans - Munster Town Council
Bob Paulson - Northcote
Ruth Mores - Southmoor Rd, Hmd
Tina Kutkoski - Hmd
Mike Zarantonello - Southmoor Rd, Hmd
Sheldon Edd - USACE
Rob Mangus - Munster Town Council
Doug Anderson - USACE
Jeff Burton - The Times
Erik Potter - Post Tribune
Paul/MaryLou Daniels-Castle Dr, Munster
Elizabeth Howard - Munster WPNA
Barbara Whitaker - Munster
Mike/Sue Wood - Munster
Jayson Reeves 0 21st Ave., Gary
Craig/Beatrice Hanusin - Howard Ave

Minutes of the April 1 meeting were approved by a motion from Bill Biller; motion seconded by Arlene Colvin; motion passed unanimously.

Chairman's Report – Chairman Dernulc referred to the letter to the Army Corps which states that the Commission is almost completed with Stage VIII, except for the Southmoor Addition, and that the Corps can proceed with advertising Stage VIII. The Commission hopes to be able to sign a right-of-entry by May 29. If the Corps does not receive the signed ROE by that date, they will not open bids for the Stage VIII segment. Mr. Dernulc also reported that the agreement with CSX RR has been signed. The attorney continues to negotiate with NICTD, the remaining agreement. The Commission also wrote a letter to the Army Corps requesting the Corps to eliminate the recreational features in Stage VIII west of Calumet Avenue and continuing west to Hohman Avenue.

- Chairman Dernulc asked Imad Samara, project manager, to give an update for Stage VII. Imad reported that the Stage VII contract (Northcote to Columbia, both sides of the river) went to the lowest bidder, CERES Environmental Services, Inc. from Minnesota on April 17, 2009 for a total bid amount of \$13,814,973.70. Paperwork is being filled out; notice to proceed will be issued once that is completed. The Corps construction estimate was \$18 million. There were 10 contractors who submitted a bid. Commissioner Baker asked if there was any stipulation in the specs requiring an out-of-state contractor to use local people on the project. Imad answered that it is not a requirement, but in his discussion with the contractor, they have every intention of using local people. They are not union but will use union people.

- On Stage VIII (Columbia to the state line, both sides of the river), Imad reported that the Corps advertised on May 1. There is a pre-bid meeting scheduled on May 18. Bid opening on Stage VIII will be June 2, as long as the Corps has received the ROE. Chairman Dernulc expressed the concern of some of the residents on River Drive west of Calumet Avenue, who would prefer a floodwall instead of a levee. Imad answered that the contract is currently out for bid; the time is over for any changes and that the Corps design is final.

- Commissioner Biller asked about the landscaping time table along the west side of Hart Ditch. Chairman Dernulc had also sent an email to the Corps. Imad stated that there are still several areas not completed yet and the contractor is not done with the work; it is still considered a construction zone. Once the contractor has completed the contract that some landscaping will be done. There are some areas that will not be done by the Corps; they are not in their jurisdiction. The town of Munster agreed to do additional landscaping adjacent to Hawthorne Drive and that they will work with the residents.

Action Required – In Treasurer Kent Gurley's absence, Chairman Dernulc presented items for action.

- Mr. Biller made a motion to approve the revised claims payable for the May meeting at a total of \$104,534.42; motion seconded by Arlene Colvin. Motion passed with a roll call vote of 6-0.
- Mr. Biller made a motion to approve the O&M claims in the amount of \$57.14; motion seconded by Bill Baker; motion passed with a roll call vote of 6-0.
- Mr. Dernulc referred to NIRPC's invoice for the month of March.

Finance Committee – The Financial Statement for the month ending March 31, 2009 is in the agenda packet.

Land Acquisition/Land Management Committee – Commissioner Baker stated that staff will be working with Indiana-American Water Company to develop a long term license agreement for a one acre permanent easement so they can put a pump station on this land located north of 35th Avenue west of Grant Street, in Gary.

Engineering Committee – Jim Pokrajac reported that he has been attending weekly progress meetings for Stage V-2, that include status on the pipeline corridor. He reported that the contractor is currently working there. They are on schedule. Pipeline re-locations are all completed. Sheet piling is completed west of the NSRR north of the Little Calumet River except for a small section. The contractor has also started sheet piling north of the river east of the NSRR. By the end of late fall, the lines of protection will be in. Railroad work is ongoing.

- Stage VII utilities - Mr. Pokrajac reported that he has talked to B.P. Pipelines. They were scheduled to start about 1-1/2 weeks ago and were delayed because of rain. They will be starting on the Hammond side east of Columbia in about one to two weeks. It will be completed prior to the contractor starting their sheet pile installation.
- Pump Station contracts – Mr. Pokrajac reported that there are a total of 3 pump station contracts that include a total of 9 stations that are ongoing. By April 2010, the last contract will be completed.

Operation & Maintenance Committee – Jim Pokrajac informed the Board members that we have received a partial reimbursement of \$26,431 from FEMA for emergency work that was done during September floods. More money will come once log jam is removed from culverts west of Martin Luther King Drive. That job will start soon.

- Mr. Pokrajac reported that the Army Corps is revising the O&M manuals. They are updating them due to post Katrina regulations.

Legislative Committee – Commissioner Ron McAhrn stated that HB1716, which restructures the Commission, has passed both the House and Senate and is awaiting signature by the Governor. There is no reason to think that it will not be signed. The bill eliminates the existing Commission as of June 30; a new 5-member Board appointed by the Governor will become effective July 1.

- Senator Frank Mrvan addressed the Board relaying his disappointment that the state budget did not pass. \$14 million for the project had been approved by the Senate but when the budget failed to pass, all was lost and must now begin again when the legislators reconvene. He said there was a lot of momentum and support for the project completion even though it is a difficult year obtaining money. No date has been set for re-convening. They should meet at least by mid June; by June 30 a budget must be in place. He will continue to support funding for the project.
- Ron McAhrn stated that the Army Corps has bid out Stage VIII. The consensus is that we do need some funding before May 29. The Corps will not open Stage VIII bids on June 2 unless the Commission has the 7% cash share of \$1,204,000. It needs to go forward so we are looking everywhere for money. He also stated that we are looking at the assets the Commission has; it is possible that we may be able to obtain some money from those assets. Attorney Casale stated that there is no legal obligation to freeze up the excess lands. Although we will have new Commissioners, the Commission itself is still here.

Other Business – There was none.

Statements from the Floor –

- John Beckman represented the Lake County Fish & Game Protective Assoc. in Chesterton referred to the wetland resolution he previously shared with Board members declaring that the Association endorses using open lands for water storage capacity in flood events. He stated that the resolution was on the NIRPC agenda on May 7 for discussion and support. He talked to elected officials and feels that the public is misinformed in that they think the Army Corps is in charge of wetlands. That is not true. The individual cities and towns are in charge of managing wetlands. He feels there are plenty of administrative bodies to work together to use wetlands for storage.
- Bob Paulson from Munster asked whether there would be any problems with the contractor for Stage VII being non-union. Doug Anderson from the Corps replied that the Corps cannot require the contractor to be union; but the Davis-Bacon Act will be complied with that requires all workers be paid union scale (prevailing wages). A lot of non-union contractors sign agreements that they will hire sub-contractors out of the union hall. They expect this contractor to do that.
- Carolyn Marsh from the Sand Ridge Audobon Society referred to a news article in which Congressman Visclosky approved the wetland permitting authority to be transferred to the Chicago Army Corps district instead of the Detroit district which she opposes. Commissioner McAhrn informed her that this is not a Commission issue. We have no control regarding wetlands regulations/permitting; it is not part of our responsibility for the flood control project. He also stated we have provided all required lands for mitigation for this project. Ms. Marsh answered that filling in the wetlands causes flooding and for that reason, the Commission should be concerned with wetlands permitting. She also referred to a news article in which it stated that the city of Gary wanted to move a casino boat in the Little Calumet River. Since Gary already has a huge flooding problem, she feels this would cause worse flooding by installing hard surfaces as part of the development. Chairman Dernulc stated that the Commission has not been approached on this subject; feels it is speculation.
- Bill Howard from Munster inquired as to what construction was at the confluence of Hart Ditch and the Little Calumet River. Sheldon Edd from the Corps stated that rip-rap was being installed and is part of Stage V-2 to prevent erosion. It is not Cabela's that is doing the work in that area.
- Senator Frank Mrvan informed the Board members that he and Representative Mara Candelaria-Reardon will work very hard to get the \$14 million reinstated back into the state budget for the project. The Senator also talked about Gary's request to move the casino boat to the Little Calumet River and whether they could actually do that. Imad Samara answered by saying that there are multiple agencies that would have to approve that request. There has been no location identified. This project is very complex and the Army Corps has run and re-run the modeling on this entire project to determine flood stages and elevation. No agency would allow any negative impact on this project. Any permitting would be looked at very carefully. Even if the state legislators approved the move, an evaluation and determination would be made to see if it were viable. Imad Samara also added that this is the first time he has heard of this. The Corps has not seen a design or a plan; they would not approve anything if it poses a negative impact to the project.
- Barb Whitaker from Munster asked whether we will have a final walk-through on V-2. She is concerned about a pole that is on Alta Vista and Hawthorne that she feels is not

necessary. It previously served the monitoring gage station but that gage has been removed. Also, she stated that across from the ditch, there is orange fencing there and blocks of concrete left on the inside of the ditch and asked whether it would be removed. Chairman Dernulc stated that he assumes the area will be cleaned upon once the contractor is completed. He will look into it and let her know.

- Craig Hanusin from Munster thanked the Commissioners for working with the residents. He hoped that some appointments will remain so there would be some continuity. He also asked if the issue of funding will have anything to do with the Corps issuing a Notice to Proceed with Stage VIII. Chairman Dernulc informed him that the Corps is proceeding; they have already advertised. He also asked whether or not Wicker Park golf course will continue to be part of the overflow water retention; this area is bound to have heavy rainfall again. Chairman Dernulc answered that he knows that the contractor is working on the line of protection adjacent to Hart Ditch and will seed as called for as noted in the specifications and he believes they plan to seed shortly. Mr. Hanusin also asked if the Corps levee would be higher or lower than the elevation that the town of Munster built to on the south side of the river. Imad Samara answered that it should be a 602 elevation; that is the same elevation that the Corps plan has; the new levee will not be lower.

There being no further business, the meeting was adjourned. The next meeting is scheduled for Wednesday, June 3, 2009 at the Munster Town Hall, with a work study session scheduled at 5:30 and the public meeting at 6:00.

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
MONTHLY BUDGET REPORT - JUNE 2009

	2009	Actual	Actual	Actual	Actual	Actual		ALLOCATED	UNALLOCATED
	BUDGET	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	TOTAL	BUDGETED
									BALANCE
5801 PER DIEM EXPENSES	4,200.00	4,200.00	0.00	0.00	0.00	0.00	0.00	4,200.00	0.00
5811 LEGAL EXPENSES	3,500.00	283.33	283.33	283.33	283.33	283.33	303.33	1,719.98	1,780.02
5812 NIRPC SERVICES	86,462.00	12,299.98	13,322.25	10,672.12	9,422.54	9,216.33	9,243.04	64,176.26	22,285.74
5821 TRAVEL/MILEAGE	1,250.00	1,140.48	30.36	0.00	18.48	39.60	44.00	1,272.92	-22.92
5822 PRINTING/ADVERTISING	750.00	113.13	215.00	38.68	0.00	0.00	0.00	366.81	383.19
5823 BONDS/INSURANCE	6,500.00	0.00	0.00	0.00	5,509.38	0.00	0.00	5,509.38	990.62
5824 TELEPHONE EXPENSES	6,500.00	637.09	666.83	834.94	561.48	665.21	454.44	3,819.99	2,680.01
5825 MEETING EXPENSES	-	0.00	0.00	0.00	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	70,477.80	34,327.24	0.00	212,690.00	0.00
5860 PROJECT LAND PURCHASE EXP.	500,380.00	146,060.00	0.00	345,127.50	0.00	9,192.50	0.00	500,380.00	0.00
5882 UTILITY RELOCATION EXP.	332,577.00	141,291.40	7,495.17	0.00	0.00	42,178.43	137,379.08	328,344.08	4,232.92
5883 PROJECT LAND CAP. IMPROV.	-	0.00	0.00	0.00	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	14,242.64	0.00	0.00	33,752.98	16,842.02
5892 PROJECT COST SHARE	605,500.00	605,500.00	0.00	0.00	0.00	0.00	0.00	605,500.00	0.00
	1,810,904.00	957,540.66	44,267.14	416,082.42	100,515.65	95,902.64	147,423.89	1,761,732.40	49,171.60
ADMINISTRATIVE BUDGET	109,162.00								
REMAINING STATE FUNDS	50,683.00	47,893.00	47,519.00	44,974.60	30,550.35	19,903.57	16,631.57		
REMAINING RDA MONIES	1,701,742.00	762,875.35	733,125.98	328,872.63	234,144.14	158,454.02	21,074.94		
TOTAL ALL FUNDS	1,861,587.00								

July

CLAIMS PAYABLE FOR JUNE 2009

ACCT	VENDOR NAME	AMOUNT	EXPLANATION OF CLAIM
5811	CASALE, WOODWARD & BULS LLP	283.33	MONTHLY RETAINER THROUGH MAY 26, 2009
5811	CASALE, WOODWARD & BULS LLP	20.00	ADDITIONAL LEGAL SERVICES THROUGH 5/26/09
5812	NIRPC	9,243.04	SERVICES PERFORMED APRIL 2009
5821	SANDY MORDUS	44.00	MILEAGE 5/4/09-5/27/09
5824	VERIZON NORTH	162.53	BILLING PERIOD 5/16/09-5/16/09(TOTAL BILL290.39 KRBC 127.86)
5824	AT & T	291.91	BILLING PERIOD 4/17/09-5/13/09(TOTAL BILL297.65,KRBC 5.74)
5844	JAMES E POKRAJAC	5,200.80	ENGINEERING/LAND AGENT 4/16/09-4/30/09
5844	JAMES E POKRAJAC	235.40	APRIL MILEAGE
5844	JAMES E POKRAJAC	5,141.70	ENGINEERING/LAND AGENT 5/1/09-5/15/09
5844	JUDITH VAMOS	55.88	MARCH MILEAGE
5844	JUDITH VAMOS	2,994.60	LAND ACQUISITION AGENT SERVICES 4/16/09-4/30/09
5844	JUDITH VAMOS	34.76	APRIL MILEAGE
5844	JUDITH VAMOS	3,146.50	LAND ACQUISITION AGENT SERVICES 5/1/09-5/15/09
5844	G. LORRAINE KRAY	1,189.85	CREDITING TECH & LAND ACQUISITION ASST 4/16/09-4/30/09
5844	G. LORRAINE KRAY	695.95	CREDITING TECH & LAND ACQUISITION ASST 5/1/09-5/15/09
5861	LAKE COUNTY RECORDER	61.00	RECORD EASEMENTS RE: DC-1363
5861	MERIDIAN TITLE CORPORATION	1,103.00	CLOSING COSTS INCURRED ON DC-1303 (BOTANTICAL GARDENS)
5861	MERIDIAN TITLE CORPORATION	283.00	CLOSING COSTS INCURRED ON DC-1303 (BOTANTICAL GARDENS)
5861	MERIDIAN TITLE CORPORATION	325.00	TITLE WORK RE: DC-1254
5861	NORTHERN INDIANA COMMUTER TRANS DIST	1,500.00	PURCHASE PRICE RE: DC-1315
5861	LAKE COUNTY CLERK OF COURT	51,350.00	PURCHASE PRICE OF DC-1319
5861	CYRUS REALTORS INC	1,000.00	COURT ORDERED APPRAISAL RE: DC-1319
5861	DAN SKIMEHORN	1,000.00	COURT ORDERED APPRAISAL RE: DC-1319
5861	JERRY KULIK	1,000.00	COURT ORDERED APPRAISAL RE: DC-1319
5861	LAKE COUNTY CLERK OF COURT	5,500.00	PURCHASE PRICE OF DC-1329
5861	CYRUS REALTORS INC	1,000.00	COURT ORDERED APPRAISAL RE: DC-1329
5861	DAN SKIMEHORN	1,000.00	COURT ORDERED APPRAISAL RE: DC-1329
5861	JERRY KULIK	1,000.00	COURT ORDERED APPRAISAL RE: DC-1329
5882	CASALE WOODWARD BULS LLP	15,767.64	LAND ACQUISITION/LEGAL SERVICES THROUGH 5/26/09
5882	CASALE WOODWARD BULS LLP	66.00	UTILITY RELOCATION /LEGAL SERVICES THROUGH 5/26/09
5882	AT & T	40,000.00	UTILITY RELOCATION WORK EAST OF INDIANAPOLIS BLVD & N OF LC RIV SV-2

check on this

3242

TOTAL

150,695.89

ADMINISTRATIVE

RDA \$1,701,742.

DRAW FROM STATE

**APPROVAL TO PAY THE FOLLOWING INVOICES
FROM O&M FUND
June 3, 2009**

- **\$56.93 to T-Mobile for costs incurred for cell phone for engineer field work; monthly service 4/11/09 – 5/10/09**

Total \$ 56.93

8

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
FINANCIAL STATEMENT
JANUARY 1, 2008 - APRIL 30, 2009

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 - APRIL 30, 2009

LEASE RENTS		46,383.36
;; INTEREST INCOME(FROM CHECKING)		326.71
LAND ACQUISITION		117,741.38
ESCROW ACCOUNT INTEREST		460.93
MISC. RECEIPTS		
KRBC REIMBURSEMENT RE: TELEPHONE CHARGE		556.84
TRANSFERRED FROM SAVINGS		477,458.67
REIMBURSEMENT FROM FEMA		26,431.52
CITY OF MUNSTER FOR PROPERTIES		73,335.00
TOTAL RECEIPTS		742,694.41

DISBURSEMENTS - JANUARY 1, 2008 - APRIL 30, 2009

ADMINISTRATIVE		
2008 EXPENSES PAID IN 2009	393,148.11	
PER DIEM		4,150.00
LEGAL SERVICES		1,133.32
NIRPC		57,166.48
TRAVEL & MILEAGE		1,176.12
PRINTING & ADVERTISING		366.81
BONDS & INSURANCE		5,584.38
TELEPHONE EXPENSE		3,307.73
MEETING EXPENSE		
LAND ACQUISITION		
LEGAL SERVICES		63,613.80
APPRAISAL SERVICES		40,500.00
ENGINEERING SERVICES		
LAND PURCHASE CONTRACTUAL		4,275.00
FACILITIES/PROJECT MAINTENANCE SERVICES		15,689.90
OPERATIONS SERVICES		
LAND MANGEMENT SERVICES		73,370.27
SURVEYING SERVICES		20,249.24
MISCELLANEOUS EXPENSES		
ECONOMIC/MARKETING SOURCES		
PROPERTY & STRUCTURE COSTS		211,117.50
MOVING ALLOCATION		
TAXES		
PROPERTY & STRUCTURES INSURANCE		46,381.25
UTILITY RELOCATION SERVICES		140,301.03
LAND CAPITAL IMPROVEMENT		
STRUCTURAL CAPITAL IMPROVEMENTS		30,142.98
BANK CHARGES HARRIS BANK		37.50
PASS THROUGH FOM SAVINGS (O&M)		285.35
PAYBACK TO SAVINGS		
TOTAL DISBURSEMENTS		718,848.66

CASH POSITION - APRIL 30, 2009

LAND ACQUISITION (STATE FUNDS)		242,164.17 A
GENERAL FUND		92,680.90
TOTAL FUNDS IN CHECKING ACCOUNT		334,845.07

CHASE SAVINGS ACCOUNT BALANCE #4414		541,442.55
(Balance of 1,701,742.)		
(O & M MONIES)		
SAVINGS INTEREST	530,727.83	
	**9295.01	
	1,419.71	

CHASE SAVINGS ACCOUNT BALANCE #4747		24,062.51
ARMY CORP CONSTRUCTION MONEY	16,795.00	
ESCROW ACCOUNT INTEREST AVAILABLE	7,267.51	

TOTAL OF BOTH SAVINGS ACCOUNTS 565,505.06

TOTAL OF ALL ACCOUNTS 900,350.13 C

COMMITTED FUNDS: (FROM ABOVE)

LAND ACQUISITION	A	242,164.17
ARMY CORP ESCROW MONEY	B	16,795.00
UNCOMMITTED FUNDS AVAILABLE)	C-(A+B)	641,390.96

REMAINING STATE APPROPRIATIONS AVAILABLE (As of APRIL 30, 2009)

22,365.57

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

NORTHWESTERN 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 Date: 13-May-09
For: Services Performed: April 2009 Billing Code: 1201-1012-03-04

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:			91.14
Copier Charges @ \$5.00/month plus \$.06 per copy:	#	2,960	182.60
Color Prints made on Color Copier @ \$0.20 per page	#	369	73.80
Fax machine/long distance @ \$5.00 plus current charges:			5.00
Graphics, printing & clerical time @ \$40 per hour:	#	1	40.00
Petty Cash Distributions:			
1 single signature plate			189.50
TOTAL DUE:			\$ 9,243.04



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RUDOLF SUTTON
Porter County Commissioners' Appointment

VACANCY
Governor's Appointment

VACANCY
Governor's Appointment

VACANCY
Executive Director

LOU CASALE
Attorney

May 18, 2009

**Mr. William Hanna
Executive Director
Northwest Indiana Regional
Development Authority
9800 Connecticut Drive
Crown Point, Indiana 46307**

Dear Mr. Hanna:

The Little Calumet River Basin Development Commission (Commission) has reached another critical juncture in the quest to complete the Little Calumet River Flood Protection Project. The contracting process has been initiated that will enable the Army Corps to let the bid for Stage VIII. This final stage of the line of protection extends from Columbia Avenue to Hohman Avenue near the Illinois state line (both sides of the river). In order to initiate this bidding process, the Army Corps required a contingency agreement (Attachment 1) that established performance requirements on the Commission as a prerequisite for the Army Corps opening bids and subsequently awarding a contract for this final levee segment. These conditions are straightforward, obtain easements for two railroad properties and pay the \$1,204,000 7% cash share associated with 2009 supplemental budget funding in the amount of \$16 million from the final 2009 Federal budget (Attachment 2-March 11, 2009 letter from the Corps).

We have a fully executed easement agreement with CSX. Final details are being negotiated with NICTD; and we are confident that an easement agreement will be executed in a timely fashion.

As you know, the State budget will not be finalized before our May 29 deadline with the Corps. At this point, we lack funds to pay the \$1,204,000 7% cash escrow payment. By letter dated May 6, 2009 (Attachment 3), an additional \$226,000 was requested by the Corps to provide match for an additional \$3 million in Federal funds directed to the project under the American Recovery and Reinvestment Act. We respectfully request that the RDA extend the Commission another loan

Mr. William Hanna
May 18, 2009
Page 2


in the amount of \$1,430,000 (\$1,204,000 + \$226,000) to cover these 7% cash escrow payments. This request is consistent with the initial loan request as the funds will go directly to the Army Corps to match Federal construction funds.

We, of course, do not know how the Little Calumet River flood protection project will fare in the final State budget. We would point out that the Federal funding that has created the immediate escrow need was included in our projected spending budget for next year; so if full funding for the project is obtained from the State, the Commission would be in a position to repay this \$1,430,000 as soon as new State funds become available.

In addition, the Commission owns several acres of land and sees other property opportunities in and around the length of the project. We will suggest that, after the Commission is reconstituted July 1, that discussions be held regarding maximizing the benefit of these properties for northwest Indiana and the flood protection project.

Thank you for your consideration. Please do not hesitate to contact me if you have any questions.

Sincerely,


Daniel E. Dernulc, Chairman
Little Calumet River Basin
Development Commission

/sjm
encl.

cc: Ron McAhron, Kent Gurley, LCRBDC



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

DANIEL DENULC, 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 McAHORN
Dept. of Natural Resources' Appointment

JOHN MROCZKOWSKI
Governor's Appointment

RUDOLF SUTTON
Porter County Commissioners' Appointment

VACANCY
Governor's Appointment

VACANCY
Governor's Appointment

VACANCY
Executive Director

LOU CASALE
Attorney

April 9, 2009

Mr. Roy Deda, Deputy
Project Management
U.S. Army Corps of Engineers
111 N. Canal Street
Chicago, Illinois 60606-7206

Dear Mr. Deda:

This letter is to inform you that the Little Calumet River Basin Development Commission is hereby requesting that the U.S. Army Corps of Engineers proceed to advertise for invitation for bidders to construct Stage VIII of the Little Calumet River Basin Flood Control Project in Lake County, Indiana with the exception of the area west of the NICTD/CSX railroad property, commonly known as the "Southmoor Road" area, which should be bid as an option to said contract. The Commission has substantially completed all other acquisitions and is in the final stages of completing the NICTD and CSX acquisitions. It is expected that all acquisitions will be completed on or before May 29, 2009, which is the Friday before the anticipated bid opening date, with the exception of the Southmoor Road area.

In addition thereto, this letter shall serve as assurance to the Army Corps of Engineers that the Little Calumet River Basin Development Commission is in the process of and intends to obtain the necessary \$1.2 million local share to precede with said project. The Commission is aware that if all acquisitions, excepting those in Southmoor Road area, are not completed and/or the \$1.2 million local funding is not available on or before May 29, 2009 the Army Corps of Engineers may, at its discretion, delay the opening of bids for the Stage VIII levee project until the above-stated conditions are met.

On behalf of the Commission, and the citizens of Lake County, Indiana, it would be greatly appreciated if the Army Corps of Engineers give this request positive consideration. Moving forward with the bid process will save considerable time and lead to an earlier completion of the project.

Thank you in advance for your consideration of this matter.

Sincerely,

Daniel E. Dernulc
Chairman
Little Calumet River Basin
Development Commission

/sjm

cc: Imad Samara, USCOE
Daniel Dernulc, Ron McAhron, Kent Gurley, LCRBDC

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Attachment 1



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:

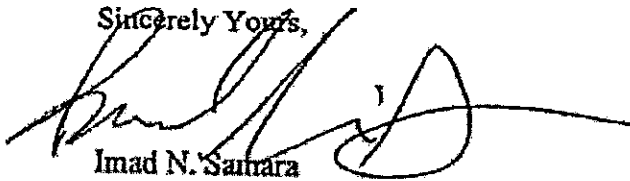
As indicated in my January 5, 2009 letter, I am requesting additional Non-Federal Matching funds since additional Federal funds have been allocated in the FY 09 Omnibus Bill. The president today signed the FY09 Omnibus Appropriations Bill which includes \$16,000,000 additional Federal funds for FY09.

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.

Sincerely Yours,



Imad N. Samara
Project Manager



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

May 6, 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:

This letter is to inform you that the Little Calumet River Flood Control and Recreation Project received \$3,000,000 as part of the American Recovery and Reinvestment Act (ARRA or "STIMULUS") for Fiscal Year (FY) 2009. These funds are in addition to the \$24,000,000 that was part of the FY 09 Omnibus bill (USACE March 11, 2009 Letter).

At this time I am requesting that the Little Calumet River Basin Development Commission provide the additional local cash contribution (for the ARRA funds) of \$226,000 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

Imad N Samara
USACE, Project Manager

15

Printed on Recycled Paper

Attachment 3

Northwest Indiana
RDA
Regional Development Authority

A catalyst to transform the economy and quality of life in northwest Indiana

May 18, 2009

Ron McAhron
Deputy Director, IDNR
402 W. Washington St Rm 256
Indianapolis, IN 46204

Dear Mr. McAhron:

I understand per your recent correspondence, the Little Calumet River Basin Development Commission has reached another important juncture in your progress to see the flood protection project to completion. I further understand the contracting process has been initiated that will enable the Army Corps to let bids for Stage VIII, the final stage of the line of protection extending from Calumet Avenue to Hohman Avenue near the Illinois state line.

Your current request to the RDA states that "in order to initiate this bidding process the Corps required a contingency agreement that established performance requirements on the Commission as a prerequisite for the Corps opening bids and subsequently awarding a contract for this final levee segment. These conditions are straightforward, obtain easements for two railroad properties and pay the \$1.2 million escrow associated with 2009 supplemental budget funding in the amount of \$16 million from the final 2009 federal budget."

As a result of the process outlined by the Corp., you are requesting a draw of up to \$1.410 million of the remaining \$2.9 million of the total \$6 million allocated in the form of a loan to your organization by the RDA.

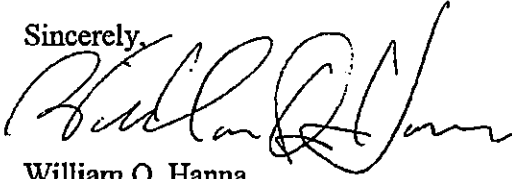
The State budget remains to be finalized in an upcoming special session of the Indiana Legislature. The last version of the budget presented in the regular legislative session contained \$14 million for the completion of the Little Calumet River Basin flood protection project. I understand that the granting of this current request by the RDA will allow you to move forward on construction without delay and in lieu of a permanent funding solution still required to complete the project.

The RDA authorizes the Little Calumet River Basin Development Commission as of May 18, 2009, to draw up to \$1.410 million for the letting of bids for Stage VIII from the remaining balance of the \$6 million loan from the RDA. The RDA requests timely

updates on progress, as well as, reports on material changes in costs or completion schedule.

Please feel free to contact me at (219) 644-3500 with any additional questions.

Sincerely,

A handwritten signature in black ink, appearing to read "William Q. Hanna", written in a cursive style.

William Q. Hanna
Executive Director
Northwest Indiana Regional Development Authority

Northwest Indiana
RDA
Regional Development Authority

A catalyst to transform the economy and quality of life in northwest Indiana

May 26, 2009

Mr. Daniel E. Dernulc
Chairman
Little Calumet River Basin Development Commission
6100 Southport Rd.
Portage, IN 46368

Dear Mr. Dernulc:

The Northwest Indiana Regional Development Authority ("RDA") sent you a response to your request on behalf of the Little Calumet River Basin Development Commission ("LCRBDC") dated May 18, 2009 requesting up to a \$1.5 million draw from its \$6 million loan. In a letter responding to your request also dated May 18, 2009 I authorized the third drawdown payment for the amount requested, and will take this opportunity to review with you the RDA reporting requirements.

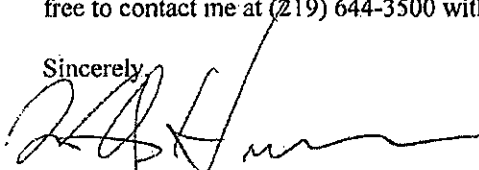
Clause 6 and 7 of the reimbursable loan agreement enables the RDA to request from the LCRBDC project progress reports and documentation as deemed necessary. Attachments A, B and C are being provided to assist the LCRBDC in meeting the financial and project status requirements of the RDA. The LCRBDC shall prepare and electronically submit the enclosed financial report (Attachment A) to the RDA Executive Director on a quarterly basis. This financial report provides the RDA with a consistent method by which it can monitor the sources of funds, governmental and non-governmental, with functional accountability on the uses of those funds by LCRBDC. It allows both the RDA and the LCRBDC to more effectively communicate the financial position of this critical project to interested stakeholders in a timely manner. The financial report is straightforward in that the revenue sources are presented by type and the project expenditures are classified as administrative costs and as programmatic costs related to either levee development or operations & maintenance ("O&M"). A full description of the functional categories is included in Attachment B.

The RDA further requests that as a cover to the financial report, the LCRBDC shall prepare its own summary report detailing a) project progress for each stage of the levee system still under development and b) any major O&M required on completed stages of the system. This project report should include stage title, start date, completion date, milestones, original budget as of October 2008, modified budget as of the most recent iteration, and a comment section to address outstanding issues, major change orders, etc.

If any RDA funds have been used to acquire property then the LCRBDC is required to adhere to the RDA Land Acquisition policy (Attachment C) and submit the necessary supporting documentation for each parcel.

I will make the RDA consultants and staff available to assist the LCRBDC in meeting these reporting requirements. Please feel free to contact me at (219) 644-3500 with any questions. Thank you.

Sincerely,



William Q. Hanna
Executive Director

CC: Ron McAhron, Kent Gurley

Enc: Attachment A: "RDA Financial Report"; Attachment B: "Data Dictionary"; Attachment C, "RDA Land Acquisition Policy"; Attachment D, "Letter to Ron McAhron of May 18, 2009"

9800 Connecticut Drive, Crown Point, IN 46307 ■ 219-644-3500 phone ■ 219-644-3502 fax ■ www.in.gov/rda

May 6, 2009

RE: Floodplain Status Change For Your Property

Dear Property Owner:

Flooding is the most frequent and costly disaster in Indiana. The risk for flooding changes over time due to erosion, land use, weather events, and other factors. The likelihood of flooding has changed along with these factors. The risk for flooding can vary within the same neighborhood and even property to property. But it exists throughout the area. Flooding occurs not only in high-risk areas, but in low to moderate-risk areas as well. In fact, more than 25% of properties flooded nationwide were in areas designated as having a low or moderate flood risk. Knowing your flood risk is the first step to flood protection.

A multi-year project to re-examine Lake County's flood zones and develop detailed, digital flood hazard maps has been completed. Just released for public review, the new maps -- also known as Flood Insurance Rate Maps (FIRMs) -- reflect current flood risks, replacing maps that are up to 28 years old. As a result, you and other property owners throughout Lake County will have up-to-date, reliable, Internet-accessible information about your flood risk, on a property-by-property basis.

How will these changes affect you?

The purpose of this letter is to inform you that on the new preliminary flood maps, a parcel you own in Lake County may have had a floodplain status change.

Depending on the status change you may wish to consider obtaining flood insurance. It is recommended that you contact your insurance agent to learn more about flood insurance options. For more information on flood insurance, visit the NFIP's website, www.floodsmart.gov.

The new maps help promote public safety.

These flood hazard maps are important tools used in the effort to protect lives and properties in Lake County. By showing the extent to which areas of the County and individual properties are at risk for flooding, the flood maps help business owners and residents make more informed decisions about personal safety and financially protecting their property. These maps also allow community planners, local officials, engineers, builders, and others to make determinations about where and how new structures and developments should be built.

When do the maps become effective?

The maps that were just released are still known as preliminary and will be available for viewing at an upcoming open house. Shortly after the open house, there will be a 90

day Public Comment Period. This is the time when citizens will have the opportunity to submit technical and/or scientific data to file a protest regarding their individual property, or an appeal regarding the accuracy of the mapping process in general.

Once the appeals and protests are reviewed and once any warranted map changes are incorporated, FEMA will issue a Letter of Final Determination (LFD). Your community must adopt an ordinance approving the new Digital Flood Insurance Rate Maps (DFIRMs) within 6 months of the issuance of the LFD. The maps will then become effective for insurance purposes at the end of the six-month period. However, please be aware that upon the issuance of the LFD the new DFIRMs will be utilized as the official maps for permitting purposes.

Here's where to go for more information.

A public Flood Risk Open Houses will be held at the following location in Lake County in order for you to view the new flood maps.

**Wednesday, May 27th
1:00 p.m. to 4:00 p.m. &
5:00 p.m. to 8:00 p.m.
Industrial Building
Lake County Fairgrounds
889 South Court Street
Crown Point, IN 46307**

**Thursday, May 28th
12:00 p.m. to 3:00 p.m. &
4:00 p.m. to 7:00 p.m.
Industrial Building
Lake County Fairgrounds
889 South Court Street
Crown Point, IN 46307**

Representatives from the Federal Emergency Management Agency (FEMA), the Indiana Department of Natural Resources (IDNR), and local communities of Lake County will be on hand to answer questions about the new mapping. Local government staff also will be available to assist residents one-on-one and provide information at your local Plan Commission or Building Department throughout the public comment period. To stay up-to-date and look up this parcel on the new map, visit IDNR's website, www.floodmaps.in.gov.

A brochure is enclosed with this letter to provide you with more information about this project and how it will affect this community.

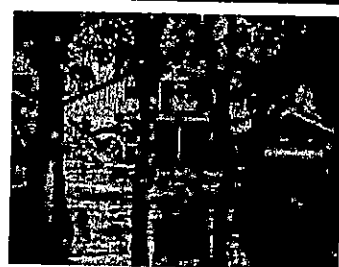
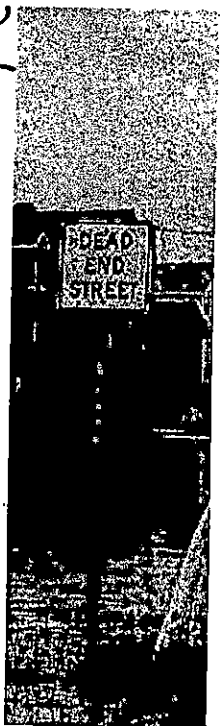
This flood map modernization project is the result of a partnership between FEMA and IDNR, in cooperation with local communities and private sector partners.

(Enclosure)

Learn Your Property's Flood Risk

Floods can — and do — occur throughout the State of Indiana. And flooding not only occurs in high-risk areas but in low-risk to moderate-risk areas, as well. Twenty to 25 percent of all flood insurance claims come from areas designated as low-risk to moderate-risk areas.

The new digital flood maps show flood risks property-by-property. Learn your risk. Go to <http://www.floodmaps.in.gov> to view and find information on how to use the maps.



Flooding occurs in all 50 states and is the nation's most costly natural disaster. Everyone in your community is at some risk. Please attend the Flood Risk Open House to learn more about your risk and to learn more about flood insurance.



From Release To Final Adoption

When the new flood maps are adopted, new insurance requirements will take effect. The map adoption process includes a round of community meetings, and a review of citizen concerns. Some property owners may feel that even though part of the property is in a high-risk area, the house or commercial structure itself sits high enough to warrant a lower flood insurance rate. Owners who wish to challenge the new designation will need to prove that the structure is sufficiently above the base flood elevation. For more details on the appeals and protest process, please attend the Flood Risk Open House or visit <http://www.floodmaps.in.gov>.

THE MAP ADOPTION PROCESS

- Preliminary maps released
- Flood Risk Open House
- Start of 90-day Public Comment Period (for filing of appeals and protests)
- County, State, and Federal review begins of any appeals and protests
- All appeals and protests are addressed; maps become final
- Letter of Final Determination mailed; Communities have 6 months to adopt maps
- Approximately 1 year from Flood Risk Open House, maps are adopted by your community; new insurance requirements take effect

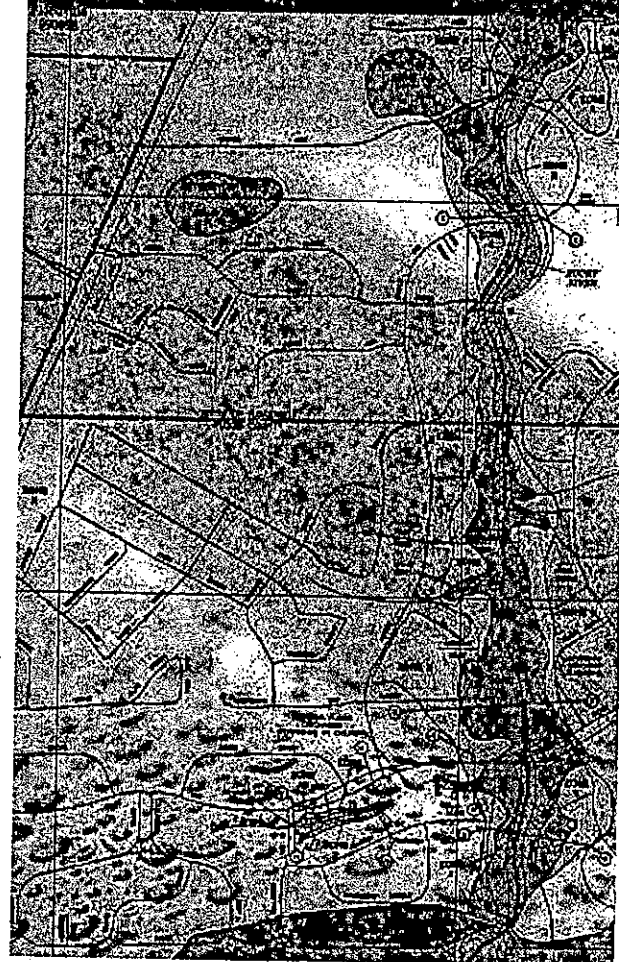
Visit <http://www.floodmaps.in.gov> to see the preliminary maps and learn when map changes take effect

* Date subject to change pending completion of review process

The map modernization project is a joint effort between your community, the Indiana Department of Natural Resources, and the Federal Emergency Management Agency, in cooperation with private sector partners.

MAPPING THE RISK FLOOD MAP MODERNIZATION

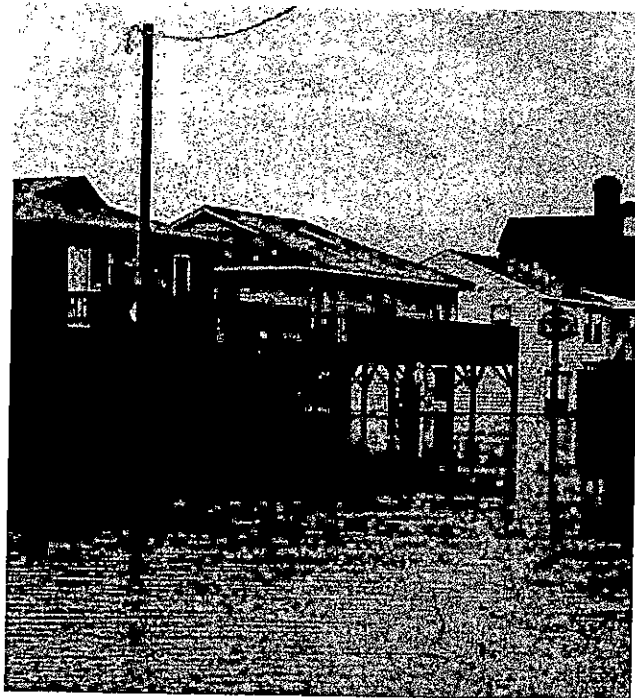
New Flood Hazard Maps



Mapping The Risk

Flooding is a frequent and costly hazard in the State of Indiana, and the first step in flood protection is knowing your flood risk.

Flood risks vary from property to property, even in the same neighborhood. And risks can change over time due to erosion, land use, and other factors. The State of Indiana is in the process of completing a major effort to develop detailed, digital flood hazard maps that reflect current flood risks and areas of recent growth. The new maps replace maps that are up to 30 years old. Planners, local officials, engineers and builders can use the maps to make important determinations about where and how to build new structures and developments. Residents and businesses can use the maps to learn their risk, and decide the financial steps they need to take to protect against damage and loss.



Flood Maps And Flood Insurance

With the release of the new maps, some property owners will learn that their risk is higher, or lower, than they thought. If you receive a letter describing a change in your flood risk status, the change may affect what you pay for flood insurance. Flood insurance is a federally underwritten program that can help you repair or replace your structure and belongings after a flood.

The federal government requires mortgage holders in high-risk areas (known as Special Flood Hazard Areas) to carry flood insurance. However, if you are mapped into a high-risk area, and already have flood insurance when the maps are officially adopted, your premium will stay at the current lower risk level when your policy renews.

IF THE MAP SHOWS	THESE REQUIREMENTS, OPTIONS AND SAVINGS APPLY
Change from low or moderate flood risk to high risk	<p>Flood insurance is mandatory. Flood insurance will be federally required for most mortgage holders. Insurance costs may rise to reflect the true (high) risk.</p> <p>Grandfathering offers savings. The National Flood Insurance Program (NFIP) has "grandfather" rules to recognize policyholders who have built in compliance with the flood map or who maintain continuous coverage. Talk with your insurance agent about the ways you can save.</p>
Change from high flood risk to low or moderate risk	<p>Flood insurance is optional, but recommended. The risk is reduced, not removed. Flood insurance can still be obtained, and at lower rates. Twenty to 25 percent of all flood insurance claims come from low- to moderate-risk areas.</p> <p>Conversion offers savings. An existing policy can be converted to a lower-cost Preferred Risk Policy for those properties that qualify.</p>
No change in risk level	<p>No change in insurance rates. Most homeowner insurance policies do not cover damages due to flooding. Talk to your insurance agent to learn your specific risk and the steps you can take to protect your property and assets.</p>

Questions about maps? For general information and to view your community's maps visit:
<http://www.floodmaps.in.gov>

Questions about flood insurance? Visit www.FloodSmart.gov, or speak with your insurance agent.

New Little Calumet board will have seamless transition

Post Tribune

5-7-09

■ Law removes current 11 members and replaces with governor's picks.

By ERIK POTTER

Post-Tribune staff writer

MUNSTER — The commission that oversees the Little Calumet River flood control project will be dissolved and reconstituted at the end of June, but the current members promised Wednesday night that there will be a seamless transition between the current board and the new one.

The General Assembly passed a bill this spring that replaces the current 11-member board with a five-member board chosen entirely by Gov. Mitch Daniels. That law takes effect July 1.

The current commission, which features four new members since September's flood, has earned the praise of local residents in recent months. Commission members promised that the progress made since the fall would not be lost in the transition to a new board.

"I'm not the least concerned about that," said Ron McAhrn, one of the new members appointed by Indiana Department of Natural Resources. He said all the members would make sure the new commissioners — if Daniels chooses different people — are up to speed.

Both McAhrn and Board Chairman Dan Dernulc, another of the new appointees who was appointed by Daniels, said they would be willing to serve on the new commission.

What commissioners were concerned about was the status of the \$14 million in state money that the commission has said it needs to finish the flood control project by the



Dernulc



Mrvan

end of 2010.

With the state budget at an impasse in Indianapolis, the commission is in funding limbo while it approaches contract signing for the final stages of the flood control project.

The Army Corps of Engineers awarded the contract for the second-to-last stage of the project on April 17 and expects to open bids for the final stage of the project by June 2.

Stage VII went to Ceres Environmental Services, based in Brooklyn Park, Minn., for \$13.8 million, well below the estimated \$18 million.

Another legislative worry raised by state Sen. Frank Mrvan, D-Hammond, was the late-session proposal for a riverboat or land-based casino on or near the Little Calumet River in Gary.

Army Corps Project Manager Imad Samara said that no matter what lawmakers do, the Army Corps has to approve anything that would impact one of its projects. IDNR and the Indiana Department of Environmental Management would also need to OK a development that affected wetland and water flow.

"We will not approve anything that's going to impact our project negatively," Samara said.

Contact Erik Potter at 648-3120, or epotter@post-trib.com. Comment on this story at www.post-trib.com.

The Times

5-7-09

Little Cal panel is wary of a casino

Flood-control efforts
should block gambling
site permits, officials say.

BY JEFF BURTON

jeff.burton@nwi.com, (219) 762-1397, ext. 2225

MUNSTER | The impact that a land- or water-based casino in or near the Little Calumet River could have on flood control efforts drew comments from audience members and one legislator Wednesday night.

Addressing members of the Little Calumet River Basin Development Commission, state Sen.

Frank Mrvan, D-Hammond, said

he's concerned a plan to relocate one of Gary's two casino licenses to a riverfront site could spell disaster

for residents downstream should another historic rainfall event occur.

With testimony from a representative of the U.S. Army Corps of Engineers, the agency overseeing the construction of levees from Gary to the Illinois border, Mrvan said some legislators could be swayed to nix the casino move.

Imad Samara from the U.S. Army Corps of Engineers said he's not familiar with the casino plan, but said any project that would negatively impact the flood-control program would not receive the appropriate permits from a multitude of state and federal agencies, even with the Legislature's approval.

PHASE 7 BID AWARDED

The U.S. Army Corps of Engineers said Phase 7 of the levee plan was awarded last month, coming in at \$13.8M.

And while the state has allowed multiple casinos along the Ohio River in southern Indiana, Mrvan said he can't see how a riverboat would fit anywhere in the Little Calumet River.

"The Little Cal is a ditch compared to the Ohio River," he said.

The casino plan is just one of a handful pending in Indianapolis that could affect the Little Calumet Commission's work. Dan Dernulc, the commission's chairman, said a bill passed by the Legislature and waiting for the governor's signature will likely change the makeup of the group's membership and additional funding also is in the air.

Mrvan said he and other legislators pushed for a \$14 million appropriation to finally complete the project, but that amount has been reduced to about \$9 million. He said the full amount is needed to get the project done on time

[Back to regular view](#) • [Print this page](#)

Poor planning decades ago blamed for floods

(<http://www.post-trib.com/news/1570783,floodmap0513.article>)

May 13, 2009

By Gitte Laasby, Post-Tribune staff writer

Lake County's flooding problem started when people overbuilt in flood plains and marshy areas.

The inadequate draining got worse with bad infrastructure and heavy precipitation. Now, damage in places like Gary and Hammond can only be corrected if municipalities start a major reconstruction of storm drains, install sump pumps and help improve flood flows of rivers and streams.

Those are among conclusions of a new flood insurance study by the Federal Emergency Management Agency.

The study says the impervious surfaces lead to increased runoff and not enough places for the water to go after heavy rains or snowmelt. Many culverts aren't big enough to handle the flow.

Bridges have low clearing so they get clogged by debris and block water from moving during high flow. On top of it, the land is flat in most areas and doesn't transport the water well.

"The majority of the drainage channels in the county do not have the capacity for the larger flood flows," the report states.

The study says backed-up sanitary sewers in Hammond create a health hazard. It also says judging by past flooding, Munster will have an average of about one flood every 10 months because "virtually the entire flood plain of the Little Calumet River has been developed."

Munster Town Manager Tom DeGiulio said many of the houses were built before the federal insurance program warned that areas are prone to flooding.

Telling people not to build in certain areas "is a great statement to make in hindsight," he said. "Development that's occurred He said the town's 1938 land use plan recommended creating a buffer zone by not building houses backing up to any of the waterways.

"You think back, they should have done that," he said.

DeGiulio said Munster has required builders to elevate new construction 2 feet above elevation since the 1980s and has not had problems with flooding of recent construction. He said finishing and maintaining Little Calumet River levees will help, as would better stormwater management in areas south of Munster.

The delay on construction of the Little Calumet River levees is well known. But the study says channel improvement was also planned and authorized for construction on West Creek and Bull Run in December 1959.

"However, none of the structural measures were installed and the project was placed on the inactive list in March 1968 and has since been closed out," the study says.

Along the Kankakee River in southern Lake County, another report recommended 49 miles of wide levees from U.S. 30 to U.S. 41 for flood prevention and drainage (14 miles in Lake County) and channel work on 13 selected tributaries.

According to the study, no construction has been authorized. Recommendations also included adopting or amending flood plain zoning ordinances and building codes.

Tom Anderson, executive director of Save the Dunes, said managing flood water requires people to change their way of thinking, which is to send the water away from their own land.

25

"Water is kind of the common enemy. It's like the hot potato. When the rain hits the ground, I put it away from me. Then you put it away from you. That really is contrary to ecosystems," he said. "Now we're realizing it's a part of the hydrologic system. It needs to go through the soil for water quality reasons and for flooding reasons."

Anderson said each community often has its own rules on how to manage storm water but that better collaboration is required to develop a full watershed plan. DeGiulio agreed.

"This is a multicounty-, multistatewide problem," he said. "People have got to wake up and realize we have to spend more money dealing with stormwater issues than people have been willing to spend on them."

Anderson said government grants are available for some infrastructure improvements for the communities that develop a stormwater management plan. Vegetative swales, rain gardens, rain barrels and green roofs can also help manage storm water.

Department of Natural Resources spokesman Darrin Miller said preventing flooding requires public support for infrastructure investments.

"The short answer is to continue to update infrastructure to have a greater capacity," he said. "The other issue is just support for proper flood plain management as far as enforcement of existing flood plain ordinances and keeping houses and other structures at risk for being damaged out of flood plain areas."

Contact Gitte Laasby at 648-2183 or glaasby@post-trib.com. Follow Gitte on Twitter @GitteLaasbyPT.
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Daniels signs off on Little Cal River panel revamp

BY PATRICK GUINANE

patrick.guinane@nwi.com, (317) 637-9078

INDIANAPOLIS | Gov. Mitch Daniels closed the books Wednesday on the legislative session, signing into law a final batch of 23 bills while vetoing a politically tinged attempt to shake up of the state courts system.

The Republican governor inked the Little Calumet River levee commission overhaul that U.S. Rep. Pete Visclosky, D-Ind., called for in the wake of fall flooding that damaged thousands of homes.

And Daniels paved the way for Indiana to better compete with neighboring states for information technology projects by approving a

tax incentive package advocated by the Northwest Indiana Forum.

Absent from the list of new laws is a state budget.

Lawmakers will return to the Statehouse for special session next month after failing to accomplish their No. 1 assignment.

FOR A ROUNDUP OF THE NEW LAWS, SEE A2.



DANIELS

Daniels caps legislative session

Unemployment fix, Little Cal overhaul are among final bills signed into law

UNEMPLOYMENT

Gov. Mitch Daniels held his nose Wednesday and signed into law an attempt to repair Indiana's bankrupt unemployment system by hiking employer taxes more than \$300 million a year.

The legislation, House Bill 1379, does not cut worker benefits, nor does it tighten eligibility restrictions on construction trades, as Republicans initially proposed. The GOP governor previously complained the bipartisan legislative package is light on system reforms and won't fully address an \$800 million structural deficit in the unemployment fund.

"We agree with the governor, who has said that the legislation is flawed, imperfect and will not solve the problem," said Patrick Kiely, president of the Indiana Manufacturers Association.

Kiely dubbed the unemployment fix the biggest business tax hike in state history and called on lawmakers to seek a more balanced solution when they convene for special session in June.

Businesses currently pay an annual unemployment insurance tax of \$77 to \$392 per employee. That range, based on a firm's use of the unemployment fund, will go to \$71.25 to \$969 per employee by 2011.

LITTLE CAL OVERHAUL

Daniels also inked legislation to wash away the panel in charge of building protective flood walls along the Little Calumet River.

House Bill 1716 dissolves the 11-member Little Calumet River Basin Development Commission on June 30 and gives the governor sole responsibility for nam-

OTHER NEW LAWS SIGNED WEDNESDAY

SENATE BILL 21: Requires scrap yards to photograph sellers; expands definition of valuable metals to include catalytic converters and other car parts; increases criminal penalties for trespassing at power plants, rail yards and other "key facilities." Authored by Sen. Karen Tallian, D-Ogden Dunes

SB 391: Drivers younger than 70 will be allowed to renew a license online or by mail; provided they don't need to take a written test or change their name or address. Authored by Sen. Earline Rogers, D-Gary

SB 1514: Doubles the required theft insurance bonds for local government financial officers to \$30,000 per \$1 million handled. Allows state auditors to inform the state attorney general sooner if a large public theft is suspected. Sought by Attorney General Greg Zoeller

HOUSE BILL 1243: Requires county recorders and surveyors elected after July 1 to take training courses.

ing a new five-member board. Four of his appointees must hail from communities adjacent to the river, while the final selection will represent the Indiana Department of Natural Resources.

U.S. Rep. Pete Visclosky, D-Ind., called for the ouster of the levee commission in the wake of September flooding that damaged more than 4,000 region homes. The commission was created more than two decades ago to build levees from Gary to the Illinois border.

The state budget plan that failed April 29 in the Indiana House contained the full \$14 million requested to complete the levees. Region legislators will fight to maintain that amount when budget negotiations resume in June.

The governor's new appointees to the levee commission cannot hold another appointed or elected office, and three of the five commissioners must have a back-

ground in construction management, flood control or a related field.

TAX BREAKS FOR HIGH-TECH

The governor also signed legislation designed to help Indiana compete for large-scale information technology investments.

Senate Bill 448, sponsored by Sen. Ed Charbonneau, R-Valparaiso, would allow counties and municipalities to waive property taxes on computers, fiber optic cable and other costly high-tech equipment.

"This tax incentive should help bring high-tech data centers to northern Indiana," Charbonneau said. "Along with our lower electric rates and position on the national fiber optic cable networks, we believe this tax break will bring in these businesses which have been choosing to locate in other states."

Starting July 1, firms that invest at least \$10 million in a data center and agree to pay an average wage at least 25 percent greater than the county average can apply for the personal property tax exemption.

JUDGES

For once, Lake County won't be the odd duck. The governor vetoed House Bill 1491, which would have made Lake the only Indiana county that does not elect a majority of its judges.

The measure paired House Democrats' desire to end judicial appointments in St. Joseph County with a Senate Republican push to give Daniels three new appellate court appointments.

In a statement, Daniels called merit selection "a model to be emulated" and said the legislation "could contribute to public cynicism" by creating the appearance the Court of Appeals slots bought his signature.

It would take simple majority votes in the House and Senate to override the veto.

- BY PATRICK GUINANE, THE TIMES



Current Status of Little Calumet River Projects June 8, 2009

East of Kennedy Avenue - All projects that have been started are functional and essentially complete.

West of Kennedy Avenue -

1) Stage 5-2

- a. In Munster -
 - i. All levees have been built.
 - ii. All concrete floodwall completed.
 - iii. Sheet pile floodwall installed.
 - iv. Baring Avenue pump station outlet and sheet pile floodwall concrete cap and face remain to be completed.
 - v. Riprap placement along Hart Ditch floodwall remains to be completed.
- b. In Wicker Park -
 - i. All concrete floodwall completed.
 - ii. Minor drainage work through floodwall to be completed.
 - iii. Levee partially completed. Construction operations resumed May 4, 2009.
 - iv. Storm sewer outlet structure near Tri-State being constructed.
- c. In Highland -
 - i. Concrete floodwall completed from Kennedy to near Norfolk Southern Rail Road (NSRR) tracks.
 - ii. Piling for floodwall in utility corridor on both sides of NSRR tracks started. Concrete portion of floodwall will start once piling is complete.
- d. In Hammond West of Indianapolis Boulevard -
 - i. Riprap placement Hart Ditch confluence area completed.
 - ii. Approximately 1,700 feet at the west end of this reach has levee built to the design elevations.
 - iii. Remaining levee is partially built. Exact date for completion depends on weather and crew availability.
- e. In Hammond between Indianapolis Boulevard and Kennedy Avenue -
 - i. West 700 feet of levee completed.
 - ii. Remaining levee is partially built. Contractor will work west from NSRR when the Northwest Utility Corridor floodwall has been completed.
 - iii. Piling for floodwall in utility corridor on both sides of NSRR tracks started. Concrete portion of floodwall will start once piling is complete.
 - iv. Storm sewer outlet just west of NSRR being constructed.
 - v. Storm sewer outlet work at Kennedy Avenue needs to be completed.
 - vi. Indianapolis Boulevard Pump Station outlet gatewell and floodwall structure partially completed.
- f. The start of the closure structure in the Little Calumet River just east of the Baring Avenue Pump Station has been delayed due to fluctuating water levels in the channel and wet weather.

2) Stage 7

- a. Contract was awarded for \$13,814,973.70 on April 16, 2009 to Ceres Environmental Services, Inc.
- b. Notice to Proceed was acknowledged by Ceres on May 12, 2009.
- c. The preconstruction meeting was held with Ceres and local government representatives on May 14, 2009.

- d. Ceres is working on and submitting required information so that they can begin construction.
 - e. Ceres temporary field offices are expected to be established on the southwest corner of River Drive and Northcote in Hammond near the end of June 2009.
 - f. Surveying and tree clearing expected to begin soon.
- 3) Stage 8 – Bid solicitation documents were published on May 1, 2009. Current bid opening date is June 9, 2009.

**Construction Progress
Report
Thru End of May
2009**

CONTRACT NO.: DACW27-01-C-0001	CONTRACT TYPE: Construction	TS-C-S
CONTRACTOR: Overstreet Electric Co., Inc.		D. Anderson
DESCRIPTION: <u>Little Calumet River - Pump Station Rehabilitation Phase 1A</u>		G. Anderson
		Craib
ORIGINAL CONTRACT AWARD DATE/AMOUNT:	5-Oct-00	4,638,400.00
NTP DATE./CURRENT CONTRACT AMOUNT: Mods A00015 & P00021	7-Nov-00	4,177,420.85
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION:	8-Oct-02	700
REVISED CONTRACT COMPLETION DATE/REVISED DURATION:	21-Oct-04	1,444
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS:	21-Oct-04	0
AREA ENGINEER'S ESTIMATED SUBSTANTIAL COMPLETION DATE:	T4D - Not Applicable	

ESTIMATED PROGRESS

A. Present Earnings as of Pay Est. No. 31	4,177,420.85
B. Estimated Earnings thru end of reporting period	0.00
C. Value of work Performed on Directed Mods (Earnings not paid for)	0.00
TOTAL ESTIMATED PROGRESS (A+B+C)	4,177,420.85

TOTAL ESTIMATED FINAL CONTRACT AMOUNT

D. Current Contract Amount thru Mod. A00015 & P00021	4,177,420.85
E. Current Value of Overruns/Underruns (+/-)	0.00
F. Directed, Pending Modifications	0.00
TOTAL ESTIMATED FINAL CONTRACT AMOUNT (D+E+F)	4,177,420.85

FUNDS OBLIGATED FOR PAYMENT: thru Modification A00015 & P00021 4,177,420.85

ACTUAL PERCENT COMPLETE (A+B+C)/(D+E+F) 100.00%

SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart) 100.00%

TOTAL EARNINGS AT THE END OF FY08 **4,239,286.58**

Earnings	Funds Available	Earnings	Funds Available	Earnings	Funds Available
0.00 Oct	0.00	0.00 Feb	0.00	0.00 Jun	0.00
0.00 Nov	0.00	0.00 Mar	0.00	0.00 Jul	0.00
0.00 Dec	0.00	0.00 Apr	0.00	0.00 Aug	0.00
0.00 Jan	0.00	0.00 May	0.00	0.00 Sep	0.00

G. Current Projection of Total Fiscal Year Earnings 0.00

H. Initial Projection of Fiscal Year Earnings (From First Progress Report This FY) 0.00

I. Amount Ahead of Initial Earnings Projection (Negative Indicates Behind) (G-H) 0.00

ACCRUALS THIS MONTH

	LINE ITEM	WORK ITEM	CURRENT ACCRUAL	THIS MONTH ACCRUAL	TOTAL ACCRUAL
FEDERAL	0001	00229B	0.00	0.00	0.00
NON-FED	0001A	00229C	0.00	0.00	0.00

PROJECT STATUS/MAJOR ISSUES:

- The Termination for Default Modification P00020 was issued by the CO on 22 FEB 2006.
- The T4D mod decreased the contract amount by \$711,445.19 (estimated work not complete)
- Work will be completed under the Pump 1A Surety Takeover Agreement contract.
- Surety Takeover Agreement between USACE and bonding company signed 25 JAN 2008.
- Contract Close-Out in Progress. Evaluation entered in CCASS on 5/1/2009 - Do not expect contractor response.

**Construction Progress
Report
Thru End of May
2009**

CONTRACT NO.: DACW23-02-C-0011
CONTRACTOR: Renewable Resources
DESCRIPTION: Little Calumet River - Mitigation

CONTRACT TYPE: Service /Supply

TS-C-S
D. Anderson
G. Anderson
Babcock

ORIGINAL CONTRACT AWARD DATE/AMOUNT:	29-Sep-02	921,102.68
NTP DATE./CURRENT CONTRACT AMOUNT: Mods P00025	7-Nov-02	1,405,845.29
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION	11-Jan-04	430
REVISED CONTRACT COMPLETION DATE/REVISED DURATION:	31-May-08	1895
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS:	31-May-08	0
AREA ENGINEER'S ESTIMATED SUBSTANTIAL COMPLETION DATE:	31-May-08	

ESTIMATED PROGRESS

A. Present Earnings as of Pay Est. No.	19	1,405,845.29
B. Estimated Earnings thru end of reporting period		0.00
C. Value of work Performed on Directed Mods (Earnings not paid for)		0.00
TOTAL ESTIMATED PROGRESS (A+B+C)		1,405,845.29

TOTAL ESTIMATED FINAL CONTRACT AMOUNT

D. Current Contract Amount thru Mod.	P00025	1,405,845.29
E. Current Value of Overruns/Underruns (+/-)		0.00
F. Directed, Pending Modifications		0.00
TOTAL ESTIMATED FINAL CONTRACT AMOUNT (D+E+F)		1,405,845.29

FUNDS OBLIGATED FOR PAYMENT: thru Modification P00025 1,405,940.96

ACTUAL PERCENT COMPLETE (A+B+C)/(D+E+F) 100.00%

SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart) 100.00%

TOTAL EARNINGS AT THE END OF FY08 1,405,845.29

Earnings	Funds Available	Earnings	Funds Available	Earnings	Funds Available
0.00 Oct	0.00	0.00 Feb	0.00	0.00 Jun	0.00
0.00 Nov	0.00	0.00 Mar	0.00	0.00 Jul	0.00
0.00 Dec	0.00	0.00 Apr	0.00	0.00 Aug	0.00
0.00 Jan	0.00	0.00 May	0.00	0.00 Sep	0.00

G. Current Projection of Total Fiscal Year Earnings 0.00

H. Initial Projection of Fiscal Year Earnings (From First Progress Report This FY) 0.00

I. Amount Ahead of Initial Earnings Projection (Negative Indicates Behind) (G-H) 0.00

ACCRUALS THIS MONTH

	LINE ITEM	WORK ITEM	CURRENT ACCRUAL	THIS MONTH ACCRUAL	TOTAL ACCRUAL
FEDERAL	0001	FC9630	0.00	0.00	0.00
NON-FED	0002	JGDLFC	0.00	0.00	0.00
FEDERAL	0003	723J83	0.00	0.00	0.00
NON-FED	0004	DD93KF	0.00	0.00	0.00

PROJECT STATUS/MAJOR ISSUES:

- Final Quantities Modification P00022 was completed 22 OCT 2007 (-\$95.67)
- Modification P00024 completed 15 JAN 2008 to extend contract to 31 MAY 2008 to achieve final burn.
- Final Inspection completed 11 JUL 2008 - no punch list items remain.
- Contract close-out in progress - As-Built drawings being finalized by the Contractor.
- **WORK CONSIDERED SUBSTANTIALLY COMPLETE ON 05/31/2008.**

**Construction Progress
Report
Thru End of May
2009**

CONTRACT NO.:	W912P6-04-C-0003	CONTRACT TYPE:	Construction	TS-C-S
CONTRACTOR:	Tallgrass Restoration, LLC			D. Anderson
DESCRIPTION:	<u>Little Calumet River Landscaping, Phase 2</u>			Mills
				Rundzaitis

ORIGINAL CONTRACT AWARD DATE/AMOUNT:	30-Jun-04	648,995.23
NTP DATE./CURRENT CONTRACT AMOUNT: Mods P00008	29-Jul-04	648,995.23
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION	1-Oct-10	2255
REVISED CONTRACT COMPLETION DATE/REVISED DURATION:	1-Oct-10	2255
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS	1-Oct-10	0
AREA ENGINEER'S ESTIMATED SUBSTANTIAL COMPLETION DATE		

ESTIMATED PROGRESS

A. Present Earnings as of Pay Est. No. 12	531,304.69
B. Estimated Earnings thru end of reporting period	0.00
C. Value of work Performed on Directed Mods (Earnings not paid for)	0.00
TOTAL ESTIMATED PROGRESS (A+B+C)	531,304.69

TOTAL ESTIMATED FINAL CONTRACT AMOUNT

D. Current Contract Amount thru Mod. P00008	648,995.23
E. Current Value of Overruns/Underruns (+/-)	0.00
F. Directed, Pending Modifications	0.00
TOTAL ESTIMATED FINAL CONTRACT AMOUNT (D+E+F)	648,995.23

FUNDS OBLIGATED FOR PAYMENT: thru Modification P00008 648,995.23

ACTUAL PERCENT COMPLETE (A+B+C)/(D+E+F) 81.87%

SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart) 77.00%

TOTAL EARNINGS AT THE END OF FY08 490,962.43

Earnings	Funds Available	Earnings	Funds Available	Earnings	Funds Available
0.00 Oct 158,032.80	0.00 Feb 135,974.06	0.00 Jun 117,683.23			
22,058.74 Nov 135,974.06	0.00 Mar 135,974.06	18,290.83 Jul 99,392.40			
0.00 Dec 135,974.06	0.00 Apr 135,974.06	0.00 Aug 99,392.40			
0.00 Jan 135,974.06	18,290.83 May 117,683.23	10,983.00 Sep 88,409.40			

G. Current Projection of Total Fiscal Year Earnings 69,623.40

H. Initial Projection of Fiscal Year Earnings (From First Progress Report This FY) 58,539.16

I. Amount Ahead of Initial Earnings Projection (Negative Indicates Behind) (G-H) 11,084.24

ACCRUALS THIS MONTH	LINE ITEM	WORK ITEM	CURRENT ACCRUAL	THIS MONTH ACCRUAL	TOTAL ACCRUAL
FEDERAL	0001	001T8X	0.00	0.00	0.00
NON-FED	0002	001TCQ	0.00	0.00	0.00
FEDERAL	0003	1C94LF	0.00	0.00	0.00
NON-FED	0004	1C94LF	0.00	0.00	0.00

PROJECT STATUS/MAJOR ISSUES:

- Awaiting request from Mr. Pokarjac to remove a portion of the damaged area from the contract work. Mr. Pokarjac will also had the levee's surveyed to compare to as-built drawings. The sponsor's surveys show results with elevations as much as 8" below design elevations. The surveys should be reviewed by geotech to determine if the sponsors elevations are accurate. CAO sent an email on 27 November to follow up on this issue.
- Some bare areas exist along the project stretch. The Contractor reseeded the areas in Spring of 2009.
- The Government is evaluating correspondence from the Contractor in regards to areas inundated with water, areas affected by the billboard contractor, and bare spots. The Contractor has reseeded these areas.
- The Contractor is working on the monitoring portion of the project.

**Construction Progress
Report
Thru End of May
2009**

CONTRACT NO.:	W912P6-04-C-0007	CONTRACT TYPE:	Construction	TS-C-S
CONTRACTOR:	Illinois Constructors Corporation			D. Anderson
DESCRIPTION:	<u>Local Flood Protection Little Calumet River, Indiana Stage VI-1 South Levee</u>			Edd Lee

ORIGINAL CONTRACT AWARD DATE/AMOUNT:	30-Sep-04	6,503,093.70
NTP DATE./CURRENT CONTRACT AMOUNT: Mods P00015& A00013	4-Nov-04	7,568,211.87
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION:	4-Dec-06	760
REVISED CONTRACT COMPLETION DATE/REVISED DURATION:	5-Sep-07	1035
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS:	5-Sep-07	0
AREA ENGINEER'S ESTIMATED SUBSTANTIAL COMPLETION DATE:		

ESTIMATED PROGRESS

A. Present Earnings as of Pay Est. No. 27	7,568,211.87
B. Estimated Earnings thru end of reporting period	0.00
C. Value of work Performed on Directed Mods (Earnings not paid for)	0.00
TOTAL ESTIMATED PROGRESS (A+B+C)	7,568,211.87

TOTAL ESTIMATED FINAL CONTRACT AMOUNT

D. Current Contract Amount thru Mod. P00015& A00013	7,568,211.87
E. Current Value of Overruns/Underruns (+/-) (Variations in Final Quant)	0.00
F. Directed, Pending Modifications	0.00
TOTAL ESTIMATED FINAL CONTRACT AMOUNT (D+E+F)	7,568,211.87

FUNDS OBLIGATED FOR PAYMENT: thru Modification P00015& A00013 7,568,211.87

ACTUAL PERCENT COMPLETE (A+B+C)/(D+E+F) 100.00%

SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart) 100.00%

TOTAL EARNINGS AT THE END OF FY0 (Includes \$97,969.48 accruals made in FY 08) 7,558,843.75

Earnings	Funds Available	Earnings	Funds Available	Earnings	Funds Available
0.00 Oct 9,368.12	0.00 Feb 9,368.12	0.00 Jun 0.00			
0.00 Nov 9,368.12	9,368.12 Mar 0.00	0.00 Jul 0.00			
0.00 Dec 9,368.12	0.00 Apr 0.00	0.00 Aug 0.00			
0.00 Jan 9,368.12	0.00 May 0.00	0.00 Sep 0.00			

Liquidated Damages of \$20,748 within SEP 08 earnings

G. Current Projection of Total Fiscal Year Earnings	9,368.12
H. Initial Projection of Fiscal Year Earnings (From First Progress Report This FY)	0.00
I. Amount Ahead of Initial Earnings Projection (Negative Indicates Behind) (G-H)	9,368.12

ACCRUALS THIS MONTH	PROJECT	CURRENT	THIS MONTH	TOTAL
LINE ITEM	WORK ITEM	ACCRUAL	ACCRUAL	ACCRUAL
FEDERAL 0001	001TXB	0.00	0.00	0.00
NON-FED 0002	00230C	0.00	0.00	0.00
FEDERAL 0003	1C94LF	0.00	0.00	0.00
NON-FED 0004	KF4KF0	0.00	0.00	0.00
FEDERAL 0005	1C94LF	0.00	0.00	0.00
NON-FED 0006	KF4KF0	0.00	0.00	0.00
TOTALS		0.00	0.00	0.00

PROJECT STATUS/MAJOR ISSUES:

Contract fully funded. - North Drive Pump Station being fully operated by Town of Highland. Town installed permanent standby generator. Punch List Completed, last repair of leaking conduit in North Drive Pump Station seems to have worked. Final Quantity Mod complete. Final Inspection was held on Oct 12, 2007.

====> \$14,150.00 withheld until as-builts complete. ICC working on Final As-Built drawings.

====> Liquidated damages of \$20,748.00 are being assessed Sep 6 thru Sep 19, 2007.

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

**Construction Progress
Report
Thru End of May
2009**

CONTRACT NO.: W912P6-05-C-0006
CONTRACTOR: Dyer Construction Company
DESCRIPTION: Little Calumet River, Stage VI-Phase II

CONTRACT TYPE: Construction

TS-C-S
D. Anderson
Edd/Nielsen
Babcock

ORIGINAL CONTRACT AWARD DATE/AMOUNT:	18-Oct-05	4,205,644.17
NTP DATE./CURRENT CONTRACT AMOUNT: Mods A00004/P00007	18-Oct-05	4,295,071.91
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION:	11-Apr-07	540
REVISED CONTRACT COMPLETION DATE/REVISED DURATION:	1-Jun-07	591
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS:	1-Jun-07	0
AREA ENGINEER'S ESTIMATED SUBSTANTIAL COMPLETION DATE:	NA	

ESTIMATED PROGRESS

A. Present Earnings as of Pay Est. No.	15	4,293,833.91
B. Estimated Earnings thru end of reporting period		0.00
C. Value of work Performed on Directed Mods (Earnings not paid for)		0.00
TOTAL ESTIMATED PROGRESS (A+B+C)		4,293,833.91

TOTAL ESTIMATED FINAL CONTRACT AMOUNT

D. Current Contract Amount thru Mod.	A00004/P00007	4,295,071.91
E. Current Value of Overruns/Underruns (+/-)	(Deduct for Actual Bond Costs)	-1,238.00
F. Directed, Pending Modifications		0.00
TOTAL ESTIMATED FINAL CONTRACT AMOUNT (D+E+F)		4,293,833.91

FUNDS OBLIGATED FOR PAYMENT: thru Modification A00004/P00007 4,295,071.91

ACTUAL PERCENT COMPLETE (A+B+C)/(D+E+F) 100.00%

SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart) 100.00%

TOTAL EARNINGS AT THE END OF FY08 (Includes \$56,741.09 accruals made in FY08) 4,219,329.46

Earnings		Funds Available	Earnings		Funds Available	Earnings		Funds Available
0.00	Oct	75,742.45	0.00	Feb	75,742.45	0.00	Jun	1,238.00
0.00	Nov	75,742.45	0.00	Mar	75,742.45	0.00	Jul	1,238.00
0.00	Dec	75,742.45	74,504.45	Apr	1,238.00	0.00	Aug	1,238.00
0.00	Jan	75,742.45	0.00	May	1,238.00	0.00	Sep	1,238.00

G. Current Projection of Total Fiscal Year Earnings

74,504.45

H. Initial Projection of Fiscal Year Earnings (From First Progress Report This FY)

77,494.16

I. Amount Ahead of Initial Earnings Projection (Negative Indicates Behind) (G-H)

-2,989.71

ACCRUALS THIS MONTH

	LINE ITEM	PROJECT WORK ITEM	CURRENT ACCRUAL	THIS MONTH ACCRUAL	TOTAL ACCRUAL
FEDERAL	0001	1C94LF	0.00	0.00	0.00
NON-FEDERAL	0002	KF4KF0	0.00	0.00	0.00
FEDERAL	0003	1C94LF	0.00	0.00	0.00
NON-FEDERAL	0004	KF4KF0	0.00	0.00	0.00
		TOTAL	0.00	0.00	0.00

PROJECT STATUS/MAJOR ISSUES:

Contract is fully funded -

- Final Inspection held on August 22, 2007. Punch list completed. Some trees to be moved by others.
- Final Quantities determined, Variation in Estimated Quantities Change Order completed.
- As-Built complete. Preparing to turn miscellaneous items over to Local Sponsor.
- Modification being prepared to deduct difference between actual bond cost and bid amount.

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

**Construction Progress
Report
Thru End of May
2009**

CONTRACT NO.:	W912P6-05-C-0010	CONTRACT TYPE:	Construction	TS-C-S
CONTRACTOR:	Illinois Constructors Corporation			D. Anderson
DESCRIPTION:	<u>Local Flood Protection Little Calumet River, Indiana Stage VI-I North Levee</u>			Edd Lee

ORIGINAL CONTRACT AWARD DATE/AMOUNT:	30-Sep-05	5,566,871.00
NTP DATE./CURRENT CONTRACT AMOUNT: Mods A00008 & P00012	19-Oct-05	5,713,774.78
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION:	21-Jul-07	640
REVISED CONTRACT COMPLETION DATE/REVISED DURATION:	27-Nov-07	769
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS:	27-Nov-07	0
AREA ENGINEER'S ESTIMATED SUBSTANTIAL COMPLETION DATE:	N/A	

ESTIMATED PROGRESS

A. Present Earnings as of Pay Est. No.	16	5,448,720.53
B. Estimated Earnings thru end of reporting period		\$72,339.74
C. Value of work Performed on Directed Mods (Earnings not paid for)		0.00
TOTAL ESTIMATED PROGRESS (A+B+C)		5,521,060.27

TOTAL ESTIMATED FINAL CONTRACT AMOUNT

D. Current Contract Amount thru Mod.	A00008 & P00012	5,713,774.78
E. Current Value of Overruns/Underruns (+/-) (Variations in estimated Quantities)		-33,041.65
F. Directed, Pending Modifications		0.00
TOTAL ESTIMATED FINAL CONTRACT AMOUNT (D+E+F)		5,680,733.13

FUNDS OBLIGATED FOR PAYMENT: thru Modification	A00008 & P00012	5,713,774.78
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ACTUAL PERCENT COMPLETE (A+B+C)/(D+E+F)	97.19%
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SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart)	100.00%
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TOTAL EARNINGS AT THE END OF FY08	(Includes \$287,711.31 accruals made in FY08)	5,526,505.19
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Earnings	Funds Available	Earnings	Funds Available	Earnings	Funds Available
0.00 Oct	187,269.59	0.00 Feb	187,269.59	100,000.00 Jun	87,269.59
0.00 Nov	187,269.59	0.00 Mar	187,269.59	54,227.94 Jul	33,041.65
0.00 Dec	187,269.59	0.00 Apr	187,269.59	0.00 Aug	33,041.65
0.00 Jan	187,269.59	0.00 May	187,269.59	0.00 Sep	33,041.65

G. Current Projection of Total Fiscal Year Earnings	154,227.94
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H. Initial Projection of Fiscal Year Earnings (From First Progress Report This FY)	200,000.00
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I. Amount Ahead of Initial Earnings Projection (Negative Indicates Behind) (G-H)	-45,772.06
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ACCRUALS THIS MONTH	Obligation	CURRENT	THIS MONTH	TOTAL
LINE ITEM	WORK ITEM	ACCRUAL	ACCRUAL	ACCRUAL
FED	0002	1C94LF	\$72,339.74	\$72,339.74
NON-FED	0001	KF4KFO	\$0.00	\$0.00
		TOTAL	\$72,339.74	\$72,339.74

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 responsibility. Work completed on removing and replacing nonconforming sat fill. Topsoil final grading and seeding completed. Final Inspection to be scheduled soon. Most work essentially completed. Pre-Final Punchlist assembled. ** 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. Final cross sections after repairs submitted and being reviewed. ****SUBSTANTIAL COMPLETION WAS 11/27/07 - LEVEE CRACK RESOLUTION MAY AFFECT*****

**Construction Progress
Report
Thru End of May
2009**

CONTRACT NO.: W912P6-07-C-0003	CONTRACT TYPE: Construction	TS-C-S
CONTRACTOR: Dyer Construction Co., Inc.		D. Anderson
DESCRIPTION: <u>LCR, Local Flood Protection, Burr Street Phase 2 East</u>		Edd/Nielsen
		Craib

ORIGINAL CONTRACT AWARD DATE/AMOUNT:	28-Feb-07	3,342,583.22
NTP DATE./CURRENT CONTRACT AMOUNT: Mods A00005	13-Mar-07	3,265,664.86
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION:	5-Jul-08	480
REVISED CONTRACT COMPLETION DATE/REVISED DURATION:	6-May-09	785
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS:	6-May-09	0
AREA ENGINEER'S ESTIMATED SUBSTANTIAL COMPLETION DATE:	30-Jul-08	

ESTIMATED PROGRESS

A. Present Earnings as of Pay Est. No. 8		2,831,385.55
B. Estimated Earnings thru end of reporting period		280,000.00
C. Value of work Performed on Directed Mods (Earnings not paid for)		0.00
TOTAL ESTIMATED PROGRESS (A+B+C)		3,111,385.55

TOTAL ESTIMATED FINAL CONTRACT AMOUNT

D. Current Contract Amount thru Mod. A00005		3,265,664.86
E. Current Value of Overruns/Underruns (+/-)		0.00
F. Directed, Pending Modifications (Mult. Changes)		56,600.00
TOTAL ESTIMATED FINAL CONTRACT AMOUNT (D+E+F)		3,322,264.86

FUNDS OBLIGATED FOR PAYMENT: thru Modification A00005		3,265,664.86
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ACTUAL PERCENT COMPLETE (A+B+C)/(D+E+F)	93.65%
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SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart)	95.00%
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TOTAL EARNINGS AT THE END OF FY0 (Includes \$180,000.00 accruals made in FY08)	3,011,385.55
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Earnings	Funds Available	Earnings	Funds Available	Earnings	Funds Available
0.00	Oct 254,279.31	0.00	Feb 254,279.31	135,000.00	Jun 19,279.31
0.00	Nov 254,279.31	0.00	Mar 254,279.31	75,879.31	Jul -56,600.00
0.00	Dec 254,279.31	0.00	Apr 254,279.31	0.00	Aug -56,600.00
0.00	Jan 254,279.31	100,000.00	May 154,279.31	0.00	Sep -56,600.00

G. Current Projection of Total Fiscal Year Earnings	310,879.31
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H. Initial Projection of Fiscal Year Earnings (From First Progress Report This FY)	360,566.31
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I. Amount Ahead of Initial Earnings Projection (Negative Indicates Behind) (G-H)	-49,687.00
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ACCRUALS THIS MONTH

LINE ITEM	WORK ITEM	CURRENT ACCRUAL	THIS MONTH ACCRUAL	TOTAL ACCRUAL
FEDERAL 0001	1C94L4	90,000.00	50,000.00	140,000.00
NON-FED 0002	B72JJ5	90,000.00	50,000.00	140,000.00
			TOTAL	280,000.00

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.

- RFP sent to Contractor for miscellaneous mod and debris in levee foundation, received preliminary approval from LCRBDC.

Proposal being reviewed and processed.

- Final Quantities being determined, reviewing contractor resubmittal.

- Final Inspection was held on May 18, 2009. Punch List was generated and Contractor has started on remediation of list.

**** CONTRACT CONSIDERED SUBSTANTIALLY COMPLETE 06 MAY 2009****

**Construction Progress
Report
Thru End of May
2009**

CONTRACT NO.: W912P6-07-C-0011	CONTRACT TYPE: Construction	TS-C-S
CONTRACTOR: Dyer Construction Co., Inc.		D. Anderson
DESCRIPTION: <u>LCR, Local Flood Protection, Stage 5-2</u>		Edd
		Babcock

ORIGINAL CONTRACT AWARD DATE/AMOUNT:	29-Sep-07	13,140,189.41
NTP DATE/CURRENT CONTRACT AMOUNT: Mods A00017/P00010	17-Oct-07	17,540,475.92
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION:	5-Nov-09	750
REVISED CONTRACT COMPLETION DATE/REVISED DURATION:	5-Nov-09	750
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS:	5-Nov-09	0
AREA ENGINEER'S ESTIMATED SUBSTANTIAL COMPLETION DATE:	30-Jun-10	

ESTIMATED PROGRESS

A. Present Earnings as of Pay Est. No. 16	11,397,534.25
B. Estimated Earnings thru end of reporting period (est. work in place)	400,000.00
C. Value of work Performed on Directed Mods (Earnings not paid for)	0.00
TOTAL ESTIMATED PROGRESS (A+B+C)	11,797,534.25

TOTAL ESTIMATED FINAL CONTRACT AMOUNT

D. Current Contract Amount thru Mod. A00017/P00010	17,540,475.92
E. Current Value of Overruns/Underruns (+/-) (over strip/impervious)	600,000.00
F. Directed, Pending Modifications (see comments below for descr.)	1,551,500.00
TOTAL ESTIMATED FINAL CONTRACT AMOUNT (D+E+F)	19,691,975.92

FUNDS OBLIGATED FOR PAYMENT: thru Modification A00017/P00010 14,445,805.20

ACTUAL PERCENT COMPLETE (A+B+C)/(D+E+F) 59.91%

SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart) 56.00%

TOTAL EARNINGS AT THE END OF FY08 (Includes \$790,000.00 accruals made in FY08) 9,768,247.54

Earnings	Funds Available	Earnings	Funds Available	Earnings	Funds Available
0.00	Oct 4,677,557.66	130,065.37	Feb 4,001,511.81	1,000,000.00	Jun 1,648,270.95
390,310.56	Nov 4,287,247.10	501,863.32	Mar 3,499,648.49	1,225,000.00	Jul 423,270.95
73,547.86	Dec 4,213,699.24	451,377.54	Apr 3,048,270.95	1,125,000.00	Aug -701,729.05
82,122.06	Jan 4,131,577.18	400,000.00	May 2,648,270.95	1,125,000.00	Sep -1,826,729.05

G. Current Projection of Total Fiscal Year Earnings 6,504,286.71

H. Initial Projection of Fiscal Year Earnings (From First Progress Report This FY) 6,508,742.15

I. Amount Ahead of Initial Earnings Projection (Negative Indicates Behind) (G-H) -4,455.44

ACCRUALS THIS MONTH	OBLIGATION	CURRENT	THIS MONTH	TOTAL
LINE ITEM	WORK ITEM	ACCRUAL	ACCRUAL	ACCRUAL
NON-FED 0001	KF4KFO	0.00	28,000.00	28,000.00
FEDERAL 0002	1C94L4	0.00	372,000.00	372,000.00
FEDERAL (Recr.) 0003	1C94L4	0.00	0.00	0.00
NON-FED (Recr.) 0004	KF4KFO	0.00	0.00	0.00
TOTAL		0.00	400,000.00	400,000.00

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 was issued a 69 calendar day increase to the contract duration as compensation just for unusually severe weather through October 2008 based on a 41 work day delay. The contract duration was extended an additional 5 calendar days by contract modification for seepage cutoff trenches. The current completion date is January 18, 2010. The remaining 61 work 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. Many DSC/Debris instances, LCRBDC has taken care of some interfering existing abandoned utilities, interfering utilities still need to be relocated east of Indianapolis Blvd. Utility companies are complete with pipeline modifications in the Corridor. Sheet piling for flood wall in process in utility corridor. Riprap placed on north bank at Hart Ditch confluence. Work has started on Tri-State gate well.

- Pending mods- not all listed * Trail/Fence Changes,- proposal received * Various riprap modification proposals in review
- * Baring Ave Pump Sta overflow outlet DSC. RFP re- issued with design changes. IGE in process.
- * Floodwall alignment Changes, 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. * Access Ramp 5N-E and drainage structure re-alignment modification in process.

**Construction Progress
Report
Thru End of May
2009**

CONTRACT NO.: W81G6680523765 CONTRACT TYPE: Construction
CONTRACTOR: The Hartford
DESCRIPTION: Little Calumet River - Pump Station Phase 1A - Surety Takeover Agreement

TS-C-S
D. Anderson
G. Anderson
Craib

ORIGINAL CONTRACT AWARD DATE/AMT. (SURETY TAKEOVER SIGNED)	25-Jan-08	725,845.54
NTP DATE/CURRENT CONTRACT AMOUNT: Mods 01	17-Jul-08	738,104.23
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION:	12-Jul-09	360
REVISED CONTRACT COMPLETION DATE/REVISED DURATION:	16-Aug-09	395
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS:	19-Aug-09	3
AREA ENGINEER'S ESTIMATED SUBSTANTIAL COMPLETION DATE:	16-Aug-09	

ESTIMATED PROGRESS

A. Present Earnings as of Pay Est. No.	3	263,200.29
B. Estimated Earnings thru end of reporting period		125,000.00
C. Value of work Performed on Directed Mods (Earnings not paid for)		0.00
TOTAL ESTIMATED PROGRESS (A+B+C)		<u>388,200.29</u>

TOTAL ESTIMATED FINAL CONTRACT AMOUNT

D. Current Contract Amount thru Mod.	01	738,104.23
E. Current Value of Overruns/Underruns (+/-)		0.00
F. Directed, Pending Modifications		0.00
TOTAL ESTIMATED FINAL CONTRACT AMOUNT (D+E+F)		<u>738,104.23</u>

FUNDS OBLIGATED FOR PAYMENT: thru Modification 01 725,845.54

ACTUAL PERCENT COMPLETE (A+B+C)/(D+E+F) 52.59%

SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart) 59.00%

TOTAL EARNINGS AT THE END OF FY08 0.00

Earnings	Funds Available	Earnings	Funds Available	Earnings	Funds Available
0.00	Oct 725,845.54	67,926.98	Feb 657,918.56	155,000.00	Jun 182,645.25
0.00	Nov 725,845.54	80,110.93	Mar 577,807.63	100,845.54	Jul 81,799.71
0.00	Dec 725,845.54	115,162.38	Apr 462,645.25	47,073.02	Aug 34,726.69
0.00	Jan 725,845.54	125,000.00	May 337,645.25	0.00	Sep 34,726.69

G. Current Projection of Total Fiscal Year Earnings 691,118.85

H. Initial Projection of Fiscal Year Earnings (From First Progress Report This FY) 725,845.54

I. Amount Ahead of Initial Earnings Projection (Negative Indicates Behind) (G-H) -34,726.69

ACCRUALS THIS MONTH

	LINE ITEM	WORK ITEM	CURRENT ACCRUAL	THIS MONTH ACCRUAL	TOTAL ACCRUAL
FEDERAL	0001	00229B	32,398.99	83,851.01	116,250.00
NON-FED	0001A	00229C	2,438.63	6,311.37	8,750.00
			<u>34,837.62</u>	<u>90,162.38</u>	<u>125,000.00</u>

PROJECT STATUS/MAJOR ISSUES:

South Kennedy SW Pump No. 3 field tested 11 NOV 2008. Test results acceptable.

Removed South Kennedy SWP Pump 2 Installed and field tested successfully 27 May 2009.

South Kennedy SWP Pump 1 is the the next and the last pump to be removed, rebuilt and reinstalled at this pump station.

Walnut Ave. SWP #6 field tested on 13 May 2009. Vibration test OK however problem with motor starter was not resolved until 27 May 2009.

SWP #6 field test now complete and acceptable.

Walnut Ave. SWP #5 can now be removed for rebuilding.

Pending changes:

SS002 - Weather delays - 3 days through FEB 09

**Construction Progress
Report
Thru End of May
2009**

CONTRACT NO.:	W912P6-08-C-0016	CONTRACT TYPE:	Construction	TS-C-S
CONTRACTOR:	Theineman Construction			D. Anderson
DESCRIPTION:	<u>PUMP STATION 2A Rehabilitation</u>			G. Anderson R. Craib

ORIGINAL CONTRACT AWARD DATE/AMOUNT:	26-Jun-08	1,644,000.00
NTP DATE./CURRENT CONTRACT AMOUNT: Mods A00002	15-Jul-08	1,664,744.42
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION:	20-Jun-09	340
REVISED CONTRACT COMPLETION DATE/REVISED DURATION:	2-Sep-09	74
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS:	2-Sep-09	0
AREA ENGINEER'S ESTIMATED SUBSTANTIAL COMPLETION DATE:	31-Oct-09	

ESTIMATED PROGRESS

A. Present Earnings as of Pay Est. No.	5	401,041.10
B. Estimated Earnings thru end of reporting period		200,000.00
C. Value of work Performed on Directed Mods (Earnings not paid for)		0.00
TOTAL ESTIMATED PROGRESS (A+B+C)		601,041.10

TOTAL ESTIMATED FINAL CONTRACT AMOUNT

D. Current Contract Amount thru Mod.	A00002	1,664,744.42
E. Current Value of Overruns/Underruns (+/-)		0.00
F. Directed, Pending Modifications		0.00
TOTAL ESTIMATED FINAL CONTRACT AMOUNT (D+E+F)		1,664,744.42

FUNDS OBLIGATED FOR PAYMENT: thru Modification	A00002	1,664,744.42
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ACTUAL PERCENT COMPLETE (A+B+C)/(D+E+F)	24.09%
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SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart)	9.00%
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TOTAL EARNINGS AT THE END OF FY08	12,208.00
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Earnings		Funds Available	Earnings		Funds Available	Earnings		Funds Available
0.00	Oct	1,631,792.00	0.00	Feb	1,527,276.09	100,000.00	Jun	942,958.90
0.00	Nov	1,631,792.00	74,860.39	Mar	1,452,415.70	260,000.00	Jul	682,958.90
73,272.00	Dec	1,558,520.00	209,456.80	Apr	1,242,958.90	200,000.00	Aug	482,958.90
31,243.91	Jan	1,527,276.09	200,000.00	May	1,042,958.90	300,000.00	Sep	182,958.90

G. Current Projection of Total Fiscal Year Earnings	1,652,536.42
H. Initial Projection of Fiscal Year Earnings (From First Progress Report This FY)	<u>1,629,000.00</u>
I. Amount Ahead of Initial Earnings Projection (Negative Indicates Behind) (G-H)	23,536.42

ACCRUALS THIS MONTH

FEDERAL	LINE ITEM	WORK ITEM	CURRENT ACCRUAL	THIS MONTH ACCRUAL	TOTAL ACCRUAL
FEDERAL	0001	1C94LF	\$ -	\$ 186,000.00	\$ 186,000.00
FEDERAL	0002	KF4KFO	\$ -	\$ 14,000.00	\$ 14,000.00

PROJECT STATUS/MAJOR ISSUES

A meeting was held on 18 Dec to discuss his plan to complete work by the current contract completion date. The current schedule is tight, but still possible to complete contract on time.

Forest Avenue - SWP #2 has been factory tested - Scheduled to be shipped to the field end of May.

Tapper - SWP #2 has been factory tested - Scheduled to be shipped to the field end of May.

Contracting Officer has issued an RFP to NIPSCO for utility upgrade at Tapper Pump Station.

**Construction Progress
Report
Thru End of May
2009**

CONTRACT NO.: W912P6-08-C-0027	CONTRACT TYPE: Construction	TS-C-S
CONTRACTOR: Garner Services, LLC		D. Anderson
DESCRIPTION: <u>Little Calumet River, Pump Station 2B</u>		G. Anderson
		R. Craib
ORIGINAL CONTRACT AWARD DATE/AMT.:	30-Sep-08	18,903,380.00
NTP DATE./CURRENT CONTRACT AMOUNT: Mods A00001 & P00003	20-Oct-08	18,891,580.00
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION:	13-Apr-10	540
REVISED CONTRACT COMPLETION DATE/REVISED DURATION:	13-Apr-10	540
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS:	13-Apr-10	0
AREA ENGINEER'S ESTIMATED SUBSTANTIAL COMPLETION DATE:	13-Apr-10	
ESTIMATED PROGRESS		
A. Present Earnings as of Pay Est. No. 3		1,192,247.87
B. Estimated Earnings thru end of reporting period		200,000.00
C. Value of work Performed on Directed Mods (Earnings not paid for)		0.00
TOTAL ESTIMATED PROGRESS (A+B+C)		1,392,247.87
TOTAL ESTIMATED FINAL CONTRACT AMOUNT		
D. Current Contract Amount thru Mod. P00003		18,891,580.00
E. Current Value of Overruns/Underruns (+/-)		0.00
F. Directed, Pending Modifications		0.00
TOTAL ESTIMATED FINAL CONTRACT AMOUNT (D+E+F)		18,891,580.00
FUNDS OBLIGATED FOR PAYMENT: thru Modification P00003		2,500,000.00
ACTUAL PERCENT COMPLETE (A+B+C)/(D+E+F)		7.37%
SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart)		8.50%
TOTAL EARNINGS AT THE END OF FY08		0.00

Earnings	Funds Available	Earnings	Funds Available	Earnings	Funds Available
0.00	Oct 2,500,000.00	682,578.00	Feb 1,466,498.00	400,000.00	Jun 707,752.13
350,924.00	Nov 2,149,076.00	0.00	Mar 1,466,498.00	650,000.00	Jul 57,752.13
0.00	Dec 2,149,076.00	158,745.87	Apr 1,307,752.13	1,500,000.00	Aug -1,442,247.87
0.00	Jan 2,149,076.00	200,000.00	May 1,107,752.13	1,200,000.00	Sep -2,642,247.87

G. Current Projection of Total Fiscal Year Earnings	5,142,247.87
H. Initial Projection of Fiscal Year Earnings (From First Progress Report This FY)	5,125,000.00
I. Amount Ahead of Initial Earnings Projection (Negative Indicates Behind) (G-H)	17,247.87

ACCRUALS THIS MONTH	LINE ITEM	WORK ITEM	CURRENT ACCRUAL	THIS MONTH ACCRUAL	TOTAL ACCRUAL
FEDERAL	0001		0.00	186,000.00	186,000.00
NON-FEDERAL	0002		0.00	14,000.00	14,000.00

Contract Awarded 30 September 2008

- Modification P00003 was issued. This modification adds \$1.5M to the obligated amount making it \$2.5M.
- New Pumps for the three pump stations currently being fabricated. Pump installation scheduled to begin in SEP 2009.
- Pending Issue - Contractor claims excessive influent into the Indianapolis Pump Station is delaying them from working in the wet well. USACE is evaluating.
- Contracting Officer issued an RFP to NIPSCO for utility upgrades at Southside, Jackson & Indianapolis.
- Existing trash racks from Jackson and Indianapolis pump stations have been removed and salvaged items delivered to HSD.

**Construction Progress
Report
Thru End of May
2009**

CONTRACT NO.:	W912P6-09-C-0003	CONTRACT TYPE:	Construction	TS-C-S
CONTRACTOR:	Ceres Environmental			D. Anderson
DESCRIPTION:	<u>LCR, Local Flood Protection, Stage VII - Floodwall</u>			Edd Babcock

ORIGINAL CONTRACT AWARD DATE/AMOUNT:	16-Apr-09	13,814,973.70
NTP DATE./CURRENT CONTRACT AMOUNT: Mods NONE	12-May-09	13,814,973.70
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION:	8-Dec-10	575
REVISED CONTRACT COMPLETION DATE/REVISED DURATION:	8-Dec-10	575.00
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS:	8-Dec-10	0
AREA ENGINEER'S ESTIMATED SUBSTANTIAL COMPLETION DATE:	8-Dec-10	

ESTIMATED PROGRESS

A. Present Earnings as of Pay Est. No.	0	0.00
B. Estimated Earnings thru end of reporting period (est. work in place)		125,000.00
C. Value of work Performed on Directed Mods (Earnings not paid for)		0.00
TOTAL ESTIMATED PROGRESS (A+B+C)		125,000.00

TOTAL ESTIMATED FINAL CONTRACT AMOUNT

D. Current Contract Amount thru Mod.	NONE	13,814,973.70
E. Current Value of Overruns/Underruns (+/-) (over strip/impervious)		0.00
F. Directed, Pending Modifications (see comments below for descr.)		0.00
TOTAL ESTIMATED FINAL CONTRACT AMOUNT (D+E+F)		13,814,973.70

FUNDS OBLIGATED FOR PAYMENT: thru Modification	NONE	500,000.00
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ACTUAL PERCENT COMPLETE (A+B+C)/(D+E+F)	0.90%
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SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart)	0.00%
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TOTAL EARNINGS AT THE END OF FY08	0.00
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Earnings	Funds Available	Earnings	Funds Available	Earnings	Funds Available
0.00	Oct 500,000.00	0.00	Feb 500,000.00	2,500,000.00	Jun -2,125,000.00
0.00	Nov 500,000.00	0.00	Mar 500,000.00	1,000,000.00	Jul -3,125,000.00
0.00	Dec 500,000.00	0.00	Apr 500,000.00	1,000,000.00	Aug -4,125,000.00
0.00	Jan 500,000.00	125,000.00	May 375,000.00	1,000,000.00	Sep -5,125,000.00

G. Current Projection of Total Fiscal Year Earnings	5,625,000.00
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H. Initial Projection of Fiscal Year Earnings (From First Progress Report This FY)	0.00
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I. Amount Ahead of Initial Earnings Projection (Negative Indicates Behind) (G-H)	5,625,000.00
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ACCRUALS THIS MONTH	OBLIGATION	CURRENT	THIS MONTH	TOTAL
LINE ITEM	WORK ITEM	ACCRUAL	ACCRUAL	ACCRUAL
FEDERAL 0001	1C94LF	0.00	116,250.00	116,250.00
NON-FED 0002	KF4KFO	0.00	8,750.00	8,750.00
TOTAL		0.00	125,000.00	125,000.00

PROJECT STATUS/MAJOR ISSUES:

This Contract is incrementally funded. - The Contractor is required to complete the flood control work within the first 500 days of the project. The Contractor and Corps met on May 14, 2009 for the Preconstruction Meeting. The Contractor is currently working on submittals and a project schedule.



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

26 May 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 2009-03, InDOT
Kennedy Avenue Drainage Improvements, Hammond 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 AECOM, Inc. for the Indiana Department of Transportation in regards to constructing a 20-in force main from a new pump station on Kennedy Avenue over the existing floodwall of the Hammond Levee. This design was originally transmitted to our office March 16, 2009 and final plans provided on May 18, 2009.

The Corps has reviewed the final plans submitted and approves for construction the requested modification to the levee system to construct the 20-in Force Main as shown on the enclosed drawings, provided that:

Upon termination or expiration of this permit (whether by voluntary relinquishment by the Indiana Department of Transportation, by revocation by the LCRBDC or otherwise) the Indiana Department of Transportation 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 the 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 Department of Transportation in such manner as to 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.

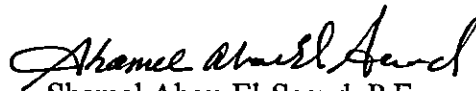
The construction, installation and maintenance of the structure or structures covered by this permit shall be subject to inspection by representatives of the LCRBDC and the United States at all reasonable times.

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 any revisions are required, updated plans shall be provided to this office for review and approval. Also, the applicant shall notify the LCRBDC of the start of work in order to allow the Corps to inspect the activities that involve the flood protection system.

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

Sincerely,

A handwritten signature in cursive script, appearing to read "Shamel Abou-El-Seoud".

Shamel Abou-El-Seoud, P.E.

Chief, Construction-Operations Branch

Encl:

Indiana Department of Transportation Plans – Borman Expressway Drainage Improvements,
Kennedy Avenue Interchange (Designation No. 0710775), dated May 19, 2009

cf: Tom Gossiaux – AECOM, Inc.

April 1, 2009

ENGROSSED**HOUSE BILL No. 1716**

DIGEST OF HB 1716 (Updated March 30, 2009 12:57 pm - DI 14)

Citations Affected: IC 14-13; noncode.

Synopsis: Little Calumet River basin development commission. Changes the membership of and the qualifications for membership on the Little Calumet River basin development commission (commission). Requires record keeping and audits of the commission's accounts. Requires the commission to prepare reports annually, or more frequently as required by the governor. Staggers the initial terms of the members. 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. Makes conforming changes.

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

Soliday, Lawson L, Stevenson , Candelaria Reardon
(SENATE SPONSORS _ CHARBONNEAU, MRVAN, ROGERS, LANDSKE, TALLIAN)

January 22, 2009, read first time and referred to Committee on Government and Regulatory Reform.
February 19, 2009, amended, reported _ Do Pass.
February 23, 2009, read second time, amended, ordered engrossed.
February 24, 2009, engrossed.
February 25, 2009, read third time, passed. Yeas 95, nays 2.

SENATE ACTION

March 3, 2009, read first time and referred to Committee on Natural Resources.
March 31, 2009, amended, reported favorably _ Do Pass.

April 1, 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.

ENGROSSED**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)EH1716.1.1. --> 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;
- (6) ~~six (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 that borders the Little Calumet River;

- (ii) town that borders the Little Calumet River;
 - (iii) township (if the member resides in an unincorporated area of the county that borders the Little Calumet River); or
 - (iv) the geographic area covered under IC 14-13-2-6(a).
- (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)EH1716.1.2. --> 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)EH1716.1.3. --> 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)EH1716.1.4. --> 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)EH1716.1.5. --> 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)EH1716.1.6. --> 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.

(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)EH1716.1.7. --> SECTION 7. An emergency is declared for this act.



GAZEBO

e x p r e s s

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June 2009

Levee Nearing Completion

A bevy of utility and pipeline crews descended along a small stretch of the Little Calumet River this spring, completing a complex relocation of lines necessary to complete Highland's portion of the Little Calumet River flood control project. The 150-foot section of the levee that houses the utility and pipe lines – located directly south of Optimist Lake – and the area along the Wicker Park Golf Course are the last sections in need of enhanced flood protection in Highland.



A glimpse of the new levee at Kennedy Avenue.

When that final portion is complete later this year, it will bring to a close a project that has been underway in town for the last 15 years. Constructing taller concrete and earthen berms to replace the clay structures that had been in place for half a century has taken decades in planning and implementation.

The project was designed by the Army Corps of Engineers and stretches the entire length of

the Little Calumet River – from Portage to the Indiana/Illinois state line.

A portion of Highland was bumped to the top of the list in 1990 after the entire Wicker Park Manor neighborhood flooded to the rooftops. Since then, the commission has worked to finish the project – safeguarding the rest of Highland and neighboring communities from the flood waters that overwhelm the river.

John Mroczkowski, a Highland resident who served on the Little Calumet River Basin Development Commission for 10 years by appointment of the governor, said he is thrilled to see the long-awaited project completed.

"Moving all of these transmission lines has been a huge undertaking. There was a sequence that needed to be followed and each of the crews worked to get their part of the job completed," he said. "Officials from Highland have been very supportive of this project, cooperating in every way they could and providing the necessary rights-of-way to do the levee construction."

As one of many who was out sandbagging in 2008 when September storms overwhelmed the region, Town Council President Dan Vassar said completion of the

Continued from page 1 – Final Phase of Little Calumet River Levee Complete

levee, along with ongoing flood control projects are all steps in the right direction.

"Our number one priority as a council is to seek and implement quality solutions to our town's flooding issues," he said. "The Little Calumet project is one step in a very long process to help protect our community. This is a win for the town of Highland and I'm very happy this step is nearly complete."

Highland resident Dan Dernulc, who currently serves as chairman of the Little Calumet River Commission, said, like Mr. Mroczkowski, he is excited to see another phase of the project completed. Munster's portion of the project, as well as what remains to be completed in Hammond are scheduled to be done by the end of 2010.

"This is great news all around," he said. "When this project is complete, residents will have the additional protection they need and will be able to save hundreds of dollars a year because they will no longer have to purchase flood insurance."

Mr. Dernulc said the river basin commission has already approached the Indiana General Assembly for funding to routinely inspect and maintain the length of the levee to insure it continues to protect residents of the region.

Funding for schools is at stake

But lawmakers still eyeing Gary casino

BY PATRICK GUINANE

patrick.guinane@nwi.com; (317) 637-9078

INDIANAPOLIS | A state budget deal that protects funding for Northwest Indiana schools and bankrolls completion of Little Calumet River levees will be top priority when region legislators return to Indianapolis on Thursday for the start of the special legislative session.

But they also will be eyeing side action to move one of Gary's lake-front casinos to a more lucrative, potentially land-based location near Interstate 80/94.

Senate President David Long, R-Fort Wayne, vowed to banish gambling bills. But Republican efforts to rescue the deficit-racked agency that runs Indianapolis' convention center

DUELING BUDGET TALKS:
Indiana House Democrats abandoned

bipartisan budget talks last week and plan to hold their own hearing at 1 p.m. Tuesday to critique Republican Gov. Mitch Daniels' education funding plan and begin work on their own school funding formula.

The bipartisan House-Senate hearings are scheduled to resume at 9 a.m. Tuesday in the same room. Democrats plan to use that afternoon.

CONTINUED FROM PAGE A1

Special session

and sports stadiums will be used as a bargaining chip.

"I don't think that the economic betterment of Marion County can be taken exclusively over the economic benefit of Northwest Indiana," said Rep. Mara Candalaria Reardon, D-Munster.

Reardon serves on the budget-writing House Ways and Means Committee; the venue Democrats will use Tuesday to counter Gov. Mitch Daniels' school funding plan.

The GOP governor took the unprecedented step of counting \$400 million in direct federal stimulus - dollars that don't flow through the state budget - to support his pledge to give schools 2 percent average annual funding increases.

"We had school superintendents celebrating hearing they were going to get 2 percent," said House Speaker Pat Bauer, D-South Bend.

"Then they got the (funding) formula and heard they lost (money)."

Gary Community School Corp., with its declining enrollment, stands to lose \$8.1 million next year and \$16.9 million in 2011, according to House Democrats' analysis.

The projected losses top \$1.3 million

and \$3 million respectively for the School City of East Chicago.

House Democrats want to steer greater resources to high-poverty districts and phase in funding losses linked to enrollment drops, as past budgets have done. They also plan to grow the education pie but haven't telegraphed offsetting budget cuts.

With Daniels declaring a \$28.5 billion spending ceiling, lawmakers expect intense competition for \$183 million in discretionary stimulus dollars. The governor earmarked \$14 million of that to finish the Little Calumet River project.

"We've just got to get that thing done," said Rep. Ed Soliday, R-Valparaiso.

Soliday said he also wants to prevent the financial collapse of bus systems in East Chicago, Gary and Hammond, though he doubts a sweeping transit plan to finance South Shore commuter rail expansion can be accomplished in special session.

Long said a budget is the only legislation the Senate will consider. But House Democrats plan to offer a separate Indianapolis stadiums-bailout bill that could provide a vehicle for a Gary casino move, which would generate revenue to build a teaching and trauma hospital in Gary.

"I think it's a perfectly discussable item - but not in this special session," Daniels said last week.

GUEST COMMENTARY

Must act promptly to address region's flooding

The recent report on the causes of flooding in Northwest Indiana, released by FEMA and the Department of Natural Resources, shocked many people. In reality, it shouldn't have been a surprise.

As a practical matter, we have failed to invest properly in flood-control strategies and failed totally to control development. We have built, even overbuilt, in flood plain areas and are now seeing the disastrous consequences.

Here are our recommendations for actions we can take now!

Each participating community could easily pass a city/town vehicle sticker tax to begin to fund their part of the system. Even those of us outside the flood plain will see the values of our homes decrease significantly if much of the rest of our neighborhood is destroyed by continued flooding as outlined in the FEMA/DNR report.

First, we should immediately freeze new development in Munster, Hammond, Highland, Schererville, St. John, Dyer and Griffith. This action will be unpopular to say the least. Nevertheless, until we develop strategies to reduce our vulnerability to flooding, we should commit ourselves to avoid making it worse. The "Shops on Main" development in Schererville is a perfect example. 350,000 square feet of upscale shopping plus adjacent parking sounds nice, but, if completed, it could make our flooding problem significantly worse.

Second, we should create new water retention areas along the Little Calumet River basin. While golf courses are attractive greenway spaces that should be preserved if possible, in many instances they provide the only open land available for more retention basins. The Wicker Park golf course should be used as a water-retention area! The golf course could save many surrounding homes and businesses from future flooding. Besides, the silt left behind from the flood water prohibits us from having a viable golf course anyway. Privately owned Griffith Golf Center on Cline Avenue is another good option for a retention area. Taking this private property by eminent domain should be done swiftly without apology.

Third, we have to overcome our tax-avoidant mentality and raise the necessary funds to conduct the work described in the FEMA/DNR report. We, personally, do not live in the flood zone. Nevertheless, we would be willing to pay an annual, nominal city/town vehicle sticker tax with the collected money dedicated to stormwater control.

Each participating community could easily pass a city/town vehicle sticker tax to begin to fund their part of the system. Even those of us outside the flood plain will see the values of our homes decrease significantly if much of the rest of our neighborhood is destroyed by continued flooding as outlined in the FEMA/DNR report.

Finally, we need to develop a far more cooperative attitude than has, heretofore, been the case. Stormwater management is a regional issue. While the flooding occurred primarily in Munster, the water came not only from Munster, but from Dyer, Schererville, St. John, Hammond, Highland and Griffith.

It is time to put aside our parochial interests and cooperate to remove this serious threat from our communities.

Dennis Rittenmeyer and Jill Miller are residents of Wicker Park Estates in Munster. The opinion expressed in this column is the writer's and not necessarily that of The Times.

The Times
Sunday 6-7-09

[Back to regular view](#) • [Print this page](#)

Legislative battle lines drawn

(http://www.post-trib.com/news/1615054_gabudget0610.article)

June 10, 2009

By Erik Potter, Post-Tribune staff writer

INDIANAPOLIS -- Democrats in Indiana's House of Representatives have chosen education funding as their field of battle with Gov. Mitch Daniels in this summer's budget debate.

Daniels laid out his budget plan last week, and the Democratic-controlled House Ways and Means committee hit back Tuesday, laying out what they saw as the shortcomings in Daniels' proposal, focusing on its treatment of K-12 education.

Ways and Means Chairman Rep. Bill Crawford, D-Indianapolis, said House Democrats will abide by the ground rules for an acceptable budget that Daniels laid out last week. Those include no tax increases, maintenance of a rainy day fund of at least \$1 billion, no additional spending added to one area of the budget without equal spending being reduced elsewhere, and the restriction of stimulus dollars for use toward one-time purchases.

Within that framework, however, House Democrats are proposing to spend an additional 2 percent on every K-12 school in the state, not including stimulus dollars. Under Daniels' proposal, schools would see an average 2 percent increase including stimulus and other federal money directed toward schools.

Another main difference is that the House is proposing a "hold harmless" provision, meaning that no school will receive fewer state dollars under the next budget than they did under the current one.

Daniels' plan would increase per-pupil funding for every child, but for 25 schools in the state whose enrollment is expected to decline over the next two years, they would receive a cut in the number of state dollars directed to them under Daniels' budget. Among those 25 districts are schools in Gary, East Chicago and Michigan City.

"We have to start fresh," said Rep. Scott Pelath, D-Michigan City. "The governor presented a budget that just decimated a number of school districts in Indiana, and we just can't accept it."

The committee heard a parade of school superintendents testify, all advocating for additional funding. Democrats stressed that they were not going to "abandon this state's most precious resource" -- its kids -- while Republicans kept asking, in a budget that is \$1.1 billion smaller than it was expected to be, where the additional money was going to come from.

"If you're going to live by your word, and your word is that what you spend you cut, (will) one of you today say ... where do you propose to cut?" asked Rep. Jeff Espich, R-Uniondale. "Maybe by Friday you'll have time to total up your spending and prepare a list of things you're going to cut."

One line item slated for reduction is the Little Calumet River flood control project, which would receive \$14 million under Daniels' plan and \$9 million under the House proposal.

Democrats do not yet have a formal budget to present. Something in bill form could be available as soon as today, to be formally introduced during the special session on Thursday.

The Ways and Means committee plans to start hearings on the Democratic budget on Friday morning.

Including stimulus money, the state budget will total \$28.5 billion over the next two years.

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Dems want to prevent school losses

By Patrick Guinane

patrick.guinane@nwi.com, (317) 637-9078 | Wednesday, June 10, 2009

INDIANAPOLIS | House Democrats have ditched the "money follows the child" education funding plan offered by Republican Gov. Mitch Daniels and want to guarantee that none of Indiana's nearly 300 school districts lose funding in the next state budget.

The plan, outlined Tuesday, would prevent projected 2010 losses of \$1.4 million and \$8.1 million, respectively, to East Chicago and Gary schools. But rural and urban districts with high poverty and declining enrollment would benefit at the expense of growing suburban schools.

"Poverty is a factor (in student performance) as much as we like to pretend like it's not," said Rep. Scott Pelath, D-Michigan City.

Rural and urban school officials teamed Tuesday to tell the House Ways and Means Committee they serve greater numbers of children in poverty who require more resources to receive an adequate education.

"We want to make sure that you give all children a chance to be successful," Michigan City Area Schools Superintendent Michael Harding said.

Democrats presented only a broad outline of the one-year budget they plan to introduce Thursday. They didn't say how they would give schools statewide a 2 percent average funding boost without forcing cuts elsewhere.

"If you want to spend more, you've got to cut more," said Rep. Jeff Espich, a GOP budget negotiator from Uniondale.

Daniels, at the behest of legislative leaders, presented a \$28.5 billion spending plan last week that follows Indiana's traditional two-year budget cycle. Democrats continued to argue the economy is too uncertain to present a two-year plan, but Republicans see an excuse to spend more in the first year.

"We've been here before -- a one-year budget and spending way beyond our means that leads to a bankrupt state," said Ryan Kitchell, director of the governor's Office of Management and Budget.

Another long-simmering legislative fight centers on state support for charter schools, which are clustered in Gary, Indianapolis and other urban areas.

Democrats want to limit the establishment of new charter schools to one per public school district. But a news release Monday from U.S. Secretary of Education Arne Duncan warned states that "artificial caps" on charter schools could endanger applications for a \$4.35 billion federal "Race to the Top" competitive grant program.

"The writing on the wall is in 10-foot letters," said Indiana schools Superintendent Tony Bennett, a Republican. "We will jeopardize federal funding." Indiana House Democrats' framework for a state budget:

- Would have a one-year proposal, instead of traditional two-year plan
- Would maintain at least \$1 billion in state reserves, as governor has demanded
- Would give schools statewide an average funding boost of 2 percent
- Would "hold harmless" school districts, so that none receives less funding next year than this year
- Would limit new charter schools to one per public school district
- Would mean schools automatically would get one of every two dollars the state receives, as governor proposed
- if state revenues improve
- Would mean state universities would get 2 percent operating budget increases, compared to 4 percent cuts governor suggested
- Would give Little Calumet River levees project \$9 million (governor offered \$14 million over two years)
- Would mean public broadcasting stations, including Lakeshore Public Television, would continue to receive \$3.5 million annual subsidy governor wants to abolish

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June 2009

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Continued from page 1 -- Final Phase of Little Calumet River Levee Complete

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"This is great news all around," he said. "When this project is complete, residents will have the additional protection they need and will be able to save hundreds of dollars a year because they will no longer have to purchase flood insurance."

Mr. Dernulc said the river basin commission has already approached the Indiana General Assembly for funding to routinely inspect and maintain the length of the levee to insure it continues to protect residents of the region.

Taking Highland Out of the Flood Zone

With the Little Calumet levee project nearing completion, plans are underway to request an early release from flood zone restrictions for homes and businesses located along the Little Calumet corridor.

Highland Public Works Director John Bach said town officials are working with Hammond to get approval from the Federal Emergency Management Agency (FEMA) for an easing of restrictions.

"What this means is relaxing the building restrictions in the area — individuals will be able to build a home with a basement — because the threat of flooding has been mitigated," he said. "It could also mean housing insurance cost reductions for residents who live in the flood plain. Right now, the flood insurance issue is in flux, but it is likely that it will save residents money on their insurance premiums."

FEMA's approval of a request for a "conditional letter of map revision," would remove Highland and Hammond neighborhoods from the flood zone two or more years sooner than it would if town officials waited until the project was completed to the Indiana/Illinois state line.

"Removing the town from the flood zone earlier in the process will save money and may assist in developing north Kennedy Avenue," Mr. Bach said. "We are very hopeful FEMA will approve this request."

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION ATTENDANCE ROSTER

Doug Anderson?

NAME OF MEETING: LCRBDC

DATE: June 10, 2009

LOCATION: Munster Town Hall

CHAIRMAN: Dan Dernule

PLEASE SIGN IN

	NAME (PLEASE PRINT)	ORGANIZATION, ADDRESS, PHONE NUMBER
1	SEFF BURTON	The Times
2	Jayson Reeves	Mr. Fontaine Gory In 949-3354
3	Carolyn Marsh	Sand Ridge Auditor
4	Sheldon Edd	US Army Corps of Engineers
5	DAVID WILLIAMS	Town of Munster Council
6	Vanessa Villacreal	USACE
7	RUTH MORES	Southmoor Rd Ham's
8	PATRICIA PIEKARCZYK	8147 LINDEN MUNSTER
9	BRIDGET BODEFELD	8335 CRESTWOOD
10	GREG STARLETT	8351 CRESTWOOD, MUNSTER
11	Dann Harrigan	Topi Moulcote + Annual
12	Jim Kutzko	Hammon
13	RITA + DEE KEMZICH	MUNSTER
14	Mike SARATOWELLE	Southmoor
15	Pat & Bob Olson	Munster
16	CLAUDE	
17	Laura Michalski	
18	Elizabeth J. Musher	Visclosky
19	Myxlon Paul Daniels	Castle mire
20	Dea Danuser	Munster - Howard
21	Craig Harusin	" "
22	MESHANE	1827 CRESTWOOD
23	B. Whitaker	1921 Alta Vista Ave Mun
24	Kalliope Pedelow	8140 White Oak Ave
25	Kearen Moshua	8004 Monroe

BILL PETRITES

HIGHLAND RESIDENT

Jessica Shesek

7932 Jefferson Munster

KAREN LORENZ

SOUTHMOOR Ham'ID

✓ Enad Samara
Elizabeth Johnson

The Seattle Times

Tuesday, June 9, 2009 - Page updated at 07:31 PM

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Army Corps orders thousands of trees chopped down

By **CAIN BURDEAU**
Associated Press Writer

The Army Corps of Engineers is on a mission to chop down every tree in the country that grows within 15 feet of a levee - including oaks and sycamores in Louisiana, willows in Oklahoma and cottonwoods in California.

The corps is concerned that the trees' roots could undermine barriers meant to protect low-lying communities from catastrophic floods like the ones caused by Hurricane Katrina.

An Associated Press survey of levee projects nationwide shows that the agency wants to eliminate all trees along more than 100,000 miles of levees. But environmentalists and some civil engineers insist the trees pose little or no risk and actually help stabilize levee soil.

Thousands of trees have been felled already, though corps officials did not have a precise number of how many will be cut.

The corps has "this body of decades of experience that says you shouldn't have trees on your levees," said Eric Halpin, the agency's special assistant for dam and levee safety.

The saws are buzzing despite the outcry from people who say the trees are an essential part of fragile river and wetland ecosystems.

"The literature on the presence of vegetation indicates that it may actually strengthen a levee," said Andrew Levesque, senior engineer for King County, Wash., where the corps wants trees removed on the six rivers considered vital to salmon populations.

The anti-tree policy arose from criticism directed at the corps after Katrina breached levees in New Orleans in 2005. The agency promised to get tough on levee managers and improve flood protection.

In 2006, the corps began sending hundreds of letters to levee districts across the nation, ordering them to cut down "unwanted woody vegetation," a prospect that could cost many of the districts millions of dollars each in timber-clearing expenses.

Inspectors began an inventory of the levee system and told districts to fill in animal burrows, repair culverts and patch up erosion.

If they fail to comply, the agencies risk higher flood insurance premiums and a loss of federal funding.

"The corps' new edict was regarded as a major change in policy," said Ronald Stork, senior policy expert with California Friends of the River in Sacramento. "Something that is cheap and inexpensive is a chain saw. It was something to do that didn't cost a lot of money that made you feel better."

Last summer, the cutting crews came to Columbia, La., on the wooded Ouachita River levee at Breston Plantation, an 18th-century French colonial estate.

The plantation is surrounded by sycamores, live oaks, elms, pines, cedars, magnolias and crepe myrtles. Hundreds of trees grow within 15 feet of the levee. In theory, they would all have to go.

But after months of negotiations with landowners and the Tensas Basin Levee District, the corps agreed to let the district chop down only a few dozen trees on the levee.

"We don't know how long the trees have been here, but they've never caused any problem up until now," said Hugh Youngblood, 61, whose ancestors came to Breston in the 1800s.

On a recent afternoon, his son, who is also named Breston, was upset as he walked the levee, pointing to a heap of limbs.

"They didn't even find a buyer for the wood or the pulp," the son said.

In 2007, the corps sought to clear oaks, cottonwoods, willows and other vegetation from 1,600 miles of levees in California's Central Valley. But state wildlife officials complained that the policy would destroy habitat, and residents in Sacramento and elsewhere objected that it would have turned rivers into little more than barren culverts.

The corps eventually dropped the idea.

In a neighborhood north of Sacramento, the corps plans to rebuild the levees surrounding a basin that is home to 70,000 people and has determined that 900 trees, mostly native valley oaks, must be cut down.

Experts outside the corps say a tree has never caused a U.S. levee failure.

"If trees are a problem, why aren't we having problems with them?" said George Sills, who formerly worked for the corps' Engineer Research and Development Center in Vicksburg, Miss. "There's never been a documented problem with a tree."

In a March 2008 e-mail, Sills told the corps to remove his name from an updated vegetation policy paper he worked on for the corps. He said he ran analyses for the corps "that looked at the possibility that the trees caused any of the (levee) failures in New Orleans" and "it was determined that trees did not lead to any of these failures."

Corps officials see it differently.

Halpin, the corps' dam and levee expert, said the agency does not know whether a tree has ever directly caused a levee failure. But he noted that dam failures have been linked to trees, including a 1970s collapse in Georgia that claimed 39 lives.

The corps also wants to get rid of trees for safety reasons. A treeless levee is easier to inspect and repair during a flood.

But none of that washes with local authorities whose levees are being targeted by the corps.

"This is something they've dreamed up. It's like they're hell-bent to write up some negative reports," said Frank Keith, levee commissioner of the Tulsa County Drainage District in Oklahoma, where levees contain the Arkansas River.

Some 230 miles of levees in Keith's district got an "unacceptable rating" in December 2007, and the district faced losing its federal accreditation in part because of tree growth. The district is working with landowners to cut trees and fix other problems the corps found with its levees.

The carping frustrates Larry Larson, executive director of the Association of State Floodplain Managers, a group based in Madison, Wis., that represents interests such as insurers and engineers.

"If you're going to have a levee, you have to be able to maintain a levee and make it safe," Larson said.

Others are skeptical.

In Portland, Ore., residents of the Bridgeton neighborhood on the Columbia River lost a legal fight in 2007 to retain cottonwoods and poplars. About 90 trees were cut down at a cost of \$268,000, though the corps planted 255 others nearby.

"They don't care if that's good science," resident Walter Valenta said. "It is their policy."

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On the Net:

U.S. Army Corps of Engineers' Levee Safety Program: <http://tinyurl.com/nahxhv>

List of unacceptably maintained levees: <http://tinyurl.com/lqv73a>

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32-3.02 INDOT Criteria

The criteria in this Section and Figure 32-3A, Design Storm Frequency (Bridge Waterway Openings), augment the general criteria in Section 32-3.01. They provide specific, quantifiable values that relate to local site conditions. Evaluation of various alternatives according to these criteria can be accomplished by using the water surface profile programs WSPRO or HEC-2.

32-3.02(01) Roadway Serviceability

The traveled way overtopping flood level identifies the limit of serviceability.

32-3.02(02) Design Floods

Structures and their approach roadways shall at a minimum be designed for the passage of the design year flood specified for the required road serviceability for the highway classification system specified. By definition, design floods will not overtop the roadway. As noted in Chapter Twenty-nine and Figure 32-3A, Design Storm Frequency (Bridge Waterway Openings), the backwater must be calculated from the Q_{100} flood which, in some cases, may exceed the design flood.

32-3.02(03) Freeboard

Where practical, a minimum clearance of 2 ft shall be provided between the design approach water surface elevation and the low chord of the bridge for the final design alternative to allow for passage of ice and debris. Where this is not practical, the clearance should be established by the designer based on the type of stream and level of protection desired as approved by INDOT. For example, 12 in. should be adequate on small streams that normally do not transport drift. Urban bridges with grade limitations may not provide any freeboard. A 3 ft freeboard is desirable on major rivers which are known to carry large debris. The crest vertical curve profile is the preferred highway crossing profile when allowing for embankment overtopping at a lower discharge.

As added by P.L.1-1995, SEC.20. Amended by P.L.148-2002, SEC.11.

IC 14-27-7-7

Violations

Sec. 7. An owner who knowingly fails to effect the maintenance, alteration, repair, reconstruction, change in construction or location, or removal within the time limit set forth in the notice of violation of the department under:

- (1) section 5 of this chapter; or
- (2) IC 13-2-20-4 (before its repeal);

commits a Class B infraction. Every day of failure constitutes a separate infraction.

As added by P.L.1-1995, SEC.20. Amended by P.L.148-2002, SEC.12; P.L.71-2004, SEC.12.

IC 14-27-7-8

Right of entry upon premises

Sec. 8. The department and the department's agents, engineers, and other employees may, for the purposes of determining the department's jurisdiction and performing the engineering inspections provided in section 4 of this chapter, enter upon any land or water in Indiana without liability for trespass. The owner of a levee, dike, or floodwall and appurtenant works shall do the following:

- (1) Cooperate with the department and the department's agents, engineers, and other employees in the conduct of the inspections.
- (2) Facilitate access to the dike, floodwall, levee, or appurtenance.
- (3) Furnish upon request the plans, specifications, operating and maintenance data, or other information that is pertinent to the dike, floodwall, levee, or appurtenance.

As added by P.L.1-1995, SEC.20. Amended by P.L.148-2002, SEC.13.

IC 14-27-7-9

Exemption of department from liability

Sec. 9. This chapter does not create a liability for damages against the department or the department's officers, agents, and employees caused by or arising out of any of the following:

- (1) The construction, maintenance, operation, or failure of a levee, dike, or floodwall and appurtenant works.
- (2) The issuance and enforcement of a notice of violation or a rule issued by the department to carry out the department's duties.

As added by P.L.1-1995, SEC.20. Amended by P.L.148-2002, SEC.14.