

AGENDA

LAKE COUNTY DRAINAGE BOARD and ADVISORY COMMITTEE WEDNESDAY, JULY 20, 2016

Advisory Committee Meeting-8:00 A.M. Drainage Board Meeting-9:00 A.M.
Both Meetings Held in the Commissioner's Courtroom, Lake County Government Center
2293 North Main Street, Crown Point, IN 46307 Phone-219-755-3745 Fax 219-755-3750

Lake County Drainage Board

Gerry J. Scheub, Chairman
Michael C. Repay, Member
Kyle W. Allen, Sr., Member
Peter Katic, Drainage Board Attorney

Technical Support

Bill Emerson Jr., Lake County Surveyor
Daniel V. Gossman, Drainage Administrator
Rich Budziak, MS4 Coordinator
Clifford E. Duggan Jr., Legal Consultant
Mary Ellen Kupsik, Drainage Board Secretary

NOTE: All motions and votes by the Advisory Committee are recommendations to the Lake County Drainage Board and are not final actions. The Lake County Drainage Board is the agency having the authority to act under Indiana Statute.

1. Meeting Called to Order – Pledge of Allegiance

A. Emergency Exit Announcement: In case of emergency, exit the Commissioners Courtroom and proceed to the stairs and go to the second floor and exit the building. Do not enter an elevator in an emergency. If you require assistance, an employee will escort and/or assist you. Please silence any cellular telephones during this meeting. If you receive a call/text during this meeting, please excuse yourself with as little disruption as possible.

2. Roll Call

3. Agenda

- A. Additions, Deletions, and/or Corrections - 5-C-7
B. Permission to Open Bids/Proposals - 9-A

4. Minutes

A. June 15, 2016

5. Reports – Correspondence – Information for the Record

A. Advisory Committee By Township

B. Little Calumet River Watershed

1. Indiana Department of Natural Resources (IDNR) "Certificate of Approval" for "Construction in a Floodway" for IDNR regarding Grand Calumet River, near Hammond, Indiana.
2. Indiana Department of Natural Resources (IDNR) "Certificate of Approval" for "Construction in a Floodway" for Great Lakes National Program Office regarding Indiana Harbor Canal and Grand Calumet River, near East Chicago, Indiana.
3. Indiana Department of Natural Resources (IDNR) "Certificate of Approval" for "Construction in a Floodway" for Great Lakes National Program Office regarding Grand Calumet River, near East Chicago, Indiana.
4. US Army Corps of Engineers letter regarding 2017 Nationwide Permit "Public Notice"
5. Letter from Drainage Administrator Dan Gossman to County Surveyor Bill Emerson Jr., and County Commissioner Gerry Scheub regarding proposed developments in municipalities with respect to regulated drain determination.
6. **Cady Marsh Ditch, Griffith, Calumet Twp.**
Letter from County Surveyor Bill Emerson, Jr. to property owners regarding jurisdictional maintenance of regulated drains.
7. **Cady Marsh Ditch, Griffith, Calumet Twp.**
Letter from County Surveyor Bill Emerson, Jr. to property owners regarding easement restrictions for county regulated drains.
8. Indiana Department of Natural Resources (IDNR) "Certificate of Approval" for Indiana American Water Company regarding Lake Michigan, near Gary, Indiana.
9. Indiana Department of Natural Resources (IDNR) letter to Little Calumet River Basin Development Commission regarding renewal of multiple permits.
10. Letter from Drainage Administrator Dan Gossman to DLZ regarding INDOT project on US 12 at Railroad Bridge, East Chicago, North Twp.
11. Letter from Drainage Administrator Dan Gossman to Paul Myers of NIPSCO regarding regulated drain determination.
12. Indiana Department of Natural Resources (IDNR) letter to Little Calumet River Basin Development Commission regarding renewal of multiple permits.
13. **Cady Marsh Ditch, Griffith, Calumet Twp.**
Letter from Drainage Administrator Dan Gossman to property owner regarding authorization to CN Railroad for access within the county regulated drainage easement. (*and Revised Letter*)
14. Memorandum from Thomas B. Burke, P.E., PhD, of Christopher B. Burke Engineering to County Surveyor Bill Emerson, Jr. regarding Lake County Drainage Board Application Review procedures.
15. Letter/Report from Asst Drainage Administrator Tom Regalado to County Surveyor Bill Emerson, Jr. regarding Clearing & Snagging Crew activity.
16. **Hart Ditch (Plum Creek), Dyer, St John Twp.**
 - Letter from Enercon requesting determination of Drainage Board application for replacement of powerpoles.
 - Review letter from Thomas B. Burke, P.E., PhD, indicating that this pole replacement should be sufficient without an application.
17. Other.

C. Kankakee River Watershed

1. **Stoney Run Ditch West Branch – Lateral No. 9, Eagle Creek Twp.**
Letter from Drainage Administrator Dan Gossman to property owners regarding "Invoice" for 2013 culvert replacement cost share.

2. Letter from Drainage Administrator Dan Gossman to County Surveyor Bill Emerson Jr., and County Commissioner Gerry Scheub regarding proposed developments in municipalities with respect to regulated drain determination.
3. Letter from Drainage Administrator Dan Gossman to Dan Delgado of Lawson-Fisher Assoc. regarding INDOT project on SR 2 between I-65 and US 231, Eagle Creek Twp.
4. **M.J. Brown Ditch, Eagle Creek Twp.**
Letter from Luella Beth Hillen of Civil & Environmental Consultants to County Commissioner Gerry Scheub regarding INDOT bridge replacement on SR 2 over M.J. Brown Ditch.
5. Letter/Report from Asst Drainage Administrator Tom Regalado to County Surveyor Bill Emerson, Jr. regarding Clearing & Snagging Crew activity.
6. **Cedar Creek, Cedar Creek Twp.**
 - Letter from Enercon requesting determination of Drainage Board application for replacement of powerpoles.
 - Review letter from Brian Ralstin, P.E. indicating that this pole replacement should be satisfactory without an application.
7. Other

D. Current Projects - Little Calumet River Watershed

1. **Hart Ditch, St John Twp.** (State Line to US Highway 30, - Dyer)
 - Review and recommendation for approval of partial payment of \$66,141.58 from Al Walus (CBBEL). Contractor: KDM Services, LLC.
2. **Niles Ditch, Center & Winfield Twps.** (113th to Gibson Street)
3. **Cady Marsh Ditch - Highland, North Twp.** (Hart Ditch to Cline Ave, Highland)
 - Review and recommendation for approval of partial payment of \$59,653.98 from Al Walus (CBBEL). Contractor: KDM Services, LLC.
4. **Turkey Creek Lateral No. 13 – Bank Stabilization, Schererville, St John Twp.**
“Notice to Proceed” to Austgen Equipment from Drainage Administrator Dan Gossman.
5. **Other**

E. Current Projects - Kankakee River Watershed

1. **West Creek Maintenance, Hanover Twp.** (125th Ave to 133rd Ave)
2. **Singleton Ditch Maintenance US 41 to Monon Road – Phase II, Cedar Creek Twp.** (Cedar Creek to Monon Road)
3. **Ernie Niemeyer Creek & Levee – Phase IV, West Creek Twp.** (Stateline to US 41)
4. **2016 Stoney Run Ditch Middle Branch Lateral No. 4 Maintenance, Winfield Twp.** (145th Avenue, Leroy)
 - “Notice of Award” to Delta III Inc. from Drainage Administrator Dan Gossman
 - Receive and Accept “Performance Bond” from Delta III Inc.
 - “Notice to Proceed” to Delta III Inc. from Drainage Administrator Dan Gossman
5. **Other**

6. Applications / Petitions

A. Bull Run Ditch, St John Twp.

Applicant: James & Janice Nichols Agent: Landmark Engineering Ltd
Application to "Perform Work", and "Place Temporary/Permanent Structure" within regulated drain for the purpose of installing culvert crossing for development of Windy Knoll Estates.

- Review letter from Thomas Burke P.E., PhD., (CBBEL)

B. Bull Run Ditch, St John Twp.

Applicant: Preserve, S.J., LLC Agent: Jack Slager
Application to "Perform Work", "Connect/Discharge Into", and "Place Temporary/Permanent Structure" within regulated drain for the purpose of development of subdivision.

C. Other

7. MS4 Water Quality

A. Capital Projects Status Report

1. 41st Avenue Storm Sewer Project, Calumet Twp.
2. 133rd Avenue / S.R. 55 Storm Drainage Project, Center Twp.
3. Upper Beaver Dam Ditch Storage/Water Quality Project
4. Willowdale Sanitary Sewer – Phase II & III

- Review and recommendation for approval of partial payment of \$16,785.00 from Frank Stewart, P.E. (DLZ). Contractor: Gough, Inc.
- Review and recommendation for approval of partial payment of \$3,525.00 from Frank Stewart, P.E. (DLZ). Contractor: Gough, Inc.

B. MS4 Information and Correspondence

C. Other.

8. Financial Issues

- A. Little Calumet River Watershed
- B. Kankakee River Watershed

9. Approve Plans/Advertise for Bids/Seek Proposals and/or Approve Plan Modifications

- A. Little Calumet River Watershed
- B. Kankakee River Watershed

10. Receive and Open Bids/Proposals

- A. Little Calumet River Watershed
- B. Kankakee River Watershed

11. Award Contracts, Approve Modifications, and/or Ratify Actions by County Surveyor

- A. Little Calumet River Watershed
- B. Kankakee River Watershed

1. 2016 Singleton Ditch Maintenance, Cedar Creek Twp. (Monon Rd-Mississippi St)
 - Review of bids from Brian Ralston P.E. (ASI)
2. 2016 Cedar Creek Maintenance, Cedar Creek Twp. (Lake Dalecarlia to 171st Ave)
 - Review of bids from Brian Ralston P.E. (ASI)
3. 2016 McConnell Ditch Maintenance, Cedar Creek Twp. (Morse St to 171st Ave)
 - Review of bids from Brian Ralston P.E. (ASI)

12. Other Business

A. Other

13. Adjournment

A. The next meeting is scheduled for Wednesday August 17, 2016 in the Lake County Commissioners' Courtroom at 8:00AM Drainage Advisory Committee and 9:00AM Drainage Board.

B. Motion to Adjourn.

MINUTES

LAKE COUNTY DRAINAGE BOARD WEDNESDAY, JUNE 15, 2016

Advisory Committee Meeting-8:00 A.M. Drainage Board Meeting-9:00 A.M.
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1. Meeting Called to Order – Pledge of Allegiance

- A. Emergency Exit Announcement: In case of emergency, exit the Commissioners Courtroom and proceed to the stairs and go to the second floor and exit the building. Do not enter an elevator in an emergency. If you require assistance, an employee will escort and/or assist you. Please silence any cellular telephones during this meeting. If you receive a call/text during this meeting, please excuse yourself with as little disruption as possible.

2. Roll Call

Members Present: Chairman Gerry Scheub and Board Member, Michael Repay, Board Member Kyle W. Allen, Sr. [3 Present, 0 Absent]. Also Present: Lake County Surveyor Bill Emerson, Jr.; Lake County Drainage Administrator, Dan Gossman; Drainage Board Attorney, Peter Katic; Lake County Drainage Consultant Clifford E. Duggan, Jr.; Drainage Board Secretary, Mary Ellen Kupsik; North Watershed Engineering Consultant, Thomas Burke of Christopher B. Burke Engineering; and South Watershed Engineering Consultant, and Brian Ralstin, American Structurepoint.

3. Agenda

A. Additions, Deletions, and/or Corrections

Dan Gossman requested the following additions to the Agenda. Item No. 5-B-2, Letter from Thomas Burke regarding sink hole and Item No. 10-B-1, Addendum to Singleton Ditch Phase III. Motion to approve the above-stated additions was made by Kyle W. Allen, Sr., seconded by Michael C. Repay. Motion carried 3-0.

B. Permission to Open Bids/Proposals

Dan Gossman requested permission to open the bids under Item Nos. 10-B-1, 2, 3 & 4. Motion to approve opening the bids under the above stated Item Nos. was made by **Michael C. Repay**, seconded by **Kyle W. Allen Sr.** Motion carried 3-0.

4. Minutes

A. May 18, 2016

Chairman Scheub requested approval of the May 18, 2016 Minutes. Motion made by **Michael C. Repay** to approve the **May 18, 2016** Lake County Drainage Board Minutes, seconded by **Kyle W. Allen, Sr.** Motion carried 3-0.

5. Reports – Correspondence – Information for the Record

A. Advisory Committee By Township

B. Little Calumet River Watershed

1. Turkey Creek Lateral No. 6, Merrillville, Ross Twp.

- Letter from Drainage Administrator Dan Gossman to Merrillville Stormwater Management Board President Bud Crist regarding invoice for Merrillville storm sewer connection.

2. Graper Ditch, Winfield, Winfield Twp.

- Letter from Drainage Administrator Dan Gossman to Winfield Zoning & Planning Director Nick Bellar regarding "Cease & Desist" for construction of a residence.
- Letter from Drainage Administrator Dan Gossman to Zoning & Planning Director Nick Bellar regarding lifting the "Cease & Desist".

3. Spring Street Ditch, Highland, North Twp.

- Letter from property owner Jocelyn Riley to US Army Corps of Engineers regarding trees and debris in Spring Street Ditch.
- Letter from Spring Creek Condominium Association to County Surveyor Bill Emerson, Jr. regarding trees in Spring Street Ditch.
- Letter from Congressman Peter Visclosky to Jocelyn Riley regarding Spring Street Ditch.
- Letter from Drainage Administrator Dan Gossman to County Surveyor Bill Emerson, Jr., regarding inspection at Spring Street Ditch.

4. Cady Marsh Ditch, Griffith, Calumet Twp.

Indiana Department of Natural Resources (IDNR) "Certificate of Approval" for "Construction in a Floodway" for Wisconsin Central Limited regarding Cady Marsh Ditch, near Griffith, Indiana.

5. Indiana Department of Natural Resources (IDNR) "Certificate of Approval" for "Construction in a Floodway" for BP Products regarding Indiana Harbor Canal, near Hammond, Indiana.

6. Indiana Department of Natural Resources (IDNR) "Certificate of Approval" for "Construction in a Floodway" for Lake County Highway Department regarding Grand Calumet River, near East Chicago, Indiana.

7. Letter from Drainage Administrator Dan Gossman to County Surveyor Bill Emerson Jr., and County Commissioner Gerry Scheub regarding regulated drain determination.

8. Letter/Report from Asst Drainage Administrator Tom Regalado to County Surveyor Bill Emerson, Jr. regarding Clearing & Snagging Crew activity.

9. Spring Street Ditch, Schererville, St John Twp.

- Letter/report from Al Walus (CBBEL) to County Surveyor Bill Emerson, Jr., regarding completion of previously approved application from Enbridge Pipeline.

10. Turkey Creek Lateral No. 6, Hobart Twp.

- Review and recommendation for approval of payment of \$800.00 from Assistant Drainage Administrator Tom Regalado. Contractor: Tom Larson

Dan Gossman requested approval for payment to Beaver Relocator in the amount of \$800.00. Motion to approve same was made by **Michael C. Repay**, seconded by **Kyle W. Allen, Sr.** Motion carried 3-0.

11. Other.

C. Kankakee River Watershed

1. Press Release from the U.S. Department of the Interior regarding "New National Recreation, Water Trails".

Information Only.

2. Other

D. Current Projects - Little Calumet River Watershed

1. **Hart Ditch, St John Twp.** (State Line to US Highway 30, - Dyer)
2. **Niles Ditch, Center & Winfield Twps.** (113th to Gibson Street)
3. **Cady Marsh Ditch - Highland, North Twp.** (Hart Ditch to Cline Ave, Highland)
 - Review and recommendation for approval of partial payment of \$70,029.80 from Al Walus (CBBEL). Contractor: KDM Services, LLC.

Dan Gossman requested approval of partial payment in the amount of \$70,029.80 to KDM Services, LLC. Motion to approve was made by **Michael C. Repay**, seconded by **Kyle W. Allen, Sr.** Motion carried 3-0.

4. Turkey Creek Lateral # 3 – Scherwood Golf Course, Schererville, St John Twp.

- Review and recommendation for approval of final payment of \$12,078.30 from Drainage Administrator Dan Gossman. Contractor: Austgen Equipment.

Dan Gossman requested approval of final payment in the amount of \$12,078.30 to Austgen Equipment. Motion to approve was made by **Michael C. Repay**, seconded by **Kyle W. Allen, Sr.** Motion carried 3-0.

5. Cady Marsh Ditch – Griffith, Calumet Twp. (Cline Ave to Colfax St, Griffith)

- Review and recommendation for approval of partial payment of \$9,656.00 and final payment of \$10,422.15 from Drainage Administrator Dan Gossman. Contractor: Delta III Inc.

Dan Gossman requested approval of partial payment in the amount of \$9,656.00 and final payment of \$10,422.15, both to Delta III, Inc. Motion to approve was made by **Michael C. Repay**, seconded by **Kyle W. Allen, Sr.** Motion carried 3-0.

6. **Turkey Creek Lateral #6–Emergency Culvert Replacement, Ross Twp.** (61st Ave)
Review and recommendation for approval of final payment of \$11,245.05 from
Drainage Administrator Dan Gossman. Contractor: Delta III Inc.

Dan Gossman requested approval of final payment in the amount of \$11,245.05 to Delta III, Inc. Motion to approve was made by **Michael C. Repay**, seconded by **Kyle W. Allen, Sr.** Motion carried 3-0.

7. **Main Beaver Dam Ditch, St John Twp.,** (East of Blaine Street)
 - Review and recommendation for approval of final payment of \$10,425.75 from
Drainage Administrator Dan Gossman. Contractor: Delta III Inc.

Dan Gossman requested approval of final payment in the amount of \$10,425.75 to Delta III, Inc. Motion to approve was made by **Michael C. Repay**, seconded by **Kyle W. Allen, Sr.** Motion carried 3-0.

8. **Turkey Creek Lateral No. 13 – Bank Stabilization, Schererville, St John Twp.**
“Notice of Award” to Austgen Equipment from Drainage Administrator Dan Gossman.

Information Only.

9. Other

E. Current Projects - Kankakee River Watershed

1. **West Creek Maintenance, Hanover Twp.** (125th Ave to 133rd Ave)
2. **Singleton Ditch Maintenance US 41 to Monon Road – Phase II, Cedar Creek Twp.** (Cedar Creek to Monon Road)
3. **Ernie Niemeyer Creek & Levee – Phase IV, West Creek Twp.** (Stateline to US 41)
4. **Stoney Run Ditch West Branch – Emergency Bank Repair, Eagle Creek Twp.**
 - Review and recommendation for approval of final payment of \$3,379.73 from
Drainage Administrator Dan Gossman. Contractor: Austgen Equipment.

Dan Gossman requested approval of final payment in the amount of \$3,379.73 to Austgen Equipment. Motion to approve was made by **Michael C. Repay**, seconded by **Kyle W. Allen, Sr.** Motion carried 3-0.

5. Other

Chairman Scheub requested that Item No. 5-B, C, D & E be made a “Matter of Public Record”. Motion to make Item No. 5-B, C, D & E a “Matter of Public Record” was made by **Michael C. Repay**, seconded by **Kyle W. Allen, Sr.** Motion carried 3-0.

6. Applications / Petitions

A. **Bull Run Ditch, St John Twp.**

Applicant: James & Janice Nichols **Agent: Landmark Engineering Ltd**
Application to “Perform Work”, and “Place Temporary/Permanent Structure” within regulated drain for the purpose of installing culvert crossing for development of Windy Knoll Estates.

- Review letter from Thomas Burke P.E., PhD., (CBBEL)

Deferred.

Dan Gossman reported that this is a three lot subdivision, which is being reviewed by Thomas Burke (CBBEL) and currently there are seven outstanding issues that need to be addressed and requested deferral. Motion to defer was made by **Michael C. Repay**, seconded by **Kyle W. Allen, Sr.** Motion carried 3-0.

B. Stoney Run Ditch Lateral B, Winfield Twp.

Applicant: Mark & Tamara Anderson

Application to "Perform Work", and "Reduce Easement" within regulated drain for the purpose of building pole barn for storage of personal equipment.

Approved.

Dan Gossman reported that this is an application to reduce the easement along Stoney Run Ditch Lateral B from 75 feet to 30 feet on the west side only for the purpose of installing a pole barn. He stated that the Applicant also owns the property on the east side of the tile and that easement will remain at 75 feet and will have adequate access to the tile for maintenance. **Lake County Surveyor Bill Emerson, Jr.** added that it is an underground drain and requested approval. Motion to approve the above-stated easement reduction was made by **Michael C. Repay**, seconded by **Kyle W. Allen, Sr.** Motion carried 3-0.

C. Other

7. MS4 Water Quality

A. Capital Projects Status Report

1. **41st Avenue Storm Sewer Project, Calumet Twp.**
2. **133rd Avenue / S.R. 55 Storm Drainage Project, Center Twp.**

Lake County Bill Emerson, Jr. reported having a meeting with the new NRCS Representative who has indicated he may not be as open to placing an underground drain through the farmland at this site and are now looking for alternatives to alleviate the roadway flooding at this location. He stated that the Surveyor's Office is now looking at the feasibility of potentially cutting an open ditch there to where it outlets out of that farm ground, as it would be a big cost savings and a lot easier to get done.

3. **Upper Beaver Dam Ditch Storage/Water Quality Project**
4. **Willowdale Sanitary Sewer – Phase II & III**

Lake County Bill Emerson, Jr. reported having several onsite meetings with the contractor regarding additional landscaping restoration issues; otherwise, this project is nearing completion.

B. MS4 Information and Correspondence

C. Other.

Chairman Scheub requested that Item No. 7-A-1, 2, 3 & 4 be made a "Matter of Public Record". Motion to make Item Nos. 7-A-1, 2, 3 & 4 a "Matter of Public Record" was made by **Michael C. Repay**, seconded by **Kyle W. Allen, Sr.** Motion carried 3-0.

8. Financial Issues

- A. Little Calumet River Watershed
- B. Kankakee River Watershed

9. Approve Plans/Advertise for Bids/Seek Proposals and/or Approve Plan Modifications

- A. Little Calumet River Watershed
- B. Kankakee River Watershed

10. Receive and Open Bids/Proposals

- A. Little Calumet River Watershed
- B. Kankakee River Watershed

Dan Gossman requested that the Addendums listed under Item No. 10-B-1, 2, 3 & 4, including the “hand-out” under Item No. 10-B-1 be made a “Matter of Public Record”. Motion to make the above-stated items a “Matter of Public Record” was made by **Michael C. Repay**, seconded by **Kyle W. Allen, Sr.** Motion carried 3-0.

- 1. **2016 Singleton Ditch Maintenance, Cedar Creek Twp.** (Monon Rd-Mississippi St)
 - **Addendum No. 1**

Attorney Peter Katic opened two (2) bids received all of which appeared to be in proper legal order and they were as follows:

Delta III	\$209,099.00
R.A. Oros, Inc.	\$250,762.00

Lake County Surveyor Emerson, Jr. requested taking these two bids under advisement. Motion to take these two bids under advisement was made by **Michael C. Repay**, seconded by **Kyle W. Allen, Sr.** Motion carried 3-0.

- 2. **2016 Cedar Creek Maintenance, Cedar Creek Twp.** (Lake Dalecarlia to 171st Ave)
 - **Addendum No. 1**

Attorney Peter Katic opened two (2) bids received all of which appeared to be in proper legal order and they were as follows:

Delta III	\$123,075.00
Austgen Equipment	\$132,072.10

Lake County Surveyor Emerson, Jr. requested taking these two bids under advisement. Motion to take these two bids under advisement was made by **Michael C. Repay**, seconded by **Kyle W. Allen, Sr.** Motion carried 3-0.

- 3. **2016 McConnell Ditch Maintenance, Cedar Creek Twp.** (Morse St to 171st Ave)
 - **Addendum No. 1**

Attorney Peter Katic opened one (1) bid received all of which appeared to be in proper legal order and they were as follows:

Austgen Equipment	\$430,311.85
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Lake County Surveyor Emerson, Jr. requested taking this one (1) bid under advisement. Motion to take this bid under advisement was made by **Michael C. Repay**, seconded by **Kyle W. Allen, Sr.** Motion carried 3-0.

**4. 2016 Stoney Run Ditch Middle Branch-Lateral No. 4, Winfield Twp. (145th Ave)
• Addendum No. 1**

Attorney Peter Katic opened one (1) bid received all of which appeared to be in proper legal order and they were as follows:

Delta III, Inc.	\$46,021.50
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Lake County Surveyor Emerson, Jr. requested awarding this bid to Delta III in the amount of \$46,021.50. Motion to award this bid to Delta III in the amount of \$46,021.50 was made by **Kyle W. Allen, Sr.**, seconded by **Michael C. Repay**. Motion carried 3-0.

11. Award Contracts, Approve Modifications, and/or Ratify Actions by County Surveyor

- A. Little Calumet River Watershed**
- B. Kankakee River Watershed**

12. Other Business

- A. Other**

13. Adjournment

- A. The next meeting is scheduled for Wednesday July 20, 2016 in the Lake County Commissioners' Courtroom at 8:00AM Drainage Advisory Committee and 9:00AM Drainage Board.**
- B. Motion to Adjourn.**

Vince Casboni (9679 White Oak Avenue in St. John, IN) approached the Board to report current flooding issues on his 38-acre parcel of land, which Bull Run Ditch meanders through. His main concern is the water runoff once two developments approved by the Town of St. John have been established; the Preserves will consist of 445 homes on 319 acres and Greystone, which will have approximately 84 homes on 119 acres. He presented two legal Notices from the newspapers regarding developments that will drain into Main Beaver Dam and Bull Run Ditch.

Chairman Scheub stated that the County has been advised and is aware of the flooding problems in this area of St. John and requested the Lake County Surveyor staff, along with the County's engineer consultants to research the two Legal Ads relating to new developments listed as discharging into Main Beaver Dam and Bull Run Ditch and report back. He advised them not to make any judgments or official recommendations at this time, since no formal Drainage Application has been submitted

Joe Hero (St. John, IN) reiterated the need to perform a restudy of Bull Run Ditch for volume flow, water quality, the effects of stormwater, as stormwater pollution can affect the quality of the water, adding that since it flows into the Singleton and Kankakee River, a new study be performed to address these issues.

Arnold Reyes (1423 Edgewater Road, Crown Point) inquired as to the status of the major erosion problem forming along the ditch bank (Main Beaver Dam) on his property. Thomas

Burke (CBBEL) stated that both he and the Surveying crew from the Lake County Surveyor's Office were out at Mr. Reyes' property to inspect and review and that plans should be presented to the Board at next month's meeting.

Michael C. Repay asked regarding the legal ads, do the developers know they will eventually submit a formal Drainage Board Application to be reviewed to see if it requires being under our Lake County Stormwater Ordinance guidelines? **Surveyor Emerson** stated they do know and have provided us with some preliminary plans just as a courtesy just on the Preserve.

Michael C. Repay reiterated that he would classify our Lake County Stormwater Ordinance as highly restrictive in its current form, and firmly believes that most of the concerns will be addressed, as the Applicants will need to be in compliance to the stormwater ordinance requirements prior to any approval.

Motion to adjourn was made by **Michael C. Repay**, seconded by **Kyle W. Allen, Sr.** Motion carried 3-0. Meeting adjourned at 9:45 a.m.

APPROVED THIS 20th DAY OF JULY, 2016

LAKE COUNTY DRAINAGE BOARD



Gerry Scheub, Chairman

Michael C. Repay, Member



Kyle W. Allen, Sr., Member

ATTEST: 
Mary Ellen Kupsik, Drainage Board Secretary

MINUTES

LAKE COUNTY DRAINAGE ADVISORY COMMITTEE

WEDNESDAY, JUNE 15, 2016

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2. Roll Call

Tom Silich, Hobart Twp.; Dave Hubinger, Center Twp.; Jean Shepherd, St. John Twp.; Milan Dakich, Ross Twp.; Larry Cope, Winfield Twp.; Louise Neese, Calumet Twp.; Jamie Blankman, North Twp.; Harold Mussman, West Creek Twp.; Alice Dahl, Cedar Creek Twp.; and Ken Huseman, Hanover Twp., and John Jurs, Eagle Creek Twp. [11 Present, 0 Absent]. Also Present: Lake County Surveyor **Bill Emerson, Jr.** (came in later during the meeting); **Dan Gossman**, Drainage Administrator; Legal Consultant, **Clifford E. Duggan, Jr.**; Drainage Board Attorney, **Peter Katic**; **Mary Ellen Kupsik**, Drainage Board Secretary; North Watershed Engineering Consultant, **Thomas Burke** of Christopher B. Burke Engineering; South Watershed Engineering Consultant, **Brian Ralstin**, American Structurepoint, Inc.

3. Agenda

A. Additions, Deletions, and/or Corrections

Dan Gossman requested the following additions to the Agenda. Item No. 5-B-2, Letter from **Thomas Burke** regarding sink hole and Item No. 10-B-1, Addendum to Singleton Ditch Phase III. Motion to accept the above-stated additions was carried.

B. Permission to Open Bids/Proposals

4. Minutes

A. May 18, 2016

Tom Silich requested a motion to accept and approve the **May 18, 2016** Lake County Drainage Advisory Board Minutes. Motion to accept and approve same was made by **Louise Neese** seconded by **Dave Hubinger**. Motion carried.

5. Reports – Correspondence – Information for the Record

A. Advisory Committee By Township

John Jurs (Eagle Creek Twp.) inquired if any gauges have been installed on the Singleton. **Dan Gossman** replied that he has been researching for a “drive-by” gauge that can be seen from the street. **John Jurs** inquired as to having one that can be viewed on a website and possibly coordinate together with USGS. **Thomas Burke** stated that getting a USGS gauge established out there would cost around \$30,000.00, along with a \$12,000.00 annual maintenance fee. **Dan** explained that **Surveyor Emerson, Jr.** is currently working with the County’s Data Department to try and get a gauge placed on the Lake County Surveyor’s website. **John Jurs** also inquired as to the status of the channel dipping on the Brown Levee and which side of the Levee was a legal drain, north or south. **Dan Gossman** replied that he is still researching. **John Jurs** inquired as to when the MJ Brown just north of Route 2 was going to be cleaned out. **Dan Gossman** replied that it is scheduled for some time this year.

Both John Jurs and Alice Dahl stated that this morning the main entrance security guard reported to them flooding on 145th and Iowa Street. He stated that during a large rain event, the water goes across the road and travels east towards Leroy. **John Jurs** recommended contacting **Duane Alverson** from the Lake County Highway Department to investigate same. **Dan Gossman** replied that the Drainage Board is currently re-establishing a channel on 145th, but he would reach out to **Duane Alverson and Marc Malczewski** at an onsite meeting later this week.

Alice Dahl (Cedar Creek Twp.) inquired as to the status of Janet Reid. **Dan Gossman** replied that he would get back to her regarding that issue.

Dan Gossman reported to **Harold Mussman** that he had spoken with **Senator Rick Niemeyer** regarding the north side of the Ernie Niemeyer Ditch from State Line to US41. The Senator stated that he was going to reach out to Dan Nelson and Robbie Churchill and get us all out there together to discuss the whole situation, both current and future. **Harold Mussman** asked as to when the contractor will start dredging same. **Dan** replied after June 1st.

Larry Cope (Winfield Twp.)

Dan Gossman reported that bids will be opened at today's Drainage Board Meeting regarding **Larry Nangle's** issue on the Stoney Run at 145th. **Dan** requested **Larry Cope** to come back to his office after this meeting to pick up a document for **Mr. Lurtz** to review and sign regarding vacating the regulated drainage ditch on his property.

B. Little Calumet River Watershed

1. Turkey Creek Lateral No. 6, Merrillville, Ross Twp.

- Letter from Drainage Administrator Dan Gossman to Merrillville Stormwater Management Board President Bud Crist regarding invoice for Merrillville storm sewer connection.

Dan Gossman explained that this \$1,167.00 invoice represents the Town of Merrillville's portion of this project.

2. Graper Ditch, Winfield, Winfield Twp.

- Letter from Drainage Administrator Dan Gossman to Winfield Zoning & Planning Director Nick Bellar regarding "Cease & Desist" for construction of a residence.
- Letter from Drainage Administrator Dan Gossman to Zoning & Planning Director Nick Bellar regarding lifting the "Cease & Desist".

Dan Gossman reported that a property owner notified the Lake County Surveyor's Office of a sinkhole on State Street in Winfield. Upon inspection, a nearby single lot development was in progress wherein the developer had placed an undersized culvert which was not approved by the county and, in addition, no erosion control measures were in place. **Dan** stated that the Town of Winfield was notified and they immediately issued a "Cease and Desist" to the developer and that he was immediately contacted by the developer whom he met onsite the next day. He noted that the developer had started placing silt fence and erosion control blankets around the property; however, the culvert is still under sized and will be waiting to receive a Drainage Board Application from the developer to rectify the culvert issue.

Dan Gossman explained that the "handout" on this item is a letter from **Thomas Burke (CBBEL)** regarding the sink hole wherein Thomas observed that no material was falling into the culvert and the culvert is maintaining its ability to convey the regulated ditch under State Street and was uncertain as to the cause; however, since State Street is a local road, it appears the sink hole would be the Town of Winfield's responsibility.

3. Spring Street Ditch, Highland, North Twp.

- Letter from property owner Jocelyn Riley to US Army Corps of Engineers regarding trees and debris in Spring Street Ditch.
- Letter from Spring Creek Condominium Association to County Surveyor Bill Emerson, Jr. regarding trees in Spring Street Ditch.
- Letter from Congressman Peter Visclosky to Jocelyn Riley regarding Spring Street Ditch.
- Letter from Drainage Administrator Dan Gossman to County Surveyor Bill Emerson, Jr., regarding inspection at Spring Street Ditch.

Dan Gossman explained the above correspondence relates to some trees in Spring Street Ditch and the County's Clearing and Snagging Crew will be taking care of the ones that are under our jurisdiction.

4. **Cady Marsh Ditch, Griffith, Calumet Twp.**
Indiana Department of Natural Resources (IDNR) "Certificate of Approval" for "Construction in a Floodway" for Wisconsin Central Limited regarding Cady Marsh Ditch, near Griffith, Indiana.
5. Indiana Department of Natural Resources (IDNR) "Certificate of Approval" for "Construction in a Floodway" for BP Products regarding Indiana Harbor Canal, near Hammond, Indiana.
6. Indiana Department of Natural Resources (IDNR) "Certificate of Approval" for "Construction in a Floodway" for Lake County Highway Department regarding Grand Calumet River, near East Chicago, Indiana.
7. Letter from Drainage Administrator Dan Gossman to County Surveyor Bill Emerson Jr., and County Commissioner Gerry Scheub regarding regulated drain determination.
8. Letter/Report from Asst Drainage Administrator Tom Regalado to County Surveyor Bill Emerson, Jr. regarding Clearing & Snagging Crew activity.
9. **Spring Street Ditch, Schererville, St John Twp.**
 - Letter/report from Al Walus (CBBEL) to County Surveyor Bill Emerson, Jr., regarding completion of previously approved application from Enbridge Pipeline.
10. **Turkey Creek Lateral No. 6, Hobart Twp.**
 - Review and recommendation for approval of payment of \$800.00 from Assistant Drainage Administrator Tom Regalado. Contractor: Tom Larson

Dan Gossman requested recommending approval for payment to Beaver Relocator in the amount of \$800.00. Motion to recommend approval of same was made by **Milan Dakich**, seconded by **Dave Hubinger**. Motion carried.

11. Other.

C. Kankakee River Watershed

1. Press Release from the U.S. Department of the Interior regarding "New National Recreation, Water Trails".

Information Only.

2. Other

D. Current Projects - Little Calumet River Watershed

1. **Hart Ditch, St John Twp.** (State Line to US Highway 30, - Dyer)
2. **Niles Ditch, Center & Winfield Twps.** (113th to Gibson Street)
3. **Cady Marsh Ditch - Highland, North Twp.** (Hart Ditch to Cline Ave, Highland)
 - Review and recommendation for approval of partial payment of \$70,029.80 from Al Walus (CBBEL). Contractor: KDM Services, LLC.

Dan Gossman requested a recommendation for approval for partial payment to KDM Services, LLC in the amount of \$70,029.80. Motion to approve same was made by **Jamie Blankman**, seconded by **Milan Dakich**. Motion carried.

4. **Turkey Creek Lateral # 3 – Scherwood Golf Course, Schererville, St John Twp.**
 - Review and recommendation for approval of final payment of \$12,078.30 from Drainage Administrator Dan Gossman. Contractor: Austgen Equipment.

Dan Gossman requested a recommendation for approval of final payment to Austgen Equipment in the amount of \$12,078.30. Motion to approve same was made by **Jean Shepherd**, seconded by **Dave Hubinger**. Motion carried.

5. **Cady Marsh Ditch – Griffith, Calumet Twp.** (Cline Ave to Colfax St, Griffith)
 - Review and recommendation for approval of partial payment of \$9,656.00 and final payment of \$10,422.15 from Drainage Administrator Dan Gossman. Contractor: Delta III Inc

Dan Gossman requested a recommendation for approval of partial payment in the amount of \$9,656.00 and final payment in the amount of \$10,422.15, both to Delta III, Inc. Motion to approve same was made by **Louise Neese**, seconded by **Dave Hubinger**. Motion carried.

6. **Turkey Creek Lateral #6–Emergency Culvert Replacement, Ross Twp.** (61st Ave)
Review and recommendation for approval of final payment of \$11,245.05 from Drainage Administrator Dan Gossman. Contractor: Delta III Inc.

Dan Gossman requested a recommendation for approval of final payment in the amount of \$11,245.05 to Delta III, Inc. Motion to approve same was made by **Milan Dakich**, seconded by **Dave Hubinger**. Motion carried.

7. **Main Beaver Dam Ditch, St John Twp.,** (East of Blaine Street)
 - Review and recommendation for approval of final payment of \$10,425.75 from Drainage Administrator Dan Gossman. Contractor: Delta III Inc.

Dan Gossman requested a recommendation for approval of final payment in the amount of \$10,425.75 to Delta III, Inc. Motion to approve same was made by **Jean Shepherd**, seconded by **Milan Dakich**. Motion carried.

8. **Turkey Creek Lateral No. 13 – Bank Stabilization, Schererville, St John Twp.**
“Notice of Award” to Austgen Equipment from Drainage Administrator Dan Gossman.

Information Only.

9. Other

E. Current Projects - Kankakee River Watershed

1. **West Creek Maintenance, Hanover Twp.** (125th Ave to 133rd Ave)
2. **Singleton Ditch Maintenance US 41 to Monon Road – Phase II, Cedar Creek Twp.** (Cedar Creek to Monon Road)
3. **Ernie Niemeyer Creek & Levee – Phase IV, West Creek Twp.** (Stateline to US 41)
4. **Stoney Run Ditch West Branch – Emergency Bank Repair, Eagle Creek Twp.**
 - Review and recommendation for approval of final payment of \$3,379.73 from Drainage Administrator Dan Gossman. Contractor: Austgen Equipment.

Dan Gossman requested a recommendation for approval of final payment in the amount of \$3,379.73 to Austgen Equipment. Motion to approve same was made by **John Jurs**, seconded by **Alice Dahl**. Motion carried. **John Jurs** added that the property owners would like to thank this Board for acting quickly on the repair of this bank.

5. Other

Dan Gossman requested that Item No. 5-B, C, D & E be made a "Matter of Public Record". Motion to make Item No. 5-B, C, D & E a "Matter of Public Record" was made by **Milan Dakich**, seconded by **Dave Hubinger**. Motion carried.

6. Applications / Petitions

A. Bull Run Ditch, St John Twp.

Applicant: James & Janice Nichols **Agent: Landmark Engineering Ltd**
Application to "Perform Work", and "Place Temporary/Permanent Structure" within regulated drain for the purpose of installing culvert crossing for development of Windy Knoll Estates.

- Review letter from Thomas Burke P.E., PhD., (CBBEL)

Thomas Burke (CBBEL) reported that this is a small three lot subdivision, but there are currently several outstanding issues that need to be addressed and recommended requesting deferral. Motion to defer was made by **Jean Shepherd**, seconded by **Milan Dakich**. Motion carried.

B. Stoney Run Ditch Lateral B, Winfield Twp.

Applicant: Mark & Tamara Anderson
Application to "Perform Work", and "Reduce Easement" within regulated drain for the purpose of building pole barn for storage of personal equipment.

Dan Gossman explained that the property owners want to reduce the county's drainage easement from 75 feet down to 30 feet on the west side of our tile. They also own the property on the east side where we could have access, if needed, and further stated that it is up to this Committee to recommend approval or denial. Motion to approve was made by **Larry Cope**, seconded by **John Jurs**. Motion carried.

C. Other

7. MS4 Water Quality

A. Capital Projects Status Report

1. 41st Avenue Storm Sewer Project, Calumet Twp.
2. 133rd Avenue / S.R. 55 Storm Drainage Project, Center Twp.

Rich Budziak stated that he met again with NRCS to discuss an alternative route for this project.

3. Upper Beaver Dam Ditch Storage/Water Quality Project
4. Willowdale Sanitary Sewer – Phase II & III

B. MS4 Information and Correspondence

Rich Budziak reported that he will be representing the Lake County Surveyor/MS4 Department at Hobart Water Fest on Saturday, June 18th. Also, he reported that on Monday, June 20th, the 7th Annual Rain Garden Installation will be held at the East Entrance of the Lake County Government Center and he encouraged all to attend.

C. Other.

8. Financial Issues

- A. Little Calumet River Watershed**
- B. Kankakee River Watershed**

9. Approve Plans/Advertise for Bids/Seek Proposals and/or Approve Plan Modifications

- A. Little Calumet River Watershed**
- B. Kankakee River Watershed**

10. Receive and Open Bids/Proposals

- A. Little Calumet River Watershed**
- B. Kankakee River Watershed**

- 1. 2016 Singleton Ditch Maintenance, Cedar Creek Twp. (Monon Rd-Mississippi St)**
 - Addendum No. 1 & 2
- 2. 2016 Cedar Creek Maintenance, Cedar Creek Twp. (Lake Dalecarlia to 171st Ave)**
 - Addendum No. 1
- 3. 2016 McConnell Ditch Maintenance, Cedar Creek Twp. (Morse St to 171st Ave)**
 - Addendum No. 1
- 4. 2016 Stoney Run Ditch Middle Branch-Lateral No. 4, Winfield Twp. (145th Ave)**
 - Addendum No. 1

[Bids for the above-listed projects under Item Nos. 10-B-1, 2, 3 & 4 will be open at today's Lake County Drainage Board Meeting at 9:00 a.m.]

11. Award Contracts, Approve Modifications, and/or Ratify Actions by County Surveyor

- A. Little Calumet River Watershed**
- B. Kankakee River Watershed**

12. Other Business

- A. Other**

Jean Shepherd (St, John Twp.) inquired about the Resolution Opposing the Proposed Great Lakes Basin Transportation Rail Line and whether or not a drainage study was performed to determine if any drainage problems could occur in the event the railroad was approved and if so, what can be done to avoid any drainage issues. **Dan** responded that the county has not performed a study and explained that **Surveyor Emerson, Jr.** has stated that he would not accept any variances being issued should this project come before this Drainage Board and would not recommend approval until all the conditions were met. **Jean Shepherd** stated she would not sign this Resolution unless there is wording to the affect that the railroad would not be approved unless all conditions are met. **Dan Gossman** replied that it was up to her whether she wanted to sign this Resolution or not, explaining that the Advisory Committee requested the

Lake County Surveyor's Office to prepare this Resolution for signature and be submitted to the appropriate parties. **Alice Dahl** stated that comments have been extended to July 15th.

Vince Casboni (9679 White Oak Avenue in St. John, IN) explained that the Town of St. John recently approved two new developments: The Preserves which will consist of 445 homes on 319 acres, and Greystone which will have approximately 84 homes on 119 acres. Bull Run Ditch curves into our property and all the water runoff from these developments will be flowing into Bull Run Ditch. **Mr. Casboni** asked if a formal Drainage Board Application has been submitted by the developers. **Dan Gossman** replied that, to date, no formal Drainage Board Application has been submitted. **Mr. Casboni** further stated that after writing a request to the Indiana Department of Environmental Management for a public hearing, IDEM replied that they approved the sanitary lines, which has nothing to do with his property and also another letter stating if he wanted to file a complaint, he would have to hire an attorney. **Dan Gossman** stated that he has reached out several times to both the town and the developer and will reach out again. The developers have provided the Lake County Surveyor's Office with site plans and some of the drawings and calculations, but not a formal Drainage Application. According to the Town of St. John, it might be 10 years, depending on the market before this development reaches Bull Run; however, The Lake County Drainage Board has set a precedent with other developments that it does not matter how many phases you have in a development, the county wants to review the entire development to determine that all phases will be meeting the requirements of the Lake County Stormwater Ordinance.

John Hero (St. John, IN). stated that with more subdivisions being developed, it is the responsibility of the Surveyor, the Drainage Board, Advisory Committee to do a comprehensive plan for the entire Bull Run Ditch to determine what the water capacity and water quality is and see if it is in compliance with the federal and state environmental laws.

Dave Hubinger asked when our engineers do a study /review is downstream taken into consideration in the calculations. Thomas Burke replied that when you are discharging into a ditch that has been studied, CBBEL goes on the conservative side and assumes that the ditch is full and has no capacity for water and once a formal, application is submitted, we can use the Lake County Stormwater Ordinance to make a determination as to whether or not their calculations are appropriately adhered to. **Dan Gossman** stated that these developments have been approved on a local level by the Town of St. John's Plan Commission and, until they file a formal Drainage Board Application, the County is unable to review and request changes based on our Lake County Stormwater Ordinance, which is, according to the State of Indiana, one of the most restrictive Stormwater Ordinance in the State.

Alice Dahl asked **Thomas Burke** about performing a Bull Run Ditch Study. He replied that one has been done and is accessible online. **Tomas Burke** explained that if you are trying to solve a problem with the flooding of Bull Run Ditch that is not the same as looking at a development and making sure that things will not get worse. It is a completely different study and an expensive one. Any time a development touches, crosses, outlets into, moves it and/or requests a reduction of easement on a regulated drain, they have to follow the Lake County Stormwater Ordinance, which is more restrictive than any other Ordinance in the State of Indiana, so if developers follow the County's Ordinance, they will actually be holding back more water at a lower rate than before it was developed.

Jamie Blankman inquired as to whether or not the people living along Bull Run Ditch are required to pay flood insurance. **Alice Dahl** asked if **Mr. Casboni** pays flood insurance. **Mr. Casboni** replied that he does pay flood insurance.

Dan Gossman stated that he would provide **Jean Shepherd** a comprehensive report from the Lake County Surveyor and the Drainage Board's Engineering consultants on what we look for when any development submits a Drainage Board Application and how we make it conform to our Ordinance.

Larry Cope stated that the Town of St. John should be responsible to make these developers construct a big enough retention pond to hold the access water during a heavy rain event. Bull Run Ditch has been there for hundreds of years and has carried the water downstream and the people of Lake County cannot be responsible to build a bigger ditch to carry more water for a few contractors that want to make money at the town level.

Alice Dahl reiterated that until a formal Drainage Board Application is submitted by the developers the Committee/Board are unable to thoroughly review this development as it relates to the effects on Bull Run Ditch. **Lake County Surveyor Bill Emerson, Jr.** added that once a formal Drainage Application has been submitted, he and his staff will thoroughly review to verify that it meets all the requirements of our Lake County Stormwater Ordinance.

13. Adjournment

- A. The next meeting is scheduled for Wednesday July 20, 2016 in the Lake County Commissioners' Courtroom at 8:00AM Drainage Advisory Committee and 9:00AM Drainage Board.**
- B. Motion to Adjourn.**

5-B-1
7-20-16

STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES
CERTIFICATE OF APPROVAL
CONSTRUCTION IN A FLOODWAY

APPLICATION # : FW-28316

MAILED: June 06, 2016

STREAM : Grand Calumet River

APPLICANT : Indiana Department of Natural Resources
Carl Wodrich
Division of Land Acquisition
402 West Washington Street, Room W261
Indianapolis, IN 46204

AGENT : SuITRAC
John Dirgo
1 South Wacker Drive, Suite 3700
Chicago, IL 60606-4651

AUTHORITY : IC 14-28-1 with 312 IAC 10 and IC 14-29-1 with 312 IAC 6

DESCRIPTION : The discharge from an outfall structure located along the north bank just east of Columbia Avenue has caused the accumulation of biosolids on the existing reactive cap that was previously approved by the Department. An approximate 0.5 to 1 acre area will be dredged to remove approximately 6 to 9 inches of soft sediment which has accumulated on the reactive cap permitted under FW-24992 and FW-26010. The dredging will be performed by a hydraulic dredge to minimize disturbance to the cap and surrounding area and the material will be pumped directly to the Hammond Sanitary District overflow basin. Two additional outfall structures just east of Sohl Avenue have contributed to the accumulation of biosolids in Reach 5. A second 1 acre area between Sohl Avenue and Hohman Avenue may also be dredged to removed accumulated soft sediment from the previously permitted cap. Sediment cores will be taken from the cap between Hohman Avenue and Columbia Avenue to evaluate the thickness of any accumulated biosolids. Native submergent and emergent seeds and plugs will be installed along existing wetland shelves in portions of Reaches 2 through 4. In addition, several trees have fallen into the river throughout Reaches 2 through 5 that could compromise the cap. These trees will be evaluated and removed if necessary. Details of the project are contained in information received electronically at the Division of Water on March 2, 2016 and in plans and information received at the Division of Water on April 6, 2016, April 11, 2016, May 18, 2016 and June 1, 2016.

LOCATION : **DOWNSTREAM:** Beginning approximately 600' upstream of the Columbia Avenue stream crossing, continuing downstream to the Hohman Avenue stream crossing near Hammond, North Township, Lake County
Section 36, T 37N, R 10W, Calumet City, IL-IN Quadrangle
UTM Coordinates: Downstream 4608205 North, 456852 East
UPSTREAM: Section 31, T 37N, R 9W, Highland Quadrangle
UTM Coordinates: Upstream 4607499 North, 458512 East

APPROVED BY : 
James J. Hebenstreit, PE, Assistant Director
Division of Water

RECEIVED
JUN 13 2016
LAKE COUNTY SURVEYOR



STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES
CERTIFICATE OF APPROVAL
CONSTRUCTION IN A FLOODWAY

APPROVED ON : June 6, 2016

Included: Notice Of Right To Administrative Review - General Conditions - Special Conditions - Service List

STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF RIGHT TO ADMINISTRATIVE REVIEW

APPLICATION #: FW- 28316

This signed document constitutes the issuance of a permit by the Department of Natural Resources, subject to the conditions and limitations stated on the pages entitled "General Conditions" and "Special Conditions".

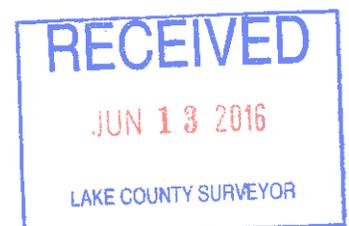
The permit or any of the conditions or limitations which it contains may be appealed by applying for administrative review. Such review is governed by the Administrative Orders and Procedures Act, IC 4-21.5, and the Department's rules pertaining to adjudicative proceedings, 312 IAC 3-1.

In order to obtain a review, a written petition must be filed with the Division of Hearings within 18 days of the mailing date of this notice. The petition should be addressed to:

Director
Division of Hearings
Indiana Government Center North, Room N501A
100 North Senate Avenue
Indianapolis, Indiana 46204

The petition must contain specific reasons for the appeal and indicate the portion or portions of the permit to which the appeal pertains.

If an appeal is filed, the final agency determination will be made by the Natural Resources Commission following a legal proceeding conducted before an Administrative Law Judge. The Department of Natural Resources will be represented by legal counsel.



**STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES**

GENERAL CONDITIONS

APPLICATION #: FW- 28316

- (1) If any archaeological artifacts or human remains are uncovered during construction, federal law and regulations (16 USC 470, et seq.; 36 CFR 800.11, et al) and State Law (IC 14-21-1) require that work must stop and that the discovery must be reported to the Division of Historic Preservation and Archaeology within 2 business days.

Division of Historic Preservation and Archaeology
Room W274
402 West Washington Street
Indianapolis, IN 46204

Telephone: (317) 232-1646, FAX: (317) 232-8036

- (2) This permit must be posted and maintained at the project site until the project is completed.
- (3) This permit does not relieve the permittee of the responsibility for obtaining additional permits, approvals, easements, etc. as required by other federal, state, or local regulatory agencies. These agencies include, but are not limited to:

<u>Agency</u>	<u>Telephone Number</u>
Lake County Drainage Board	
Little Calumet River Basin Development Commission	(219) 595-0599
US Army Corps of Engineers	(312) 846-5539
Indiana Department of Environmental Management	(317) 233-8488 or (800) 451-6027
Local city or county planning or zoning commission	

- (4) This permit must not be construed as a waiver of any local ordinance or other state or federal law.
- (5) This permit does not relieve the permittee of any liability for the effects which the project may have upon the safety of the life or property of others.
- (6) This permit may be revoked by the Department of Natural Resources for violation of any condition, limitation or applicable statute or rule.
- (7) This permit shall not be assignable or transferable without the prior written approval of the Department of Natural Resources. To initiate a transfer con:

Mr. Michael W. Neyer, PE, Director
Division of Water
Room W264
402 West Washington Street
Indianapolis, IN 46204

Telephone: (317) 232-4160, Toll Free: (877) 928-3755
FAX: (317) 233-4579

- (8) The Department of Natural Resources shall have the right to enter upon the site of the permitted activity for the purpose of inspecting the authorized work.
- (9) The receipt and acceptance of this permit by the applicant or authorized agent shall be considered as acceptance of the conditions and limitations stated on the pages entitled "General Conditions" and "Special Conditions".

STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES

SPECIAL CONDITIONS

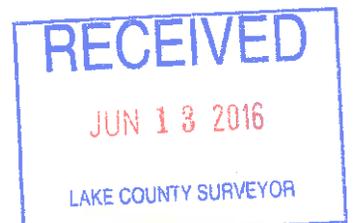
APPLICATION #: FW- 28316

PERMIT VALIDITY : This permit is valid for 24 months from the "Approved On" date shown on the first page. If construction work in the floodway has not been completed by June 06, 2018 the permit will become void. This permit may be renewed one (1) time if a written request is received by DNR, Division of Water prior to June 06, 2018. Thereafter the permit will become void and a new permit will be required in order to continue work on the project.

This permit becomes effective 18 days after the "MAILED" date shown on the first page. If both a petition for review and a petition for a stay of effectiveness are filed before this permit becomes effective, any part of the permit that is within the scope of the petition for stay is stayed for an additional 15 days.

CONFORMANCE : Other than those measures necessary to satisfy the "General Conditions" and "Special Conditions", the project must conform to the information received by the Department of Natural Resources on: March 2, 2016, April 6, 2016, April 11, 2016, May 18, 2016 and June 1, 2016. Any deviation from the information must receive the prior written approval of the Department.

Number	Special Condition
(1)	revegetate all bare and disturbed areas within the project limits using a mixture of grasses, sedges, and wildflowers native to Northwestern Indiana and specifically for stream bank/floodway stabilization purposes as soon as possible upon completion
(2)	minimize and contain within the project limits inchannel disturbance and the clearing of trees and brush
(3)	do not cut any trees suitable for Indiana bat or Northern Long-eared bat roosting (greater than 3 inches dbh, living or dead, with loose hanging bark, or with cracks, crevices, or cavities) from April 1 through September 30
(4)	do not construct any temporary runarounds, access bridges, causeways, cofferdams, diversions, or pumparounds without prior approval from the Division of Fish and Wildlife
(5)	limit vegetation removal to drifts, obstructing trees, hazardous trees, and loose trees
(6)	leave in place or cut at the waterline any fallen trees, roots, logs, and/or stumps that are anchored or embedded in the bank or bottom of the waterway
(7)	limit bank clearing to cutting only and allow stumps to revegetate naturally
(8)	if this project involves the removal of more than 5 trees in the floodway, incorporate tree planting into the site revegetation and/or mitigation plan
(9)	minimize the movement of resuspended bottom sediment from the immediate project area
(10)	appropriately designed measures for controlling erosion and sediment must be implemented to prevent sediment from entering the stream or leaving the construction site; maintain these measures until construction is complete and all disturbed areas are stabilized



STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES

SPECIAL CONDITIONS

APPLICATION #: FW- 28316

- (11) seed and protect all disturbed streambanks and slopes that are 3:1 or steeper with erosion control blankets (follow manufacturer's recommendations for selection and installation); seed and apply mulch on all other disturbed areas
- (12) do not conduct any dredging between January 1 and June 30 in order to protect aquatic species; requests for a waiver of this date restriction may be submitted to the Division of Fish and Wildlife for review and consideration
- (13) spoils from the dredging must be pumped offsite to the Hammond Sanitary District overflow basin as indicated in the permit application or they must be deposited on an upland dewatering site and prevented from eroding and reentering the waterway and properly hauled off site and disposed of following dewatering
- (14) water returned to the waterway from the hydraulic dredge or dewatering site must be filtered to prevent reentry of contaminated silt and sediment
- (15) remove and properly dispose of any debris, plants, or plant fragments from the waterway that were dislodged during the dredging project
- (16) all plant material, mud, and debris must be removed and all water drained from any equipment before entering or leaving the waterway to prevent the spread of aquatic and terrestrial invasive species
- (17) except for the material used as backfill as shown on the above referenced project plans on file at the Division of Water, place all excavated material landward of the floodway *
- (18) do not leave felled trees, brush, or other debris in the floodway *
- (19) upon completion of the project, remove all construction debris from the floodway *
- (20) any equipment and/or cables placed on a public waterway must be clearly marked with navigation buoys described in 312 IAC 5-4 in a manner that would be visible to any watercraft operator in the area
- (21) any equipment and/or cables left in a public waterway in times of limited visibility must, in addition to the requirement listed above, be marked with flashing amber warning lights and reflective signage warning watercraft operators of the hazards
- (22) * NOTE: for regulatory purposes, the floodway is defined as the area shown on Panel 107 of the Lake County Flood Insurance Rate Map dated January 18, 2012

STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES

SERVICE LIST

APPLICATION #: FW- 28316

Indiana Department of Natural Resources
Carl Wodrich
Division of Land Acquisition
402 West Washington Street, Room W261
Indianapolis, IN 46204

SulTRAC
John Dirgo
1 South Wacker Drive, Suite 3700
Chicago, IL 60606-4651

ASF-Keystone Inc
1700 Walnut Street
Granite City, IL 62040

City of Hammond
5925 Calumet Avenue
Hammond, IN 46320

City of Hammond Redevelopment Commission
5925 Calumet Avenue Room 315
Hammond, IN 46320

City of Hammond, Park Commissioners
5925 Calumet Avenue
Hammond, IN 46320-2556

Hammond Sanitary District
5143 Columbia Avenue
Hammond, IN 46327-1763

Indiana Department of Natural Resources
Steve Davis
100 West Water Street
Michigan City, IN 46360-1310

Indiana Department of Natural Resources
Division of Law Enforcement
District 10 Headquarters
100 West Water Street
Michigan City, IN 46360

Indiana Department of Natural Resources
Carl Wodrich
402 West Washington St.
Room W264
Indianapolis, IN 46204

Indiana Land Trust Co
9800 Connecticut Drive, Suite B2 900
Crown Point, IN 46307

Lake County Drainage Board
2293 North Main Street
Crown Point, IN 46307

Lake County SWCD
880 East 99th Court, Suite A
Crown Point, IN 46307

Little Calumet River Basin Development
Commission
Dan Repay
900 Ridge Road
Munster, IN 46321

Mr. Don Novak
5925 Calumet Avenue, Ground Floor
Hammond, IN 46320

City of Hammond Indiana
5935 Hohman Avenue
Hammond, IN 46320

Eddie and Sheryl Smoot
1518 Michigan Street
Hammond, IN 46320-1420

US Army Corps of Engineers
Chicago District
231 South LaSalle Street, Suite 1500
Chicago, IL 60604

Staff Assignment:

Administrative
Technical
Environmental
Fish and Wildlife
Law Enforcement
Historic Preservation & Archaeology

: Jennifer L. Ware
: Jennifer L. Ware
: J. Matthew Buffington
: Brian Boszor
: Tom Torsell
: Cathy Draeger-Williams

RECEIVED

JUN 13 2016

LAKE COUNTY SURVEYOR

5-B-2
7-20-16

STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES
**CERTIFICATE OF APPROVAL
CONSTRUCTION IN A FLOODWAY**

APPLICATION # : FW-28309

MAILED: June 09, 2016

STREAM : Grand Calumet River

APPLICANT : Great Lakes National Program Office
Diana Mally
77 West Jackson Boulevard
Chicago, IL 60604

AGENT : Tetra Tech Inc
James Wescott
1 South Wacker Drive, Suite 3700
Chicago, IL 60606

AUTHORITY : IC 14-28-1 with 312 IAC 10

DESCRIPTION : Approximately 32,000 cubic yards of contaminated sediment will be removed between Indianapolis Boulevard and Kennedy Avenue by dredging (along a 1.3 mile portion) to a maximum depth of 5'. The excavated material will be transferred to an upland dewatering area before off-site disposal. A clean reactive cap consisting of coarse aggregate combined with organoclay will be used as an underwater cap over the remaining contaminated sediment. The cap will be approximately 17" thick throughout the channel. A small wetland shelf will be restored by applying approximately 2' of clean sand suitable for habitat restoration. A temporary sheet pile barrier will be installed approximately 2000' upstream of the Indianapolis Boulevard stream crossing. The barrier will be removed upon completion of the project. In addition, an existing access ramp located along the left (south) streambank approximately 1700' downstream of the Kennedy Avenue stream crossing will be improved by adding riprap along the streambank. The riprap will measure approximately 20' by 20'. Details of the project are contained in information and plans received at the Division of Water on February 26, 2016, March 21, 2016, March 28, 2016, April 6, 2016, April 11, 2016 and May 3, 2016.

LOCATION : DOWNSTREAM: Beginning at the Indianapolis Boulevard stream crossing and continuing upstream approximately 7000' to the Kennedy Avenue stream crossing near East Chicago, North Township, Lake County
Section 32, T 37N, R 9W, Highland Quadrangle
UTM Coordinates: Downstream 4607081 North, 459952 East
UPSTREAM: Section 33, T 37N, R 9W
UTM Coordinates: Upstream 4607041 North, 461544 East

APPROVED BY : 
James J. Hebenstreit, PE, Assistant Director
Division of Water

APPROVED ON : June 9, 2016

Included: Notice Of Right To Administrative Review - General Conditions - Special Conditions - Service List

RECEIVED
JUN 13 2016
LAKE COUNTY SURVEYOR



**STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES
CERTIFICATE OF APPROVAL
CONSTRUCTION IN A FLOODWAY**

STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF RIGHT TO ADMINISTRATIVE REVIEW

APPLICATION #: FW- 28309

This signed document constitutes the issuance of a permit by the Department of Natural Resources, subject to the conditions and limitations stated on the pages entitled "General Conditions" and "Special Conditions".

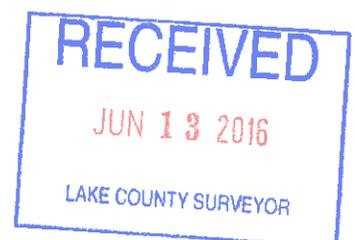
The permit or any of the conditions or limitations which it contains may be appealed by applying for administrative review. Such review is governed by the Administrative Orders and Procedures Act, IC 4-21.5, and the Department's rules pertaining to adjudicative proceedings, 312 IAC 3-1.

In order to obtain a review, a written petition must be filed with the Division of Hearings within 18 days of the mailing date of this notice. The petition should be addressed to:

Director
Division of Hearings
Indiana Government Center North, Room N501A
100 North Senate Avenue
Indianapolis, Indiana 46204

The petition must contain specific reasons for the appeal and indicate the portion or portions of the permit to which the appeal pertains.

If an appeal is filed, the final agency determination will be made by the Natural Resources Commission following a legal proceeding conducted before an Administrative Law Judge. The Department of Natural Resources will be represented by legal counsel.



**STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES**

GENERAL CONDITIONS

APPLICATION #: FW- 28309

- (1) If any archaeological artifacts or human remains are uncovered during construction, federal law and regulations (16 USC 470, et seq.; 36 CFR 800.11, et al) and State Law (IC 14-21-1) require that work must stop and that the discovery must be reported to the Division of Historic Preservation and Archaeology within 2 business days.

Division of Historic Preservation and Archaeology
Room W274
402 West Washington Street
Indianapolis, IN 46204

Telephone: (317) 232-1646, FAX: (317) 232-8036

- (2) This permit must be posted and maintained at the project site until the project is completed.
- (3) This permit does not relieve the permittee of the responsibility for obtaining additional permits, approvals, easements, etc. as required by other federal, state, or local regulatory agencies. These agencies include, but are not limited to:

<u>Agency</u>	<u>Telephone Number</u>
Lake County Drainage Board	(219) 595-0599
Little Calumet River Basin Development Commission	(312) 846-5539
US Army Corps of Engineers	(317) 233-8488 or (800) 451-6027
Indiana Department of Environmental Management	
Local city or county planning or zoning commission	

- (4) This permit must not be construed as a waiver of any local ordinance or other state or federal law.
- (5) This permit does not relieve the permittee of any liability for the effects which the project may have upon the safety of the life or property of others.
- (6) This permit may be revoked by the Department of Natural Resources for violation of any condition, limitation or applicable statute or rule.
- (7) This permit shall not be assignable or transferable without the prior written approval of the Department of Natural Resources. To initiate a transfer con

Mr. Michael W. Neyer, PE, Director
Division of Water
Room W264
402 West Washington Street
Indianapolis, IN 46204

Telephone: (317) 232-4160, Toll Free: (877) 928-3755
FAX: (317) 233-4579

- (8) The Department of Natural Resources shall have the right to enter upon the site of the permitted activity for the purpose of inspecting the authorized work.
- (9) The receipt and acceptance of this permit by the applicant or authorized agent shall be considered as acceptance of the conditions and limitations stated on the pages entitled "General Conditions" and "Special Conditions".

STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES

SPECIAL CONDITIONS

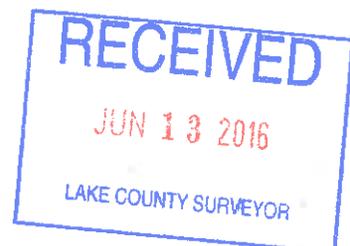
APPLICATION #: FW- 28309

PERMIT VALIDITY : This permit is valid for 24 months from the "Approved On" date shown on the first page. If construction work in the floodway has not been completed by June 09, 2018 the permit will become void. This permit may be renewed one (1) time if a written request is received by DNR, Division of Water prior to June 09, 2018. Thereafter the permit will become void and a new permit will be required in order to continue work on the project.

This permit becomes effective 18 days after the "MAILED" date shown on the first page. If both a petition for review and a petition for a stay of effectiveness are filed before this permit becomes effective, any part of the permit that is within the scope of the petition for stay is stayed for an additional 15 days.

CONFORMANCE : Other than those measures necessary to satisfy the "General Conditions" and "Special Conditions", the project must conform to the information received by the Department of Natural Resources on: February 26, 2016, March 21, 2016, March 28, 2016, April 6, 2016, April 11, 2016 and May 3, 2016. Any deviation from the information must receive the prior written approval of the Department.

Number	Special Condition
(1)	revegetate all bare and disturbed areas with a mixture of grasses (excluding all varieties of tall fescue), legumes, and native shrub and hardwood tree species as soon as possible upon completion
(2)	minimize and contain within the project limits inchannel disturbance and the clearing of trees and brush
(3)	do not cut any trees suitable for Indiana bat or Northern Long-eared bat roosting (greater than 3 inches dbh, living or dead, with loose hanging bark, or with cracks, crevices, or cavities) from April 1 through September 30
(4)	do not use industrial slag or broken concrete as riprap
(5)	all excavated material must be properly spread or completely removed from the project site such that erosion and off-site sedimentation of the material is prevented
(6)	minimize the movement of resuspended bottom sediment from the immediate project area
(7)	appropriately designed measures for controlling erosion and sediment must be implemented to prevent sediment from entering the stream or leaving the construction site; maintain these measures until construction is complete and all disturbed areas are stabilized
(8)	do not excavate or place fill in any riparian wetland
(9)	place riprap at or below existing elevations, creating an appropriate grade that will prevent streambed undercutting and prevent obstructions to the movement of aquatic organisms upstream and downstream
(10)	conduct pre-construction surveys for Franklin's ground squirrels within the sediment disposal area; if the species or suspected habitat are detected, contact the Division of Fish and Wildlife prior to disturbance to coordinate efforts to minimize impacts to the species



**STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES**

SPECIAL CONDITIONS

APPLICATION #: FW- 28309

- (11) except for the material used as backfill as shown on the above referenced project plans on file at the Division of Water, place all excavated material landward of the floodway *
- (12) all work must conform with the existing bank at the upstream and downstream limits of the project site
- (13) do not leave felled trees, brush, or other debris in the floodway *
- (14) upon completion of the project, remove all construction debris from the floodway *
- (15) upon completion of the project, remove all temporary sheet pile barriers from the floodway or cut or drive the sheet pile barriers so that the top of the sheet piling is flush with the top of the reactive cap
- (16) any equipment and/or cables placed on a public waterway must be clearly marked with navigation buoys described in 312 IAC 5-4 in a manner that would be visible to any watercraft operator in the area
- (17) any equipment and/or cables left in a public waterway in times of limited visibility must, in addition to the requirement listed above, be marked with flashing amber warning lights and reflective signage warning watercraft operators of the hazards
- (18) one navigation buoy described in 312 IAC 5-4 shall be placed upstream of the barrier and one downstream of the sheet pile barrier indicating the navigational hazard
- (19) * NOTE: for regulatory purposes, the floodway is defined as that shown on Panels 126 and 127 of the Lake County Flood Insurance Rate Maps dated January 18, 2012

STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES

SERVICE LIST

APPLICATION #: FW- 28309

Great Lakes National Program Office
Diana Mally
77 West Jackson Boulevard
Chicago, IL 60604

Tetra Tech Inc
James Wescott
1 South Wacker Drive, Suite 3700
Chicago, IL 60606

Buckeye Terminals LLC
2400 Michigan Street
East Chicago, IN 46312

Chemours Company
1007 Market Street
PO Box 2047
Wilmington, DE 19899

City of East Chicago
City Hall
4525 Indianapolis Boulevard
East Chicago, IN 46312-3226

City of East Chicago
Jezeel Rodriguez
4444 Railroad Avenue
East Chicago, IN 46312

Indiana Department of Natural Resources
Steve Davis
100 West Water Street
Michigan City, IN 46360-1310

Indiana Department of Natural Resources
Division of Law Enforcement
District 10 Headquarters
100 West Water Street
Michigan City, IN 46360

Lake County Drainage Board
2293 North Main Street
Crown Point, IN 46307

Lake County SWCD
880 East 99th Court, Suite A
Crown Point, IN 46307

Little Calumet River Basin Development
Commission
Dan Repay
900 Ridge Road
Munster, IN 46321

Metal Management Indiana, Inc
2500 Paulina Street
Chicago, IL 60608

NIPSCO
1460 East 15th Avenue
Gary, IN 46402

Norfolk Southern Railroad
Three Commercial Place
PO Box 209
Norfolk, VA 23510

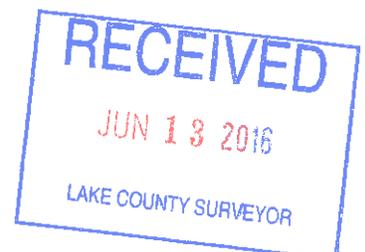
US Army Corps of Engineers
Chicago District
231 South LaSalle Street, Suite 1500
Chicago, IL 60604

3 Lead Refining Inc
30 Caterpillar Road
Redding, CA 96003

Staff Assignment:

Administrative
Technical
Environmental
Fish and Wildlife
Law Enforcement
Historic Preservation & Archaeology
Engineering

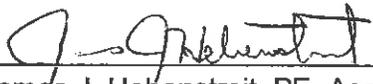
: Jennifer L. Ware
: Jennifer L. Ware
: J. Matthew Buffington
: Nathan D. Thomas
: Tom Torsell
: Rachel Sharkey
: Christopher Limiac



5-B-3
7-20-16

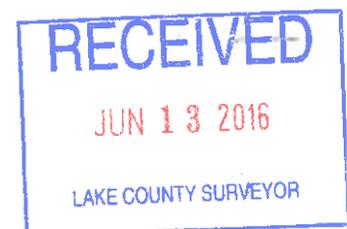
STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES
CERTIFICATE OF APPROVAL
CONSTRUCTION IN A FLOODWAY

APPLICATION # : FW-28339
STREAM : Indiana Harbor Canal and Lake George Canal
APPLICANT : Great Lakes National Program Office
Diana Mally
77 West Jackson Boulevard
Chicago, IL 60604
AGENT : Tetra Tech Inc
James Wescott
1 South Wacker Drive, Suite 3700
Chicago, IL 60606
AUTHORITY : IC 14-28-1 with 312 IAC 10 and IC 14-29-1 with 312 IAC 6
DESCRIPTION : Approximately 29,000 cubic yards of contaminated sediment will be removed from the Indiana Harbor Canal (along a 1.5 mile portion) and approximately 60,000 cubic yards of contaminated sediment will be removed from the Lake George Canal (along a 1.5 mile portion) by dredging to a maximum depth of 10'. A sedimentation basin will be constructed between the 151st Street stream crossing and the US 312 stream crossing to minimize deposition of contaminated sediment over the remediated section of the Grand Calumet River. The excavated material will be transferred to an upland dewatering area before off-site disposal. Details of the project are contained in information and plans received at the Division of Water on February 26, 2016, March 21, 2016, March 28, 2016, April 11, 2016, April 13, 2016 and May 3, 2016.
LOCATION : **DOWNSTREAM:** Beginning at the confluence with Grand Calumet River and continuing downstream approximately 10,300' feet, then turning west onto Lake George Canal and continuing upstream to the Calumet Avenue stream crossing near East Chicago, North Township, Lake County
Section 21, T 37N, R 9W, Whiting Quadrangle
UTM Coordinates: Downstream 4610586 North, 460785 East
UPSTREAM: Section 33, T 37N, R 9W
UTM Coordinates: Upstream 4607491 North, 460746 East

APPROVED BY : 
James J. Hebenstreit, PE, Assistant Director
Division of Water

APPROVED ON : June 9, 2016

Included: Notice Of Right To Administrative Review - General Conditions - Special Conditions - Service List



STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF RIGHT TO ADMINISTRATIVE REVIEW

APPLICATION #: FW- 28339

This signed document constitutes the issuance of a permit by the Department of Natural Resources, subject to the conditions and limitations stated on the pages entitled "General Conditions" and "Special Conditions".

The permit or any of the conditions or limitations which it contains may be appealed by applying for administrative review. Such review is governed by the Administrative Orders and Procedures Act, IC 4-21.5, and the Department's rules pertaining to adjudicative proceedings, 312 IAC 3-1.

In order to obtain a review, a written petition must be filed with the Division of Hearings within 18 days of the mailing date of this notice. The petition should be addressed to:

Director
Division of Hearings
Indiana Government Center North, Room N501A
100 North Senate Avenue
Indianapolis, Indiana 46204

The petition must contain specific reasons for the appeal and indicate the portion or portions of the permit to which the appeal pertains.

If an appeal is filed, the final agency determination will be made by the Natural Resources Commission following a legal proceeding conducted before an Administrative Law Judge. The Department of Natural Resources will be represented by legal counsel.

STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES

GENERAL CONDITIONS

APPLICATION #: FW- 28339

- (1) If any archaeological artifacts or human remains are uncovered during construction, federal law and regulations (16 USC 470, et seq.; 36 CFR 800.11, et al) and State Law (IC 14-21-1) require that work must stop and that the discovery must be reported to the Division of Historic Preservation and Archaeology within 2 business days.

Division of Historic Preservation and Archaeology
Room W274
402 West Washington Street
Indianapolis, IN 46204

Telephone: (317) 232-1646, FAX: (317) 232-8036

- (2) This permit must be posted and maintained at the project site until the project is completed.
- (3) This permit does not relieve the permittee of the responsibility for obtaining additional permits, approvals, easements, etc. as required by other federal, state, or local regulatory agencies. These agencies include, but are not limited to:

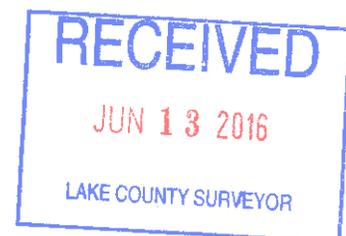
Agency	Telephone Number
Lake County Drainage Board	
Little Calumet River Basin Development Commission	(219) 595-0599
US Army Corps of Engineers	(312) 846-5539
Indiana Department of Environmental Management	(317) 233-8488 or (800) 451-6027
Local city or county planning or zoning commission	

- (4) This permit must not be construed as a waiver of any local ordinance or other state or federal law.
- (5) This permit does not relieve the permittee of any liability for the effects which the project may have upon the safety of the life or property of others.
- (6) This permit may be revoked by the Department of Natural Resources for violation of any condition, limitation or applicable statute or rule.
- (7) This permit shall not be assignable or transferable without the prior written approval of the Department of Natural Resources. To initiate a transfer contact:

Mr. Michael W. Neyer, PE, Director
Division of Water
Room W264
402 West Washington Street
Indianapolis, IN 46204

Telephone: (317) 232-4160, Toll Free: (877) 928-3755
FAX: (317) 233-4579

- (8) The Department of Natural Resources shall have the right to enter upon the site of the permitted activity for the purpose of inspecting the authorized work.
- (9) The receipt and acceptance of this permit by the applicant or authorized agent shall be considered as acceptance of the conditions and limitations stated on the pages entitled "General Conditions" and "Special Conditions".



**STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES**

SPECIAL CONDITIONS

APPLICATION #: FW- 28339

PERMIT VALIDITY : This permit is valid for 24 months from the "Approved On" date shown on the first page. If construction work in the floodway has not been completed by June 09, 2018 the permit will become void. This permit may be renewed one (1) time if a written request is received by DNR, Division of Water prior to June 09, 2018. Thereafter the permit will become void and a new permit will be required in order to continue work on the project.

This permit becomes effective 18 days after the "MAILED" date shown on the first page. If both a petition for review and a petition for a stay of effectiveness are filed before this permit becomes effective, any part of the permit that is within the scope of the petition for stay is stayed for an additional 15 days.

CONFORMANCE : Other than those measures necessary to satisfy the "General Conditions" and "Special Conditions", the project must conform to the information received by the Department of Natural Resources on: February 26, 2016, March 21, 2016, March 28, 2016, April 11, 2016, April 13, 2016 and May 3, 2016. Any deviation from the information must receive the prior written approval of the Department.

Number Special Condition

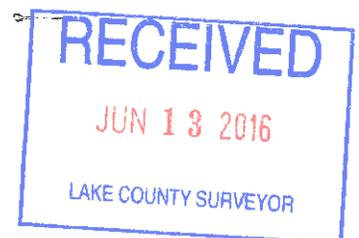
- (1) revegetate all bare and disturbed areas with a mixture of grasses (excluding all varieties of tall fescue), legumes, and native shrub and hardwood tree species as soon as possible upon completion
- (2) minimize and contain within the project limits inchannel disturbance and the clearing of trees and brush
- (3) do not cut any trees suitable for Indiana bat or Northern Long-eared bat roosting (greater than 3 inches dbh, living or dead, with loose hanging bark, or with cracks, crevices, or cavities) from April 1 through September 30
- (4) do not use industrial slag or broken concrete as riprap
- (5) all excavated material must be properly spread or completely removed from the project site such that erosion and off-site sedimentation of the material is prevented
- (6) minimize the movement of resuspended bottom sediment from the immediate project area
- (7) appropriately designed measures for controlling erosion and sediment must be implemented to prevent sediment from entering the stream or leaving the construction site; maintain these measures until construction is complete and all disturbed areas are stabilized
- (8) do not excavate or place fill in any riparian wetland
- (9) place riprap at or below existing elevations, creating an appropriate grade that will prevent streambed undercutting and prevent obstructions to the movement of aquatic organisms upstream and downstream

STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES

SPECIAL CONDITIONS

APPLICATION #: FW- 28339

- (10) conduct pre-construction surveys for Franklin's ground squirrels within the sediment disposal area; if the species or suspected habitat are detected, contact the Division of Fish and Wildlife prior to disturbance to coordinate efforts to minimize impacts to the species
- (11) except for the material used as backfill as shown on the above referenced project plans on file at the Division of Water, place all excavated material landward of the floodway *
- (12) all work must conform with the existing bank at the upstream and downstream limits of the project site
- (13) do not leave felled trees, brush, or other debris in the floodway *
- (14) upon completion of the project, remove all construction debris from the floodway *
- (15) any equipment and/or cables placed on a public waterway must be clearly marked with navigation buoys described in 312 IAC 5-4 in a manner that would be visible to any watercraft operator in the area
- (16) any equipment and/or cables left in a public waterway in times of limited visibility must, in addition to the requirement listed above, be marked with flashing amber warning lights and reflective signage warning watercraft operators of the hazards
- (17) * NOTE: for regulatory purposes, the floodway is defined as that shown on Panels 38 and 126 of the Lake County Flood Insurance Rate Maps dated January 18, 2012



STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES

SERVICE LIST

APPLICATION #: FW- 28339

Great Lakes National Program Office
Diana Mally
77 West Jackson Boulevard
Chicago, IL 60604

Tetra Tech Inc
James Wescott
1 South Wacker Drive, Suite 3700
Chicago, IL 60606

300 West 151 Street LLC
1000 142nd Street
Riverdale, IL 60827

Amoco Oil Company
PO Box 1548
Warrenville, IL 60555-7548

Baltimore and Ohio Railroad Company
500 Water Street
Jacksonville, FL 32202

Buckeye Terminals LLC
2400 Michigan Street
East Chicago, IN 46312

Canadian National Railway
17641 South Ashland Avenue
Homewood, IL 60430-1345

City of East Chicago
City Hall
4525 Indianapolis Boulevard
East Chicago, IN 46312-3226

City of East Chicago
Jezeel Rodriguez
4444 Railroad Avenue
East Chicago, IN 46312

CMA Property Corporation LTD
415 151st Street
East Chicago, IN 46312

Duke 425 Holdings LLC
4706 18th Avenue, Suite 200
Brooklyn, NY 11204

East Chicago Housing Authority
4920 Larkspur Driver
East Chicago, IN 46312

Indiana Department of Natural Resources
Steve Davis
100 West Water Street
Michigan City, IN 46360-1310

Indiana Department of Natural Resources
Division of Law Enforcement
District 10 Headquarters Dist 0
100 West Water Street
Michigan City, IN 46360

Indiana Harbor Belt Railroad Company
PO Box 8499
Philadelphia, PA 19101-8499

Lake County Drainage Board
2293 North Main Street
Crown Point, IN 46307

Lake County SWCD
880 East 99th Court, Suite A
Crown Point, IN 46307

Little Calumet River Basin Development
Commission
Dan Repay
900 Ridge Road
Munster, IN 46321

MarinoWARE
400 Metuchen Road
South Plainfield, NJ 07080

Metal Management Indiana, Inc
2500 Paulina Street
Chicago, IL 60608

Park District of East Chicago
4525 Indianapolis Boulevard
East Chicago, IN 46312-3226

Union Carbide Corporation
39 Old Ridgebury Road
Dancury, CT 06810

US Army Corps of Engineers
Chicago District
231 South LaSalle Street, Suite 1500
Chicago, IL 60604

USS Lead Refining Inc
4780 Caterpillar Road
Redding, CA 96003

Staff Assignment:

Administrative
Technical
Environmental
Fish and Wildlife
Law Enforcement
Historic Preservation & Archaeology
Engineering

: Jennifer L. Ware
: Jennifer L. Ware
: J. Matthew Buffington
: Nathan D. Thomas
: Tom Torsell
: Rachel Sharkey
: Christopher Limiac



DEPARTMENT OF THE ARMY
DETROIT DISTRICT, CORPS OF ENGINEERS

5-B-4
7-20-16

June 15, 2016

REPLY TO
ATTENTION OF:

Engineering & Technical Services
Regulatory Office
File No. LRE-2016-00006-100

Dear Sir/Madam:

We are writing to inform you that the Detroit District has posted a public notice to our internet home page for the proposed project noted below.

File Number: LRE-2016-00006-100
Location: Indiana

Request for comments on 2017 Nationwide Permit Reissuance, Proposed Regional Conditions for the State of Indiana, Detroit District

Please visit our website (link below) to view the complete Public Notice and for information on how to submit comments.

<http://www.lre.usace.army.mil/Missions/RegulatoryProgramandPermits/PublicNotices.aspx>

Sincerely,

Regulatory Office, Detroit District
US Army Corps of Engineers

We would appreciate your feedback. Our National Customer Service Survey is located at <http://per2.nwp.usace.army.mil/survey.html>

* If you are receiving this via email:

- Click on the link above to open a browser window if the link is highlighted.
- If the link is not highlighted, open a web browser window and copy/paste the entire address into the address bar of the browser.

* If you are receiving this via standard mail:

- You have the option to request that a copy of the Public Notice be mailed to you. Please contact Katie Otanez at the above address, by E-Mail at Katie.L.Otanez@usace.army.mil or by telephone at 313-226-5479 to make your request.
- Be sure to indicate File Number LRE-2016-00006 when you make your request.

RECEIVED

JUN 17 2016

LAKE COUNTY SURVEYOR

5-B-5
7-20-16



Office of the Lake County Surveyor

Lake County Government Center • 2293 North Main Street • Crown Point, Indiana 46307
Phone: (219) 755-3745 • Fax: (219) 755-3750

Bill Emerson, Jr.
County Surveyor

June 16, 2016

Bill Emerson, Jr.
Lake County Surveyor
2293 North Main Street
Crown Point, IN 46307

Gerry Scheub, Chairman
Lake County Drainage Board
2293 North Main Street
Crown Point, IN 46307

RE: Proposed Subdivisions in Municipalities
Regulated Drain Easement

Dear Gentlemen,

At the June 15, 2016 Lake County Drainage Board meeting it was reported that several "Public Notices" from the local newspapers stated that new developments were going to be discharging their stormwater into various county regulated drains. The Lake County Surveyor/Lake County Drainage Board was requested to investigate these developments regarding its discharge of stormwater into a county regulated drain.

Attached for your review are aerial photographs of the proposed subdivisions (highlighted in blue), the Town/City "Corporate Limits" (highlighted in aqua) and their respective proximity to county regulated drains in blue. Indiana Drainage Code (36-9-27-33) states the regulated drainage easement is 75' from the top-of-bank, and the County Drainage Board has jurisdiction over any activity within the 75 feet and any discharge directly into the regulated drain. As you can see from the aerials, the closest point to any proposed subdivision is outside of the statutory 75 feet easement. Therefore, any drainage requirements are solely under the jurisdiction of the Town/City in which the proposed development is located.

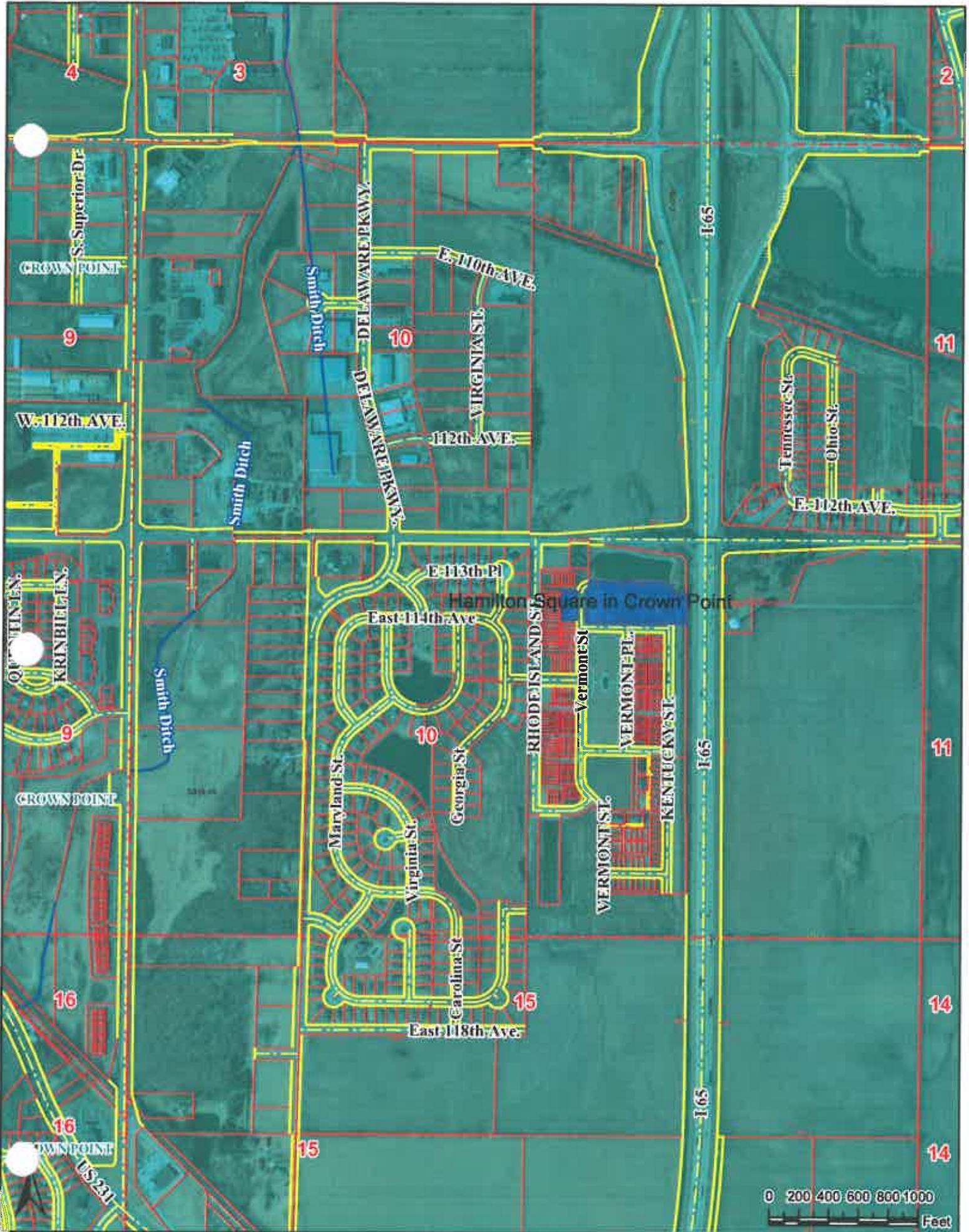
I hope this helps in defining the jurisdictional areas concerning proposed developments in the Town of St John and the county regulated drains. Should you have any additional questions or comments, please do not hesitate to contact our office.

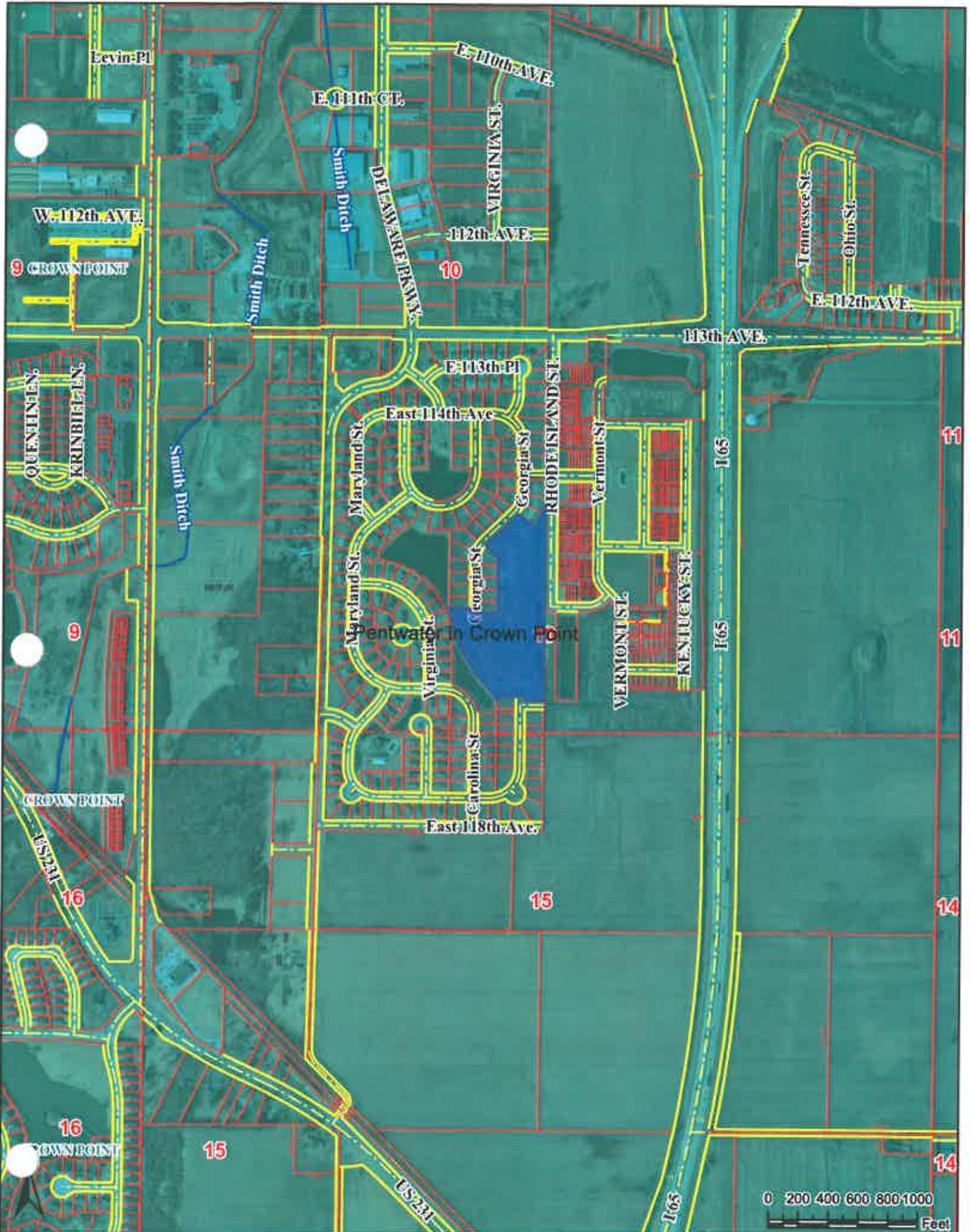
Sincerely,

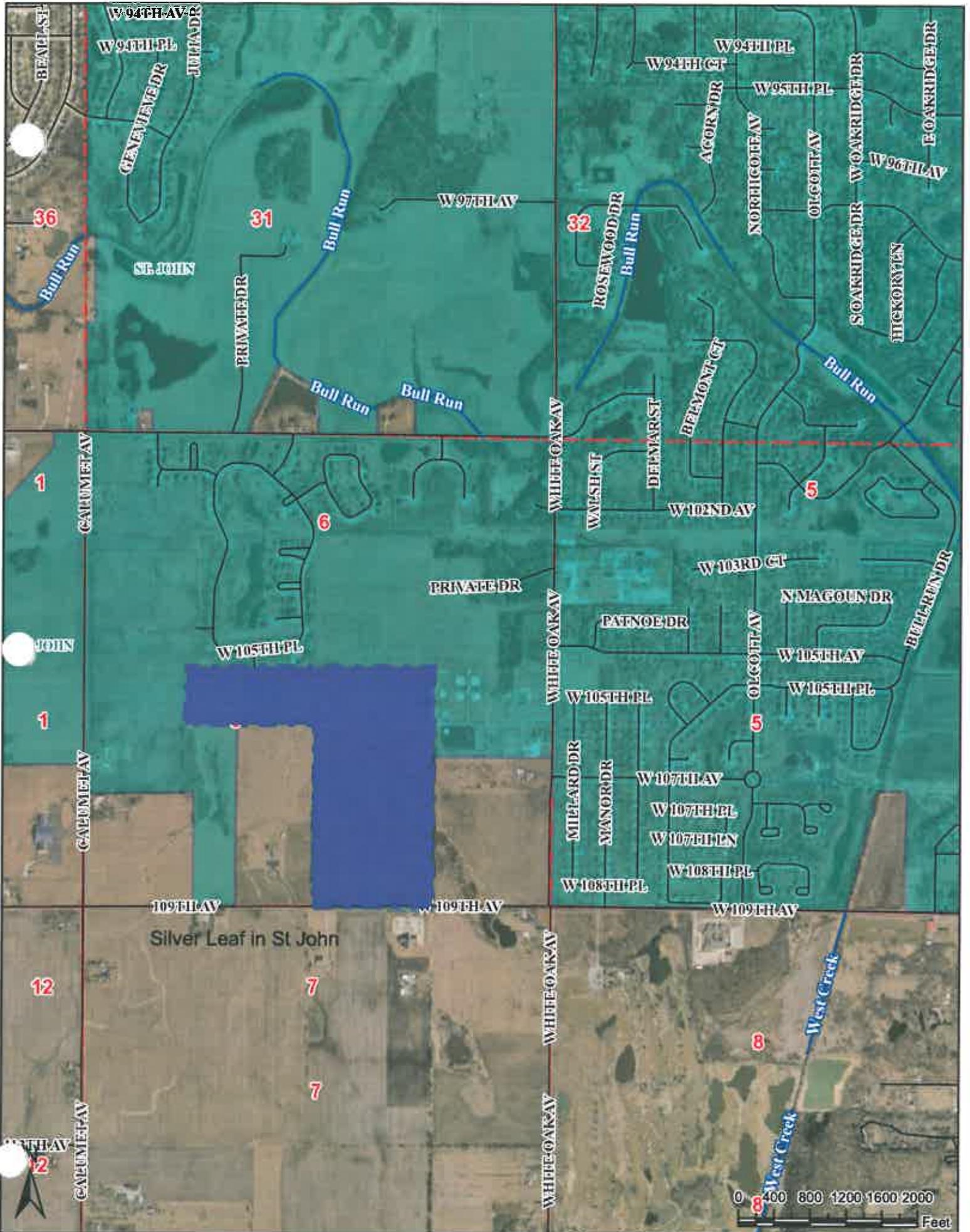
A handwritten signature in black ink that reads "Daniel V. Gossman".

Daniel V. Gossman
Drainage Administrator

Cc: Tom Regalado, Asst Drainage Admn
Cliff Duggan, Legal Advisor
Peter Katic, Drainage Board Attorney
Lake County Drainage Board & Advisory Committee









5-B-6
7-20-16

Office of the Lake County Surveyor

Lake County Government Center • 2293 North Main Street • Crown Point, Indiana 46307
Phone: (219) 755-3745 • Fax: (219) 755-3750

Bill Emerson, Jr.
County Surveyor

June 17, 2016

«First_Name» «Second_Name» «Last_Name»
«Address»
«City», «State» «Zip»

RE: Maintenance Activity
Cady Marsh Ditch
Griffith, Calumet Twp.

Property Tax No.: «Tax_ID_Number»
Location Address: «Location_Address»
«Location_City»

Dear Property Owner,

The Cady Marsh Ditch is designated as a "County Regulated Drain" under I.C. 36-9-27 et. seq., and as such is under the jurisdiction of the Lake County Drainage Board. Also, according to the Indiana Drainage Code (I.C. 36-9-27-33) there is a 75' easement, measured from the top-of-bank of the ditch. Permanent structures may not be placed on any right-of-way without the written consent of the board. Temporary structures may be placed upon or over the right-of-way without the written consent of the board, but shall be removed immediately by the owner when so ordered by the board or by the county surveyor.

The Lake County Drainage Board in 2015 contracted a maintenance project from Cline Avenue to Colfax Street. Since 2001, the County Surveyor/Drainage Board's "Clearing & Snagging" crew has maintained the ditch removing beaver dams, tree limbs and other minor obstructions. These affect the proper function of the ditch and can lead to flooding if not addressed. These activities have even included mowing a portion of the easement between the Cline Avenue and Colfax Street. Some property owners have mistaken this activity as "lawn care" for their rear yards.

Please be advised that the Lake County Surveyor/Lake County Drainage Board's "Clearing & Snagging" crew **WILL NO LONGER MOW THIS AREA**. Since some of you may have relied on this activity, I will have the crew cut the area one (1) last time this year. After that, we will only perform minor maintenance within the channel or make any necessary repairs to the banks due to erosion.

With over 600 miles of regulated drains in Lake County, it has come to my attention that removing dams and felled trees within our ditches has to be our priority. By removing these dams and obstructions, we are attempting to reduce the risk of flooding to the neighborhoods and adjacent properties to these waterways.

Sincerely,

Bill Emerson, Jr.
Lake County Surveyor

Holley Lynn Bingham
1224 N Rensselaer Ct
Griffith, IN 46319

Civic Properties LLC
127 N Broad St
Griffith, IN 46319

Charles D & Gina M Dearmond
1226 N Rensselaer Ct
Griffith, IN 46319

Angela and Keith E Dworak
1335 N Cline Ave
Griffith, IN 46319

Melinda J Gee
1116 N Wheeler Ave
Griffith, IN 46319

John J & Pamela M Howell
1223 Wood Ct
Griffith, IN 46319

Nicolas & Carol Lasaro
1217 N Elmer Ct
Griffith, IN 46319

Fred Jr. Miller
1665 Palm Beach Lakes Blvd
West Palm Beach, FL 33401

Reeds Temple Church Inc
1300 N Broad St
Griffith, IN 46319

Jacob I Santos
1 W 40th Ln
Griffith, IN 46319

David E and Diane L Brzycki
1313 N Cline Ave
Griffith, IN 46319

Michael P & Phyllis A Cope
1334 N Woodlawn Ave
Griffith, IN 46319

Emily H Doehring
1210 N Dwiggins Ct
Griffith, IN 46319

EJ&E West Company
2422 Gaylord St
Joliet, IL 60435

George Guillen
PO Box 683
Griffith, IN 46319

Paul & Nina Keil
1113 Wheeler St
Griffith, IN 46319

Marleen Martinez
1241 N Lafayette Ct
Griffith, IN 46319

North Indiana LLC
P O Box 1029
Hammond, IN 46325

Thomas G & Joanne T Sandman
1200 N Jay St
Griffith, IN 46319

Earl G & Donna E Schreiber
1230 N Rensselaer Ct
Griffith, IN 46319

Rogelio & Belinda Chavez
1211 Dwiggins Ct
Griffith, IN 46319

Kathleen A Creviston
1216 N Elmer Ct
Griffith, IN 46319

Alexander N & Viviana Drankus
1242 N Lafayette Ct
Griffith, IN 46319

Eva Melissa Garcia
1232 N Rensselaer Ct
Griffith, IN 46319

Bennie J & Linda Hobbs
1224 Wood Ct
Griffith, IN 46319

Zelko & Patricia Kireta
1228 N Rensselaer Ct
Griffith, IN 46319

Robert & San Juana Matamoros
1208 Dwiggins Ct
Griffith, IN 46319

Reeds Temple Church
1300 N Broad St
Griffith, IN 46319

Bernadette A Sanner
1234 N Rensselaer Ct
Griffith, IN 46319

Willie Sease
3675 Mass St
Gary, IN 46409

Elsie Stokes
1132 N Colfax
Griffith, IN 46319

Town of Griffith
111 N Broad St
Griffith, IN 46319

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Elizabeth Vega
1123 N Glenwood St
Griffith, IN 46319

Ronald R White
1117 N Wheeler St
Griffith, IN 46319

David R & Judith R Woodard
1244 N Lafayette Ct
Griffith, IN 46319

Stella Yorek
325 W 40th Ln
Griffith, IN 46319

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5-B-8
7-20-16

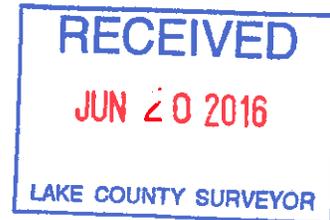


STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES

CERTIFICATE OF APPROVAL
LAKE MICHIGAN

MAILED: June 16, 2016

APPLICATION # : LM-200
LAKE : Lake Michigan
APPLICANT : Indiana American Water Company
Edward J Nickels
650 Madison Street
Gary, IN 46410
AGENT : McMillen Jacobs Associates
Greg J Allington
1401 Shoreline Drive
Boise, ID 83702
AUTHORITY : IC 14-29-1 with 312 IAC 6



DESCRIPTION : The damaged Borman Park water intake crib in Lake Michigan located in approximately 45' of water will be rehabilitated with a smaller structure, and the zebra mussel control system at the inlet to the existing 9.5' pipe will be repaired. The existing timber crib structure was 60' x 60' x 10' and will be rehabilitated with a precast concrete crib structure with dimensions 41' x 41' x 10'. The top 5' of the existing wood crib will be removed and the remaining timber crib will be modified to allow installation of the new structure on the existing crib foundation. The new precast concrete crib will be lowered in sections and assembled underwater. Materials and construction workers will be staged on floating barges and boats during construction. The damaged crib allowed approximately 1,000 cubic yards of sand and sediment to accumulate in the intake tunnel which will be removed and discharged on the lake bed near the rehabilitated intake crib structure. Details of the project are contained in information and plans received at the Division of Water on March 14, 2016, April 5, 2016 and June 6, 2016.

LOCATION : Approximately 4485' west of the Gary Harbor and extending north (lakeward) approximately 5800' near Gary, Calumet Township, Lake County
T 37N, R 8W, Gary Quadrangle
UTM Coordinates: Downstream 4610646 North, 471542 East

APPROVED BY : _____
James J. Hebenstreit, PE, Assistant Director
Division of Water

APPROVED ON : June 16, 2016

STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF RIGHT TO ADMINISTRATIVE REVIEW

APPLICATION #: LM- 200

This signed document constitutes the issuance of a permit by the Department of Natural Resources, subject to the conditions and limitations stated on the pages entitled "General Conditions" and "Special Conditions".

The permit or any of the conditions or limitations which it contains may be appealed by applying for administrative review. Such review is governed by the Administrative Orders and Procedures Act, IC 4-21.5, and the Department's rules pertaining to adjudicative proceedings, 312 IAC 3-1.

In order to obtain a review, a written petition must be filed with the Division of Hearings within 18 days of the mailing date of this notice. The petition should be addressed to:

Director
Division of Hearings
Indiana Government Center North, Room N501A
100 North Senate Avenue
Indianapolis, Indiana 46204

The petition must contain specific reasons for the appeal and indicate the portion or portions of the permit to which the appeal pertains.

If an appeal is filed, the final agency determination will be made by the Natural Resources Commission following a legal proceeding conducted before an Administrative Law Judge. The Department of Natural Resources will be represented by legal counsel.

**STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES**

GENERAL CONDITIONS

APPLICATION #: LM- 200

- (1) If any archaeological artifacts or human remains are uncovered during construction, federal law and regulations (16 USC 470, et seq.; 36 CFR 800.11, et al) and State Law (IC 14-21-1) require that work must stop and that the discovery must be reported to the Division of Historic Preservation and Archaeology within 2 business days.

Division of Historic Preservation and Archaeology
Room W274
402 West Washington Street
Indianapolis, IN 46204

Telephone: (317) 232-1646, FAX: (317) 232-8036

- (2) This permit must be posted and maintained at the project site until the project is completed.
- (3) This permit does not relieve the permittee of the responsibility for obtaining additional permits, approvals, easements, etc. as required by other federal, state, or local regulatory agencies. These agencies include, but are not limited to:

<u>Agency</u>	<u>Telephone Number</u>
Lake County Drainage Board	
Little Calumet River Basin Development Commission	(219) 595-0599
US Army Corps of Engineers	(312) 848-5539
Indiana Department of Environmental Management	(317) 233-8488 or (800) 451-6027
Local city or county planning or zoning commission	

- (4) This permit must not be construed as a waiver of any local ordinance or other state or federal law.
- (5) This permit does not relieve the permittee of any liability for the effects which the project may have upon the safety of the life or property of others.
- (6) This permit may be revoked by the Department of Natural Resources for violation of any condition, limitation or applicable statute or rule.
- (7) This permit shall not be assignable or transferable without the prior written approval of the Department of Natural Resources. To initiate a transfer contact:

Mr. Michael W. Neyer, PE, Director
Division of Water
Room W264
402 West Washington Street
Indianapolis, IN 46204

Telephone: (317) 232-4160, Toll Free: (877) 928-3755
FAX: (317) 233-4579

- (8) The Department of Natural Resources shall have the right to enter upon the site of the permitted activity for the purpose of inspecting the authorized work.
- (9) The receipt and acceptance of this permit by the applicant or authorized agent shall be considered as acceptance of the conditions and limitations stated on the pages entitled "General Conditions" and "Special Conditions".

**STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES**

SPECIAL CONDITIONS

APPLICATION #: LM- 200

PERMIT VALIDITY : This permit is valid for 60 months from the "Approved On" date shown on the first page. If work has not been completed by June 16, 2021 the permit will become void and a new permit will be required in order to continue work on the project.

This permit becomes effective 18 days after the "MAILED" date shown on the first page. If both a petition for review and a petition for a stay of effectiveness are filed before this permit becomes effective, any part of the permit that is within the scope of the petition for stay is stayed for an additional 15 days.

CONFORMANCE : Other than those measures necessary to satisfy the "General Conditions" and "Special Conditions", the project must conform to the information received by the Department of Natural Resources on: March 14, 2016, April 5, 2016 and June 6, 2016. Any deviation from the information must receive the prior written approval of the Department.

<u>Number</u>	<u>Special Condition</u>
(1)	minimize the movement of resuspended bottom sediment from the immediate project area
(2)	with the exception to preparatory work such as crib removal, pipe inspection, and pipe flushing, do not work in Lake Michigan from April 1 to June 30 without prior written approval from the Division of Fish and Wildlife
(3)	should any fish mortality be observed, which includes all life stages, all dredging activity must be halted and Indiana's Division of Law Enforcement must be contacted at 219-879-5710 to investigate and file the necessary report
(4)	notify the Lake Permitting Biologist, Nate Thomas, at 260-244-6805 or NThomas@dnr.in.gov, no less than one week prior to initial dredging activity and each subsequent dredging event annually
(5)	any entrance into the rehabilitated crib that a scuba diver might pass through should be grated to prevent entry
(6)	the repaired water intake should be noted on NOAA navigation charts, and a "Notice to Mariners" be issued during the time of reconstruction, to warn ships about the presence of the materials and construction workers being staged on floating barges and boats during construction
(7)	when removing the top 5 feet of the existing timber crib during rehabilitation, all material removed must be completely removed from Lake Michigan and properly disposed on land
(8)	during construction work on the bed of Lake Michigan, any dredged or excavated sand associated with the natural or native lakebed material of Lake Michigan shall remain in the general vicinity of the dredging or excavation activity
(9)	if the repaired timber crib and its new concrete intake structure and its associated tunnel are ever abandoned in the future, the new crib structure must be completely removed from the bed of Lake Michigan, and the tunnel sealed unless another beneficial use for the structure can be presented to and approved by the Indiana Department of Natural Resources

**STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES**

SPECIAL CONDITIONS

APPLICATION #: LM- 200

- (10) all efforts must be made to have minimal impact on the water quality of Lake Michigan during the construction activities of this project
- (11) notify the DNR Division of Water if the significant water withdrawal facility is ever decommissioned and removed from service
- (12) obtain written permission for any additional construction work or activities in the waters of, or on the bed of, Lake Michigan, which is not explicitly covered under the existing LM-200 permit
- (13) any equipment and/or cables placed on a public waterway must be clearly marked with navigation buoys described in 312 IAC 5-4 in a manner that would be visible to any watercraft operating in the area
- (14) any equipment and/or cables left in a public waterway in times of limited visibility must, in addition to the requirement listed above, be marked with flashing amber warning lights and reflective signage warning watercraft operators of the hazards
- (15) any construction equipment left at the construction site overnight must be illuminated

STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES

SERVICE LIST

APPLICATION #: LM- 200

Indiana American Water Company
Edward J Nickels
650 Madison Street
Gary, IN 46410

McMillen Jacobs Associates
Greg J Allington
1401 Shoreline Drive
Boise, ID 83702

Department of Natural Resources
Mike Molnar
Division of Nature Preserves
Lake Michigan Coastal Program
402 West Washington Street, Room W267
Indianapolis, IN 46204

Indiana Department of Natural Resources
Brian Breidert
100 West Water Street
Michigan City, IN 46360-1310

Indiana Department of Natural Resources
Steve Davis
100 West Water Street
Michigan City, IN 46360-1310

Indiana Department of Natural Resources
Division of Law Enforcement
District 10 Headquarters
100 West Water Street
Michigan City, IN 46360

Ned Kovachevich
2293 North Main Street
Crown Point, IN 46307-1854

Lake County Drainage Board
2293 North Main Street
Crown Point, IN 46307

Little Calumet River Basin Development
Commission
Dan Repay
900 Ridge Road
Munster, IN 46321

United States Steel Corp
600 Grant Street
Pittsburgh, PA 15219

US Army Corps of Engineers
Chicago District
231 South LaSalle Street, Suite 1500
Chicago, IL 60604

Staff Assignment:

Administrative
Environmental
Fish and Wildlife
Law Enforcement
Historic Preservation & Archaeology

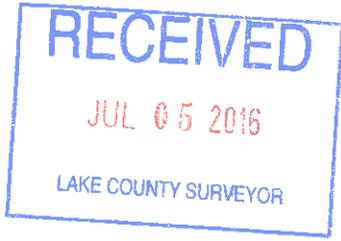
Markita Shepherdson, CFM
J. Matthew Buffington
Nathan D. Thomas
Tom Torsell
Cathy Draeger-Williams

5-B-9
7-20-16

DNR Indiana Department of Natural Resources

Michael R. Pence, Governor
Cameron F. Clark, Director
Division of Water
402 W. Washington Street
Room W264
Indianapolis, IN 46204
Phone (317) 232-4160
Toll-free (877) 928-3755
Fax (317) 233-4579
www.in.gov/dnr/water

June 30, 2016



Little Calumet River Basin Development Commission
Ron McAhron
Ridge Road Suite H 900
Munster, IN 46321

Re: CTS-4232
Little Calumet River, Lake County

Dear Mr. McAhron:

This is in response to your request received at the Division of Water on June 28, 2016 for the renewal of multiple permits associated with the Federal Little Calumet River Flood Control and Recreation Project.

In accordance with IC 14-28-1-22(h) the Department is granting a one-time two (2) year renewal of the DNR permits listed below for the completion of work as shown on plans on file with the Division of Water.

- | | |
|----------------------------------|---|
| G-13167 | FW-15822 |
| L-13600 as amended under CTS-49 | FW-16167 as amended under CTS-49 |
| L-13940 as amended under CTS-49 | FW-19609 |
| L-15057 as amended under CTS-49 | FW-19784 |
| L-15162 as amended under CTS-49 | FW-22241 as amended under CTS-2364 and CTS-2954 |
| FW-15434 | FW-22313 as amended under CTS-2364 and CTS-2954 |
| FW-15509 as amended under CTS-49 | |

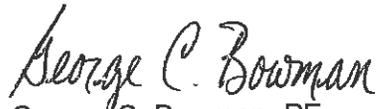
If the work authorized by the permits and amendments listed above is not completed by July 1, 2018, the permits will expire and new permits will have to be obtained. Any additional work proposed as a result of the Chicago District of the US Army Corps of Engineers' efforts to finalize plans for the Independent External Peer Review of the Project should be coordinated with our office to determine whether new permits will be required.

Please note that FW-15477 was terminated by request of the applicant on December 2, 1993; therefore, the request to extend FW-15477 is not included in this renewal letter.

This letter should be attached to the existing permits and displayed at the project site. The Division of Water will place a copy of this letter in the permit files to be retained as a permanent part of each application. Please be aware that all conditions of the original permits and any amendments must be met for your project to be in compliance.

If there are any further questions concerning this project, please contact the Technical Services Section, Division of Water at (317) 232-4160 or at water_inquiry@dnr.in.gov.

Sincerely,



George C. Bowman, PE
Assistant Director
Division of Water

Enclosure: Notice of Right to Administrative Appeal
Copy of Certificate of Approval, G-13167
Copy of Certificate of Approval, L-13600
Copy of Certificate of Approval, L-13940
Copy of Certificate of Approval, L-15057
Copy of Certificate of Approval, L-15162
Copy of Certificate of Approval, FW-15434
Copy of Certificate of Approval, FW-15509
Copy of Certificate of Approval, FW-15822
Copy of Certificate of Approval, FW-16167
Copy of Amendment Letter, DNR No. CTS-49
Copy of Certificate of Approval, FW-19609
Copy of Certificate of Approval, FW-19784
Copy of Certificate of Approval, FW-22241
Copy of Certificate of Approval, FW-22313
Copy of Amendment Letter, DNR No. CTS-2364
Copy of Amendment Letter, DNR No. CTS-2954

pc: Service List for FW-16167
Service List for FW-22241
Service List for FW-22313

**STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES
NOTICE OF RIGHT TO ADMINISTRATIVE REVIEW
File No. CTS-4232**

The letter or any of the conditions, limitations, and amendments which it contains may be appealed by applying for administrative review. Such review is governed by the Administrative Orders and Procedures Act, IC 4-21.5, and the Department's rules pertaining to adjudicative proceedings, 312 IAC 3-1.

In order to obtain a review, a written petition must be filed with the Division of Hearings within 18 days of the mailing date of this notice. The petition should be addressed to:

Natural Resources Commission
Division of Hearings
Indiana Government Center North, Room N501A
100 North Senate Avenue
Indianapolis, IN 46204

The petition must contain specific reasons for the appeal and indicate the portion or portions of the letter to which the appeal pertains.

If an appeal is filed, the final agency determination will be made by the Natural Resources Commission following a legal proceeding conducted before an Administrative Law Judge. The Department of Natural Resources will be represented by legal counsel.



MAILED

SEP 13 1995

INDIANA DEPARTMENT OF NATURAL RESOURCES

PATRICK R. RALSTON, DIRECTOR

Division of Water
402 W Washington St, Rm W264
Indianapolis, Indiana 46204-2748
317-232-4160
FAX: 317-233-4579

September 8, 1995

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

Re: Application No. FW-16,167
(Specific Condition 13 - East
Reach Stage Remediation)

Dear Mr. Gardner:

Reference is made to the meeting between staff from the Division of Water and the U S Army Corps of Engineers, Chicago District, on Thursday, September 7, 1995, and the resolution adopted by the Little Calumet River Basin Development Commission later the same day regarding the selected plan for remediation of increased 100-year flood stages downstream from the East Reach of the Little Calumet River Local Flood Control and Recreation Project that was approved by the Department under Application No. FW-16,167 on August 15, 1995.

Division of Water staff has reviewed the recommended plan and the resolution and has determined that this course of action satisfies Specific Condition (13) as amended in a letter addressed to you dated August 31, 1995, as long as the following conditions are met:

- (1) formal approval from the Department of Natural Resources must be obtained for the proposed remediation project
- (2) the remediation project must be completed prior to the completion of the project described under Application No. FW-16,167

This letter should be attached to your existing permit and displayed at the project site. The Division will place a copy of the letter in the permit file to be retained as a permanent record of the application. All other conditions listed on the original permit plus those included in this letter must be followed in order for the project to be in compliance.

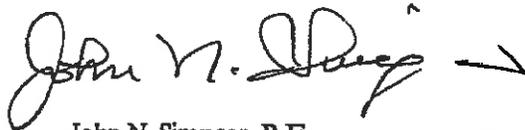
"EQUAL OPPORTUNITY EMPLOYER"



Letter to Mr. Gardner
September 8, 1995
Page Two

For your convenience, permit applications and instructions have been enclosed. If you have any further questions, please contact Mr. Michael W. Neyer, P.E., Assistant Director at (317)232-5660.

Sincerely,

A handwritten signature in cursive script that reads "John N. Simpson" followed by a right-pointing arrow.

John N. Simpson, P.E.
Director
Division of Water

JNS/MWN/DMG
pc: See Attached Service List
Enclosure: Permit Applications and Instructions

STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES

MAILED

CERTIFICATE OF APPROVAL
CONSTRUCTION IN A FLOODWAY

AUG 18 1995

APPLICATION #: FW-16,167

STREAM : Little Calumet River

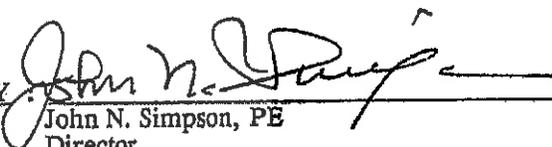
APPLICANT : Little Calumet River Basin
Development Commission
Dan Gardner
6100 Southport Road
Portage IN 46368

AUTHORITY : IC 14-28-1 with 310 IAC 6-1 and IC 14-29-1 with 310 IAC 2

DESCRIPTION : The East Reach of the Little Calumet River Local Flood Control and Recreation project will be constructed. Construction activities include: clearing and grubbing; the construction of approximately 48,426' of earthen levees, with crest widths between 4' and 12' and 2.5:1 side slopes, and associated turn around pads, access roads, drainage ditches, drainage culverts, nature trails, gate wells, settlement gages, guard rails, collector ditches, and closure structures; the placement of an 8' x 6' precast concrete box culvert and sheet piling; the removal of structures; the construction of ponding areas and associated chain-link fences; the construction of approximately 1,656' of concrete I-walls; and the construction and relocation of several utilities. Details of the project are contained in plans and information received at the Division of Water on June 2, 1994; June 28, 1994; September 12, 1994; March 25, 1995; May 19, 1995; July 7, 1995; July 26, 1995; and August 14, 1995.

LOCATION : Extending along the north bank of the Little Calumet River between a point approximately 200' west of the E&E Railroad line and immediately south of Interstate 80/94 (Station 1N 0+00 on plans received at the Division of Water on August 14, 1995) and a point at the Interstate 80/94 and Grant Street exit ramp approximately 400' north of the river (Station 6N 61+00 on plans received July 26, 1995), extending along the south bank between a point at the Norfolk and Western Railroad line approximately 3,900 feet south of the river (Station 0+00 on plans received July 26, 1995) and a point immediately southwest of the intersection of the Martin Luther King Drive overpass over Interstate 80/94 (Station 15S 44+42 on plans received May 19, 1995) and extending from this point across the river to a point at the Interstate 80/94 and Broadway exit ramp approximately 1,700' north of the river (Station 12N 1+00 on plans received May 19, 1995), and extending from a point at the Conrail Railroad line approximately 1,500' north of the river (Station 14N 57+39 on plans received May 19, 1995) across the river to a point immediately northeast of the Interstate 65 exit ramp over Interstate 80/94 (Station 16S 14+45 on plans received May 19, 1995) at Gary and Griffith, Calumet Township, Lake County Sections 14, 23, and 24, T 36N, R 9W, and Sections 14, 15, 16, 17, 18, 19, 20, 21, and 22, T 36N, R 8W, Highland and Gary Quadrangles
UTM Coordinates: Downstream = 4602075 North, 473275 East, Upstream = 4601100 North, 464650 East

APPROVED BY


John N. Simpson, PE
Director
Division of Water

APPROVED ON : August 15, 1995

**STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES**

**Attachments: Notice Of Right To Administrative Review
General Conditions
Special Conditions
Service List**

STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF RIGHT TO ADMINISTRATIVE REVIEW

APPLICATION #: FW-16,167

This signed document constitutes the issuance of a permit by the Natural Resources Commission, or its designee, subject to the conditions and limitations stated on the pages entitled "General Conditions" and "Special Conditions".

The permit or any of the conditions or limitations which it contains may be appealed by applying for administrative review. Such review is governed by the Administrative Orders and Procedures Act, IC 4-21.5, and the Department's rules pertaining to adjudicative proceedings, 310 IAC 0.6.

In order to obtain a review, a written petition must be filed with the Division of Hearings within 18 days of the mailing date of this notice. The petition should be addressed to:

Mr. Stephen L. Lucas, Director
Division of Hearings
Room W272
402 West Washington Street
Indianapolis, Indiana 46204

The petition must contain specific reasons for the appeal and indicate the portion or portions of the permit to which the appeal pertains.

If an appeal is filed, the final agency determination will be made by the Natural Resources Commission following a legal proceeding conducted before an Administrative Law Judge. The Department of Natural Resources will be represented by legal counsel.

STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES

GENERAL CONDITIONS

APPLICATION #: FW-16,167

- (1) If any archaeological artifacts or human remains are uncovered during construction, federal law and regulations (16 USC 470, et seq.; 36 CFR 800.11, et al) and State law (IC 14-21-1) require that work must stop and that the discovery must be reported to the Division of Historic Preservation and Archaeology within 2 business days.

Division of Historic Preservation and Archaeology

Room W274

402 West Washington Street

Indianapolis, Indiana 46204

Telephone: (317) 232-1646, FAX: (317) 232-8036

- (2) This permit must be posted and maintained at the project site until the project is completed.
- (3) This permit does not relieve the permittee of the responsibility for obtaining additional permits, approvals, easements, etc. as required by other federal, state, or local regulatory agencies. These agencies include, but are not limited to:

<u>Agency</u>	<u>Telephone Number</u>
Detroit District, U.S. Army Corps of Engineers	(313) 226-2218
Indiana Department of Environmental Management	(317) 243-5035
Little Calumet River Basin Development Commission	(219) 763-0696
Lake County Drainage Board	(219) 755-3745
Local city or county planning or zoning commission	Check local directory

- (4) This permit must not be construed as a waiver of any local ordinance or other state or federal law.
- (5) This permit does not relieve the permittee of any liability for the effects which the project may have upon the safety of the life or property of others.
- (6) This permit may be revoked by the Department of Natural Resources for violation of any condition, limitation, or applicable statute or rule.
- (7) This permit shall not be assignable or transferable without the prior written approval of the Department of Natural Resources. To initiate a transfer contact:

Mr. John N. Simpson, PE, Director

Division of Water

Room W264

402 West Washington Street

Indianapolis, Indiana 46204

Telephone: (317) 232-4160, FAX: (317) 233-4579

- (8) The Department of Natural Resources shall have the right to enter upon the site of the permitted activity for the purpose of inspecting the authorized work.
- (9) The receipt and acceptance of this permit by the applicant or authorized agent shall be considered as acceptance of the conditions and limitations stated on the pages entitled "General Conditions" and "Special Conditions".

STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES
SPECIAL CONDITIONS

APPLICATION #: FW-16,167

PERMIT VALIDITY: This permit is valid for 24 months from the "Approved On" date shown on the first page. If work has not been initiated by August 15, 1997 the permit will become void and a new permit will be required in order to continue work on the project.

CONFORMANCE : Other than those measures necessary to satisfy the "General Conditions" and "Special Conditions", the project must conform to the information received by the Department of Natural Resources on: June 2, 1994, June 28, 1994, September 12, 1994, March 25, 1995, May 19, 1995, July 7, 1995, July 26, 1995 and August 14, 1995. Any deviation from the information must receive the prior written approval of the Department.

Number	Special Condition
(1)	seed and mulch all disturbed areas not protected by other methods
(2)	maintain functional erosion and sediment control measures until all disturbed areas are stabilized
(3)	protect all 3:1 slopes or steeper with erosion control blankets when they are not protected by other structural methods
(4)	control erosion and sediment on land adjacent to the floodway to prevent resulting sedimentation of the channel or floodway
(5)	minimize and contain within the project limits all tree and brush clearing and provide the opportunity to utilize cleared trees of firewood and timber size
(6)	if this project is located in an urban setting and involves the removal of more than 5 trees in the floodway, incorporate tree planting into the site revegetation and/or mitigation plan
(7)	if this project singly or cumulatively involves $\frac{1}{2}$ acre or more of tree (of any size) removal in the floodway, a mitigation plan must be developed, approved, and implemented to provide reforestation at no less than a 2:1 acreage ratio
(8)	replace wetlands lost as a result of this project in kind, in the same immediate watershed, and at the following ratios: emergent wetlands, 1:1; scrub/shrub, 2:1; and forested wetlands, 3:1
(9)	borrow areas must not impact wildlife habitat, including wetlands
(10)	establish a monitoring program to ensure the success of replaced wetlands
(11)	do not leave felled trees, brush, or other debris in the floodway
(12)	issuance of this Certificate does not constitute approval of channel realignment and culvert installation at the Interstate 80/94 crossing or construction of the Burr Street Betterment Levee as shown on plans received at the Division of Water on May 19, 1995
(13)	a plan for the remediation of increased 100-year frequency flood stages downstream from the project must be submitted to and approved by the Department prior to initiating construction ^{of any physical construction} of the levee; this condition does not preclude the awarding of contracts, clearing, grubbing, or excavation

Captain Tom Chapman, Project Manager

Dan Gardner, Executive Director, LCRBD

STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES

SPECIAL CONDITIONS

APPLICATION #: FW-16,167

Number Special Condition

- (14) issuance of this permit does not indicate that the structural integrity of the proposed levee has been reviewed or accepted by the Division of Water; although the U.S. Army Corps of Engineers is considered the premier agency in levee design and construction, the Corps will need to certify that the constructed levee will perform as the intended flood control structure and submit "as-built" plans with documentation of any field and geotechnical anomalies to the Division of Water for consideration within 6 months of completion of the project

STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES

SERVICE LIST

APPLICATION #: FW-16,167

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

Herbert and Betty Harris
3120 Gery Street
Gary IN 46046

Regulatory Functions Branch
Detroit District, USACOE
c/o Mr. Gary Mannesto
P.O. Box 1027
Detroit MI 48231-1027

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

Lake County Drainage Board
Attn: George VanTil
County Government Center
2293 North Main Street
Crown Point IN 46307

Lake County
Soil and Water Conservation District

Mr. Stephen E. Davis
IDNR, Lake Michigan Specialist
100 West Water Street
Michigan City IN 46360

Division of Law Enforcement, IDNR
North Region Headquarters (Dist 10)
c/o Capt. Steven Seemeyer
RR 6, Box 344
Peru IN 46970

Local Plan Commission

Staff Assignment

Administrative: Amy S. James
Technical : David M. Griffee



INDIANA DEPARTMENT OF NATURAL RESOURCES

LARRY D. MACKLIN, DIRECTOR

Division of Water
402 W. Washington St., Rm. W264
Indianapolis, Indiana 46204-2748
317-232-4160
FAX: 317-233-4579

July 2, 1997
CTS-49

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

Re: Lake County
Little Calumet River / Hart Ditch

Dear Mr. Gardner:

Reference is made to your April 14, 1997 letter and May 9, 1997 submittal of detailed plans requesting the inclusion of minor recreation improvements in the plans for the Little Calumet River Flood Control and Recreation Project previously approved by the Department of Natural Resources under the above referenced application numbers. The proposed recreation improvements will occur at four separate sites. These sites are identified as follows:

Hammond Oxbow Park: Proposed construction activities at the site will consist of the following: a bituminous concrete parking lot with maximum dimensions of 410' x 75'; approximately 720' of an 8' wide boardwalk; a 5' wide, 49' long boardwalk bridge with span lengths of 2 @ 4'-6", 2 @ 8', and 1 @ 24'; and approximately 800' of a 9' wide bituminous concrete recreation trail at grade. The project site will be located within the north overbank, between 1,800' and 2,600' east of the Kennedy Avenue river crossing in the NE1/4, SE1/4, Section 16, T. 36 N., R. 9 W., at Hammond, North Township, Lake County.

Lake Etta Park: Proposed construction activities at the site will consist of the following: a bituminous concrete parking lot with maximum dimensions of 400' x 120'; a 12' x 30' fishing pier; an 18' x 14' canoe launch; approximately 1,400' of 6' high chain link fencing; a 28' long, 66" x 51" corrugated steel pipe-arch; and approximately 330' of 8' wide bituminous concrete recreation trail access ramps. The project site will be located within the north overbank, extending approximately 1,400' west of the Clark Street river crossing in the E1/2, NE1/4, Section 24, T. 36 N., R. 9 W., at Gary, Calumet Township, Lake County.

Stage III Trail: Proposed construction activities at the site will consist of the following: a bituminous concrete parking lot with maximum dimensions of 100' x 66'; a 48' long, 60" diameter corrugated steel pipe with flared end sections and riprap aprons; approximately 100' of 8' wide crushed aggregate recreation trail access ramps; and approximately 2,440' of a 9' wide bituminous concrete recreation trail at grade. The project site will be located within both the north and south overbanks, immediately east of the Chase Street river crossing in the SW1/4, NW1/4, Section 20, T. 36 N., R. 8 W., at Gary, Calumet Township, Lake County.

Gleason Park: Proposed construction activities at the site will consist of the following: a bituminous concrete parking lot with maximum dimensions of 202' x 170'; an 18' x 24' open-sided, covered wooden observation deck; a 12' x 30' fishing pier; a 20' x 24' open-sided picnic shelter; approximately 1,100' of a 6' wide and 2,170' of an 8' wide bituminous concrete recreation trail at grade; and approximately 2,860' of existing access road resurfacing. The project site will be located within the north overbank, extending between Broadway Street and Harrison Street in the NE1/4, Section 21, T. 36 N., R. 8 W., at Gary, Calumet Township, Lake County.

Review of project files and associated approved permit applications for the Little Calumet River Flood Control Project clearly indicates that the development of recreational facilities such as trails, fishing piers, canoe launches, picnic shelters, etc. are an integral part of the overall project and in many instances were already incorporated into the previously approved levee work. Department staff has determined that the proposed recreational amendments to the flood control project will not adversely affect the efficiency or capacity of the floodway, will not pose an unreasonable hazard to the safety of life and property, and will not create unreasonably detrimental impacts to fish, wildlife, and botanical resources if the conditions listed on the previously approved flood control project (#90-1), previously issued permits (FW-16,167, L-15,509, L- 15,162, L-15,057, L-13,940, and L-13,600) and those listed below are met:

- 1) anchor the boardwalk, boardwalk bridge deck, observation deck, fishing piers, canoe launch deck and all picnic tables, charcoal grills, culverts, and park benches to prevent dislodging and/or flotation during high water events
- 2) do not place any walls or screens around the open sides of the picnic shelter or covered observation deck without the prior written approval of the Department of Natural Resources
- 3) do not convert any of the proposed structures (i.e. picnic shelter, covered observation deck, etc.) into a residence or abode
- 4) except for the material used as fill as shown on the plans received at the Division of Water on May 9, 1997, place all excavated material landward of the floodway
- 5) do not leave felled trees, brush, or other debris in the floodway

Letter to Mr. Gardner
CTS# 49
July 2, 1997
Page 3

- 6) remove all construction debris from the floodway upon completion of the project
- 7) obtain the prior written approval of the Department for any additional construction, excavation or filling in or on the floodway beyond the scope of the project

This letter should be attached to the existing permits and displayed at the project site. The Division of Water will place a copy of this letter in our permit file to be retained as a permanent part of the application. All conditions listed in this letter plus those listed on the Certificates of Approval issued for Flood Control Project No. 90-1, and Application Nos. FW-16,167, L-15,509, L-15,162, L-15,057, L-13,940, and L- 13,600 must be followed at all times in order for the project to be in compliance.

You should not construe this letter to be a local building permit, or a waiver of the provisions of local building or zoning ordinances.

You may also have to obtain a permit from the Corps of Engineers under Section 404 of the Clean Water Act or Section 10 of the Rivers and Harbors Act. Information relative to the Corps of Engineers permits may be obtained from:

U.S. Army Corps of Engineers
Detroit District Office
P.O. Box 1027
Detroit, Michigan 48231
Telephone (313) 226-2218

If you have any questions, please contact George C. Bowman, P.E., Stream Permits Section Head, Division of Water at (317) 232-5660.

Sincerely,
ORIGINAL SIGNED BY


Director
Division of Water

JNS/GCB/maa

pc: Steve Jose, Division of Fish and Wildlife
Ken Smith, Division of Water
Service List



Office of the Lake County Surveyor

Lake County Government Center • 2293 North Main Street • Crown Point, Indiana 46307
Phone: (219) 755-3745 • Fax: (219) 755-3750

5-B-10
7-20-14

bul Emerson, Jr.
County Surveyor



July 6, 2016

Jason Stone
Environmental Scientist
DLZ
2211 East Jefferson Boulevard
South Bend, Indiana 46615-2692

**RE: Intersection Improvement – U.S. 12
At Railroad Avenue & McShane Avenue
East Chicago, North Twp., Lake County**

**Des. No.: 1500090
DLZ No.: 1661-2349-90**

Dear Mr. Stone,

The Lake County Surveyor's Office has received and reviewed the plans sent to our office on the above referenced project. **Be advised that any monumentation that is directly or indirectly impacted with the proposed project, must be replaced/restored to its original condition or better by you or your contractor, and is subject to conditions set forth by the Lake County Surveyor's Office or its agents.** Indiana Code 36-2-12-1 et. seq. and other applicable statutes and/or ordinances.

Any Section Corner disturbed or removed must be re-established by an Indiana Registered Land Surveyor and/or Professional Engineer. All witness references must be tied to the newly established Section Corner, and **ALL** documentation immediately forwarded to the Lake County Surveyor's Office for its records.

Any Benchmark in danger of disturbance must be replaced with a Brass Monument and must have an elevation established by an Indiana Registered Land Surveyor and/or Professional Engineer. The elevation must be tied to an existing USC&GS benchmark, and **ALL** documentation immediately forwarded to the Lake County Surveyor's Office for its records.

PROCEDURE: All visible stamped or tagged survey monuments found in INDOT rights-of-way that may be destroyed by construction or maintenance activities must be perpetuated under the supervision of a licensed Indiana Professional Land Surveyor. This will be achieved for each found monument by the following:

- A. Prior to the development of all construction or major maintenance contracts;
 - (1) The Design Engineer shall request the Lake County Surveyor to verify the presence of any Survey Corners within the construction zone.
 - (2) The Lake County Surveyor will conduct an in-house record search to determine if there are any Survey Corners within the right-of-way. If so, they will be verified in the field.

- (3) All found Survey Corners will be listed in the contract by the Design Engineer for perpetuation;
 - (a) They must be perpetuated according to Indiana Code 36-2-12-1 Et. Seq. by an Indiana Licensed Professional Land Surveyor then tied to three (3) reference monuments. A copy of the recorded Corner Record for each monument with a written report identifying the character, location, description and ties of the new monument and Reference Monuments shall be sent by the land surveyor to the Lake County Surveyor's Office 2293 North Main Street, Crown Point, Indiana 46307.
- (4) At the discretion of the Lake County Surveyor, any Survey Corner found in the roadway will be tied to three (3) Reference Monuments set by a licensed Indiana Professional Land Surveyor. A Corner Record will be sent to the Lake County Surveyor to be recorded.
- (5) The Lake County Surveyor will maintain a record of all perpetuated Survey Corners.

B. Prior to staking a construction project;

- (1) The Engineer, under the direction of the Lake County Surveyor, will follow the provisions in Indiana Code 36-2-12-1 Et. Seq. and field verify the presence of all visible monuments.
- (2) Any Survey Corners found and which are not listed in the contract plans for perpetuation will be added to the contract for perpetuation as defined the Procedure (3)(a).
- (3) The Engineer will tie all visible stamped or tagged Survey Corners or Benchmarks that may be disturbed. The ties will be to three (3) existing visible Reference Monuments or three (3) set visible INDOT Reference Monuments, which will not be disturbed during construction activities. Instruction on procedures used to tie a Survey Corner or Benchmark or to construct a Reference Monument will be available from the Lake County Surveyor.
- (4) Found monuments will be noted in the as-built construction plans and written report identifying the character, location, description and ties of the monument and INDOT Reference Monuments will be sent to the Lake County Surveyor 2293 North Main Street, Crown Point, Indiana 46307.
- (5) After review and acceptance of the written report, monuments used to reference a Survey Corner or Benchmark shall be approved to be stamped by an Indiana Licensed Professional Land Surveyor with the registration number by memo from the Surveyor to the Lake County Surveyor.
- (6) INDOT will maintain a record of all tied Survey Corners or Benchmarks and a Record will be sent by INDOT to the Lake County Surveyor for its record.

C. Prior to maintenance activities that will cover or destroy monuments;

- (1) INDOT, under the direction of the Lake County Surveyor, will follow the provision in Indiana Code 36-2-12-1 Et. Seq., and field verify the presence of any monuments.
- (2) Any Survey Corners found will be reported to the Lake County Surveyor with a request that the monument be perpetuated prior to maintenance activities.
- (3) INDOT will tie all visible stamped or tagged Survey Corners or Benchmarks that may be disturbed. Instruction on procedures used to tie Survey Corner or Benchmark or to construct an INDOT Reference Monument will be available from the Lake County Surveyor.
- (4) Found and tied monuments will be noted in the latest as-built construction plans and a written report identifying the character, location, description and ties of the monument and INDOT reference monuments will be sent to the Lake County Surveyor, 2293 North Main Street, Crown Point, Indiana 46307.
- (5) After review and acceptance of the written report, monuments used to reference Survey Corners or Benchmarks shall be approved to be stamped with the registration number of the licensed Indiana Professional Land Surveyor by memo from the Lake County Surveyor.
- (6) The Lake County Surveyor will maintain a record of all tied Survey Corners or Benchmarks in the Office of the Lake County Surveyor.

Should you have any additional questions or comments, please do not hesitate to contact our office.

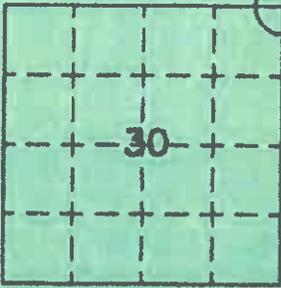
Sincerely,



Daniel V. Gossman
Drainage Administrator

cc: Bill Emerson, Jr., Lake County Surveyor
Juan Lopez, Surveying Administrator
Jamie Blankman, North Township Advisory Committee Representative
Lake County Drainage Board & Advisory Committee

COR. I.D. = C-12



CORNER RECORD LAKE COUNTY, IN.

OFFICE OF THE COUNTY SURVEYOR
2293 N. MAIN ST. CROWN POINT, IN 46307 219-755-3745

DATE: 03/11/13
PREPARED BY: JUAN LOPEZ
FIELD CREW: JOEL JANOWSKI, MARK SOPATA

NE SEC.30, 37TN., R.9W.

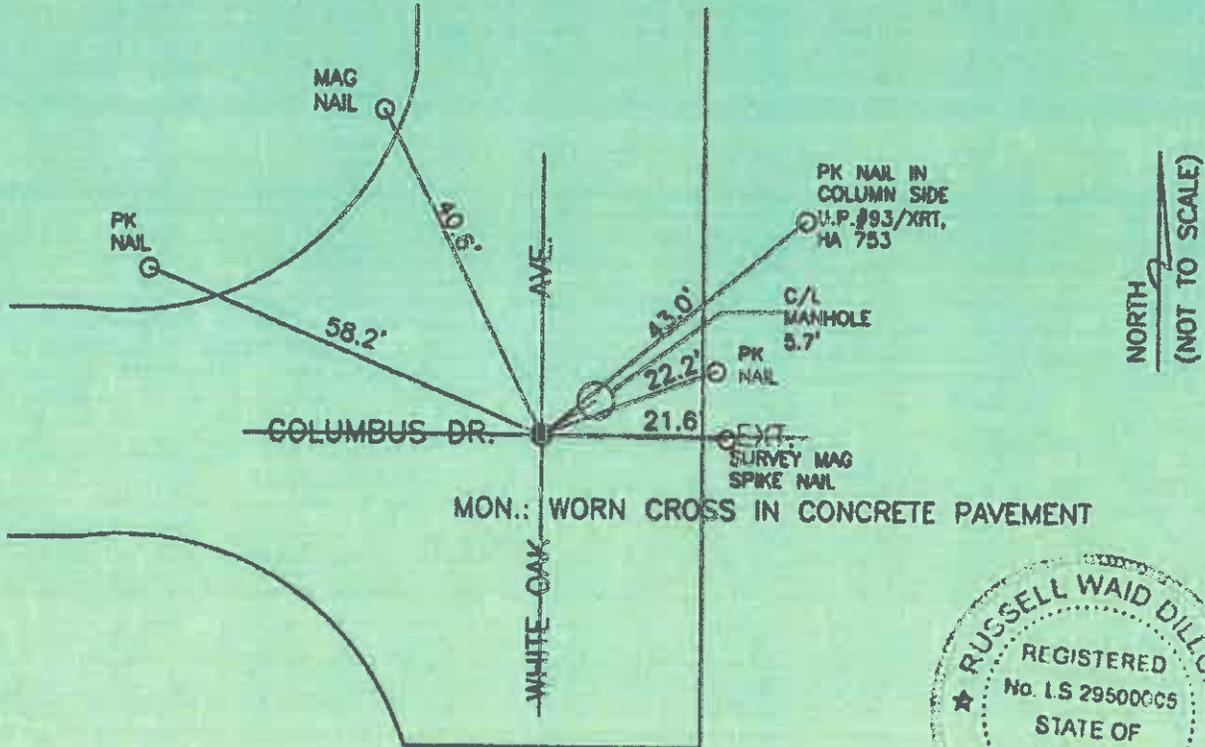
NW SEC.29, 37TN., R.9W.

SE SEC.19, 37TN., R.9W.

SW SEC.20, 37TN., R.9W.

NORTH TOWNSHIP

I.S.P.C. WEST ZONE, NAD 83 HOR. NAVD 88 VERT. COORDINATES: N=2328276.0, E=2841464.2, Z=588.0
MONUMENT: WORN CROSS IN CONCRETE PAVEMENT
SPECTRA PRECISION EPOCH 50 VRS/GPS USED TO LOCATE USING THE INDIANA NETWORK



SURVEYOR'S REPORT:
REWITNESSED PREVIOUSLY PERPETUATED CORNER. DLZ'S COORDINATES WERE CHECKED AND HELD.
A WORN CROSS WAS FOUND IN PLACE OF DLZ'S ORIGINAL SHOT POINT OF A 60D NAIL. NEW
ELEVATION SET.

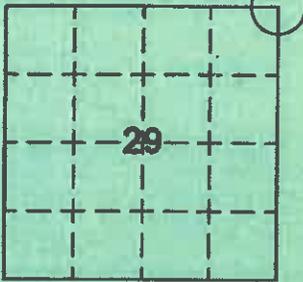
WAID DILLON
INDIANA REG. LAND SURVEYOR #29500005

(SEAL)

C-12

C-12

COR. I.D.=D-12



CORNER RECORD LAKE COUNTY, IN.

OFFICE OF THE COUNTY SURVEYOR, GEORGE W. VAN TIL
2293 N. MAIN ST. CROWN POINT, IN 46307 219-755-3745

DATE: 05/06/13
PREPARED BY: JUAN LOPEZ
FIELD CREW: JUAN LOPEZ, JOEL JANOWSKI, MARK SOPATA

SEC. NE 29, 37TN., R.9W.

ALSO NW SEC.28, 37TN., R.9W.

ALSO SE SEC.20, 37TN., R.9W.

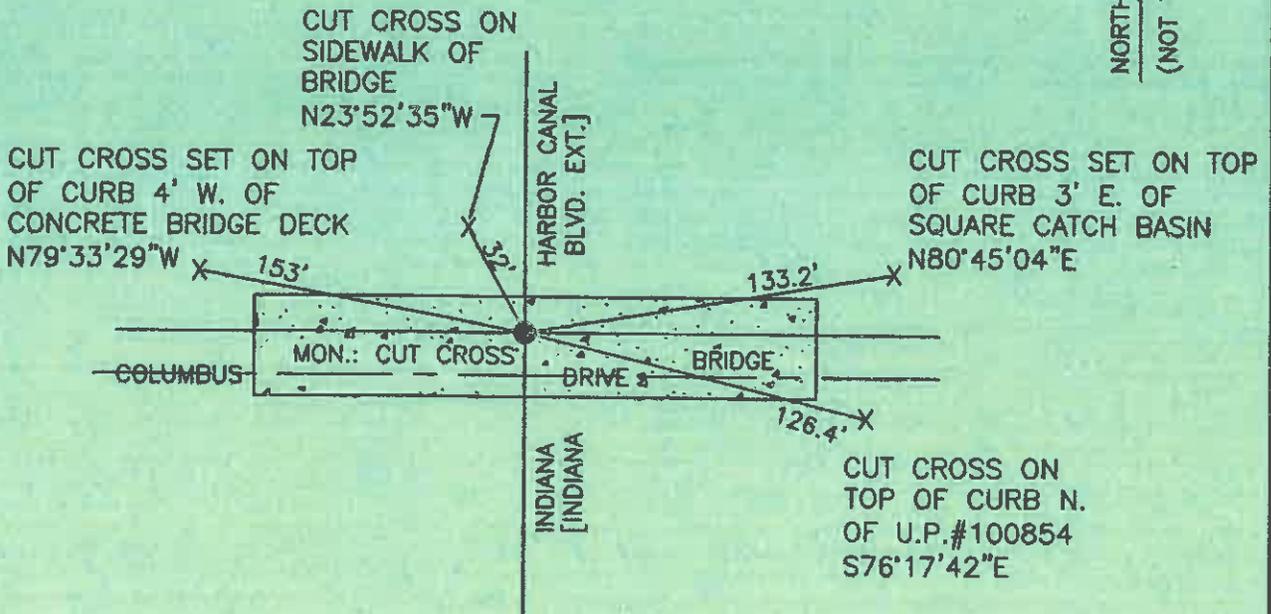
ALSO SW SEC.21, 37TN., R.9W.

NORTH TOWNSHIP

I.S.P.C. WEST ZONE, NAD 83 HOR. NAVD 88 VERT. COORDINATES: N=2328176.4, E=2846722.2, Z=588.1'
SURFACE MARK: CUT CROSS
SPECTRA PRECISION EPOCH 50 VRS/GPS USED TO LOCATE USING INDIANA NETWORK

D-12

D-12



NORTH
(NOT TO SCALE)

SURVEYOR'S REPORT:

THIS CORNER WAS RESET WITH THE FOLLOWING SURVEYS: [FROM THE KNIGHT FILES] 1907, FRED NORLIN, ALTA/ ACSM LAND TITLE SURVEY BY MARCHESE AND SONS, INC. BOOK 15, PAGE 55 2006072378 RECORDED IN THE RECORDER'S OFFICE.

R. W. Dillon

WAID DILLON
INDIANA REG. LAND SURVEYOR #29500005



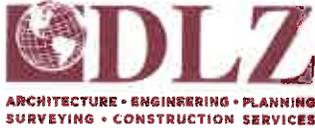
**LAKE COUNTY, INDIANA SURVEYOR'S OFFICE
REFERENCE POINT FILE**

INDEX NO: L 864
LOCATION OF B.M. SW ¼ SECTION 21-37-09
STREETS: COLUMBUS BOULEVARD

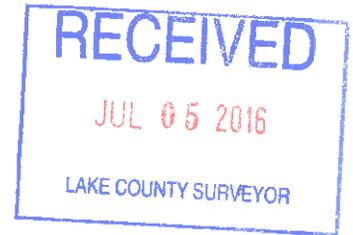
CROSS FILE

DESCRIPTION OF REFERENCE POINT AND ITS LOCATION		LOCATION SKETCH	
DESIGNATION:	ELEVATION: 591.71 VRS ELEVATION = 591.2		
STAMPING: L 864	12 / 1996		
CHARACTER OF MARK: BRONZ TABLET			
ESTABLISH BY: INDOT			
<p>PLEASE NOTE: THE VERTICAL AND HORIZONTAL PRECISIONS PER SPECTRA PRECISION EPOCH 50 GNSS 220 AND THE INDIANA (INCORS) NETWORK AS OF THIS DATE AND WERE NOT CHECKED BY DIFFERENTIAL LEVELING TO ANY PREEXISTING BENCHMARKS. THE LOCATIONS SHOWN AS PER STATE PLANE COORDINATES AND PICTURED BY GOOGLE EARTH OR SIMILAR.</p> <p>DETAILED DESCRIPTION: SET ON TOP OF NORTH CONCRETE RAIL AT EAST END OF BRIDGE OVER INDIANA HARBOR CANAL, 2 MILES WEST OF STATE ROAD #912</p> <p>STATE PLANE COORDINATES: NORTH 2328205.6; EAST 2846820.9; BLEV. 591.2</p>			
DATE:	FIELD BK.	PAGES	REPORTS
15 APR 2013	EPOCH		FOUND THE DISK THIS DAY, ESTABLISHED INDIANA STATE PLANE COORDINATES AND VRS ELEVATION, TOOK PICTURES
			BY:
			JS., JR, MS





INNOVATIVE IDEAS
EXCEPTIONAL DESIGN
UNMATCHED CLIENT SERVICE



June 30, 2016

Lake County Surveyor/Lake County Drainage
Building "A", Third Floor
2293 Main Street
Crown Point, IN 46307

Re: Early Coordination Request
Intersection Improvements - US 12 at Railroad Avenue and McShane Avenue
Indiana Department of Transportation
INDOT Des. No.: 1500090 DLZ No.: 1661-2349-90

Dear Interested Party:

The Indiana Department of Transportation (INDOT) intends to proceed with a project for improvements to the US 12 intersections with Railroad Avenue and McShane Avenue in the City of East Chicago. DLZ Indiana, LLC (DLZ) is the consultant contracted to prepare an environmental study.

Early Coordination materials which provide additional project information and indications of anticipated involvements with environmental resources are enclosed for your information. We are requesting comments per your area of expertise/jurisdiction regarding any possible environmental effects associated with this project. **Please use the above referenced INDOT Designation Number and DLZ Project Number in your reply.** We will incorporate your comments into the required study of the project's environmental impacts.

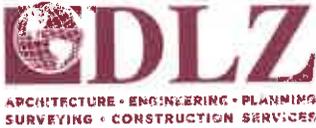
Should a response not be received **within thirty (30) calendar days** from the date of this letter, it will be assumed that your agency feels that there will be no adverse effects incurred as a result of this proposed project. However, should you find that an extension to the response time is necessary; a reasonable amount may be granted upon request. If you have any questions regarding this matter, please feel free to contact the undersigned (E-mail: jstone@dlz.com, Tel.: 574-236-4400). Thank you for your assistance and prompt response to this coordination request.

DLZ INDIANA, LLC

Jason A. Stone
Environmental Scientist

cc: INDOT LaPorte District, BMS, GKF, DLZ file

M:\PROJ\1661\2349 - LaPorte on call\1500090 - US 12_Railroad_McShane\Phase 1\NEPA\EC Docs\EC Ltr 1500090.docx



INNOVATIVE IDEAS
EXCEPTIONAL DESIGN
UNMATCHED CLIENT SERVICE

The following agencies received this early coordination request

Indiana Department of Environmental Management (electronic)	Lake County Surveyor/Lake County Drainage Building "A", Third Floor 2293 Main Street Crown Point, IN 46307
INDOT Office of Communications (electronic)	
Indiana Department of Natural Resources (electronic)	Lake County Emergency Management Agency 2900 W. 93 rd Avenue Crown Point, IN 46307
Indiana Geological Survey (electronic)	
INDOT Aviation Section Manager (electronic)	East Chicago Police Department 2301 E Columbus Drive East Chicago, IN 46312
State Conservationist Natural Resource Conservation Service 6013 Lakeside Blvd. Indianapolis, IN 46278-2933	East Chicago Fire Department 3901 Indianapolis Boulevard East Chicago, IN 46312
Regional Environmental Coordinator Midwest Regional Office National Park Service 601 Riverfront Drive Omaha, NE 68102	Superintendent School City of East Chicago 1401 East 144th Street East Chicago, IN 46312
Regional Environmental Officer Chicago Regional Office, USHUD Metcalf Federal Building 77 West Jackson Boulevard, Room 2401 Chicago, IL 60604	Office of the Mayor 4527 Indianapolis Boulevard East Chicago, IN 46312
Lake County Commissioners Building "A", Third Floor 2293 Main Street Crown Point, IN 46307	East Chicago City Council 4525 Indianapolis Boulevard East Chicago, IN 46312

EARLY COORDINATION PROJECT INFORMATION SHEET

Intersection Improvements - US 12 at Railroad Avenue and McShane Avenue
Indiana Department of Transportation
INDOT Des. No.: 1500090

Project Location / Existing Conditions:

This Indiana Department of transportation (INDOT) LaPorte District project is located in Sections 20 and 29 of Township 37N, Range 9W of Lake County, in the City of East Chicago, Indiana (Figures 1 - 3). US 12 is a 4-lane urban Minor Arterial with an average daily traffic volume of 10,313 vehicles per day. The posted speed limit and the design speed are 35 miles per hour. The majority of the properties adjacent to the project area are in industrial, residential and commercial land uses.

Project Description:

This intersection safety improvement project is for the addition of split-phased left-turn lanes along US 12 (Columbus Drive) at its intersections with Railroad Avenue and McShane Avenue. The project located along approximately 800 feet of US 12. 3R criteria with open-roads protocol are appropriate guidelines for design.

Other related improvements include roadway widening, sidewalk construction, replacement of ADA curb ramps, street lighting relocation and traffic signal upgrades. If traffic signs are disturbed by the approach widening they will be adjusted or replaced within previously disturbed soils as part of the project.

Right of Way Needs:

The project involves roadway widening for the addition of turning lanes, which will require the acquisition of adjacent land for right of way purposes. It is estimated that less than 0.5 acre of land will be acquired.

Anticipated Natural Resource Impacts:

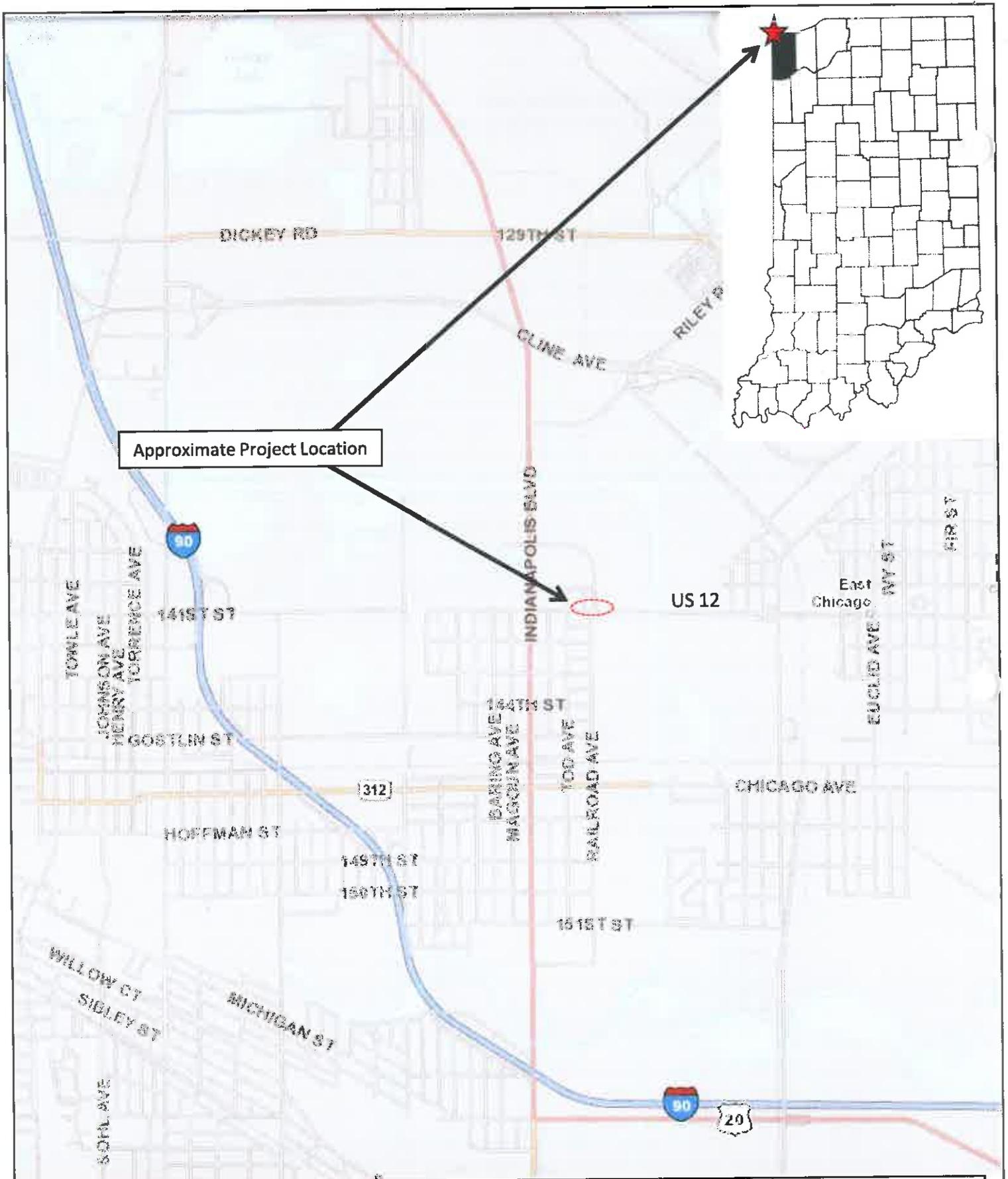
All work will take place within soils previously disturbed by construction. The table below indicates the presence of environmental resources within the project area as well as anticipated involvements. Discussions of anticipated resource impacts are provided below the table.

Resource Type	Present (Yes/No)	Anticipated Impact (Yes/No)
Streams, Watercourses, Ditches	No	No
Other Surface Waters	No	No
Floodplain Areas	No	No
Wetlands	No	No
Natural Terrestrial Habitat	No	No
Karst Geology	No	No
Drinking Water Supplies	No	No
Farmed Land	No	No
Section 4(f) / Section 6(f) Property	No	No

No impacts to the above-listed environmental resources are anticipated.

Historic Property Information:

Acting on behalf of the Federal Highway Administration (FHWA), INDOT has issued Section 106 approval for this project under the Minor Projects Programmatic Agreement. The FHWA's responsibilities for this project under Section 106 have been fulfilled.

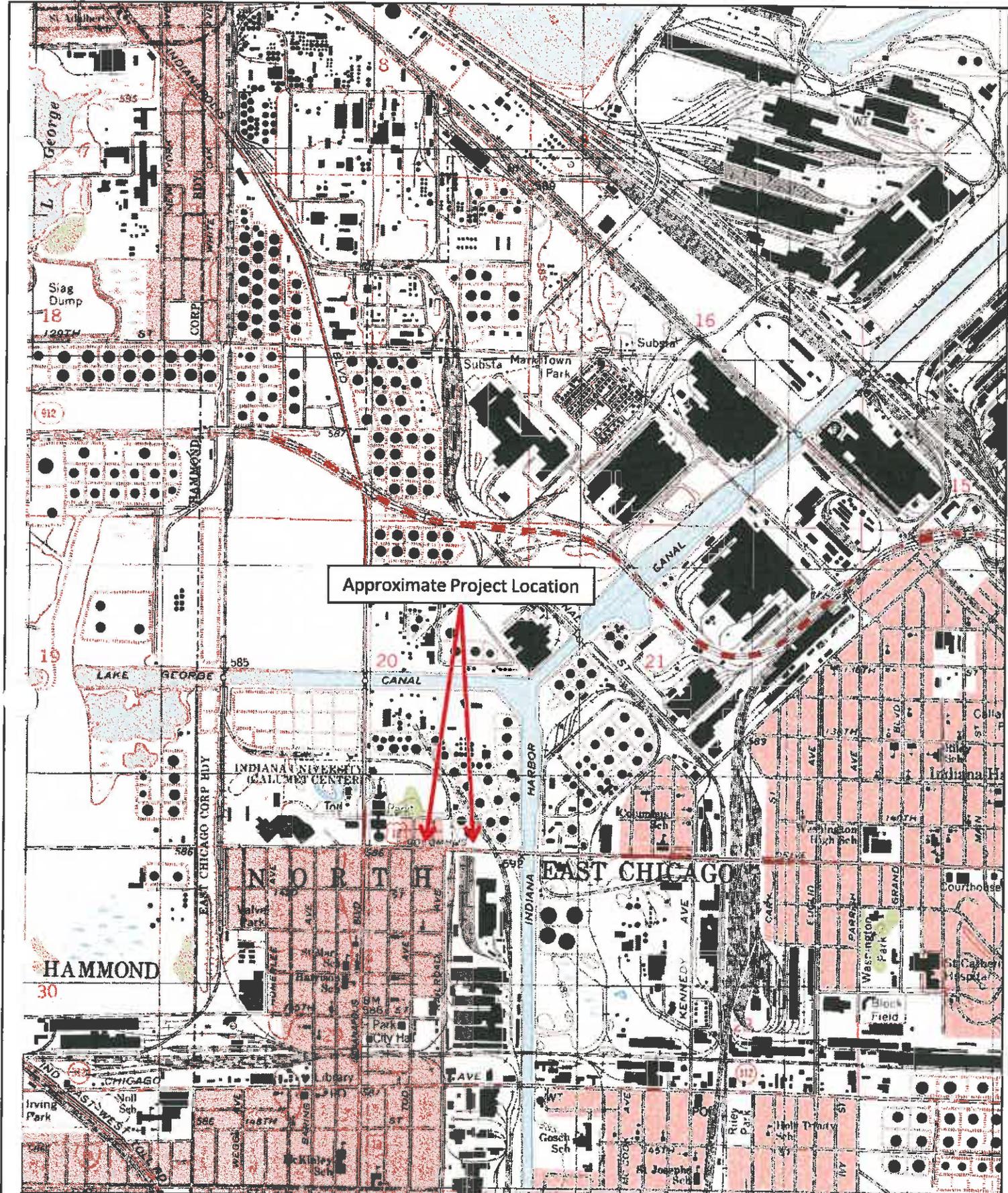


Approximate Project Location



**Intersection Improvement, US 12 at Railroad Avenue and
McShane Avenue Intersections**
 Indiana Department of Transportation
 Des. No.: 1500090

Not to Scale
 Figure 1
 Project Location



Approximate Project Location



**Intersection Improvement, US 12 at Railroad Avenue and
McShane Avenue Intersections**
Indiana Department of Transportation
Des. No.: 1500090

Scale - 1"=2,000'

Figure 2 - USGS
Topographic Map



**Intersection Improvement, US 12 at Railroad Avenue and
McShane Avenue Intersections
Indiana Department of Transportation
Des. No.: 1500090**

Scale – 1"=375'

Figure 3 – Aerial
Photograph



View east along US 12, Railroad Avenue intersection on right



View west along US 12, McShane intersection on right, Semi-trailer at Railroad Avenue intersection



**Intersection Improvement, US 12 at Railroad Avenue and
McShane Avenue Intersections
Indiana Department of Transportation
Des. No.: 1500090**

**Figure 3 – Project
Area Photographs**

5-B-11
7-20-16



Office of the Lake County Surveyor

Lake County Government Center • 2293 North Main Street • Crown Point, Indiana 46307
Phone: (219) 755-3745 • Fax: (219) 755-3750

Bill Emerson, Jr.
County Surveyor

July 6, 2016

Paul Myers
TDSIC Permit Coordinator
NIPSCo
1055 Joliet Road
Valparaiso, Indiana 46383

**RE: Regulated Drain Determination
NIPSCo underground cable replacement along Indiana Harbor Canal
East Chicago, North Twp.**

Dear Mr. Myers,

According to records located in the Office of the Lake County Surveyor, the drainage area located in the Indiana Harbor Canal – East Chicago, North Township does not affect a county regulated drain. Therefore, it is not under the jurisdiction of the Lake County Surveyor/Lake County Drainage Board and neither of these two agencies have statutory authority to perform any type of review or maintenance.

The Lake County Surveyor's Office appreciates your request concerning this matter. Should you have any further questions or comments, please do not hesitate to contact our office.

Sincerely,

Daniel V. Gossman
Drainage Administrator

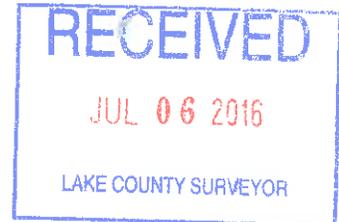
cc: Bill Emerson, Jr., Lake County Surveyor
Tom Regalado, Asst Drainage Admn
Cliff Duggan, Legal Advisor
Jamie Blankman, North Township Advisory Committee Representative
Lake County Drainage Board & Advisory Committee



1055 Joliet Rd. Valparaiso, IN 46383

July 6, 2016

Lake County Surveyor's Office
c/o Mary Ellen Kupsik, Drainage Board Secretary
2293 North Main Street, A-306
Crown Point, IN 46307



RE: NIPSCO underground cable replacement along Indiana Harbor Canal in East Chicago, IN.

Dear Drainage Board Members,

On September 1, 2016, Northern Indiana Public Service Company is scheduled to begin a modernization project to replace approximately 10,000 feet of existing conductor in East Chicago, Indiana. This project runs parallel to Indiana Harbor Canal for approximately 1,500 feet. The proposed underground cable is to be installed via directional bore and encased in 2" continuous conduit. The existing underground cable is to be retired in place. While completing the work, no construction materials or debris shall be placed within the ditch channel. Final ground surface elevation around bore locations within the drainage easements shall be no higher than the current existing elevations.

We have enclosed (1) copy of the application form, (1) copy of 11"x17" drawings, and (1) copy of vicinity maps applicable to the proposed Indiana Harbor Canal occupancy. Electronic copies have also been provided to Christopher B. Burke Engineering, Ltd.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul Myers". The signature is fluid and cursive.

Paul Myers

TDSIC Permit Coordinator

NIPSCO



APPLICATION NO. _____

APPLICATION FOR PERMISSION TO PERFORM THE FOLLOWING TASK(S) WITHIN A REGULATED DRAIN

[PLEASE CHECK THE APPROPRIATE BOX]

- I. WORK WITHIN A REGULATED DRAIN
- II. CONNECT/DISCHARGE INTO THE DRAIN/EASEMENT
- III. PLACE TEMPORARY/PERMANENT STRUCTURE IN THE DRAIN/EASEMENT
- IV. REDUCE EASEMENT FROM SEVENTY-FIVE (75) FEET

TO THE LAKE COUNTY DRAINAGE BOARD, LAKE COUNTY, INDIANA;

(Name) NIPSCO
c/o PAUL MYERS
219-793-6402

HEREINAFTER CALLED APPLICANT, HEREBY MAKES APPLICATION TO THE LAKE COUNTY DRAINAGE BOARD TO PERFORM THE ABOVE DESCRIBED ACTIVITY WITHIN A REGULATED DRAIN AND/OR THE EASEMENT FOR A REGULATED DRAIN WHICH IS PART OF THE DRAINAGE SYSTEM FOR LAKE COUNTY, INDIANA.

THE LOCATION IS AS FOLLOWS:

NAME OF WATERWAY: INDIANA HARBOR CANAL

SECTION(s): _____ TOWNSHIP: NORTH RANGE: _____

ADDRESS OR DESCRIPTION OF LOCATION APPROXIMATELY 50 FT EAST OF THE EAST BANK OF THE INDIANA HARBOR CANAL BETWEEN 151ST ST. AND MAGNOLIA ST. IN EAST CHICAGO.

THE REQUEST IS TO CONSIST OF THE FOLLOWING ACTIVITIES:

REPLACE APPROXIMATELY 1,500 FT OF UNDERGROUND CABLE VIA DIRECTIONAL BORE, EXISTING UNDERGROUND CABLE WILL BE RETIRED IN PLACE.

THE PURPOSE OF THE REQUEST IS TO:

OBTAIN DRAINAGE EASEMENT PERMISSION IN ORDER TO REPLACE UNDERGROUND CABLE

1. THE APPLICANT HEREBY AGREES TO RESTORE THE LAND, DRAINAGE DITCHES AND ALL OTHER SURFACES AND/OR STRUCTURES WITHIN THE DITCH AND REGULATED DRAIN EASEMENT TO A CONDITION AS GOOD OR BETTER THAN THEY WERE PRIOR TO THE COMMENCEMENT OF THE WORK.
2. THE APPLICANT SHALL AND WILL INDEMNIFY AND HOLD HARMLESS ANY AND ALL COUNTY ENTITIES, INCLUDING BUT NOT LIMITED TO THE COUNTY OF LAKE, BOARD OF COMMISSIONERS OF THE COUNTY OF LAKE, THE LAKE COUNTY DRAINAGE BOARD, LAKE COUNTY SURVEYOR, ITS ELECTED OFFICIALS, ITS APPOINTED OFFICIALS, ITS OFFICERS, ITS EMPLOYEES, ITS DEPARTMENTS, ITS BOARDS AND/OR AGENTS FROM AND AGAINST ANY AND ALL DAMAGES, INJURIES, LOSSES, DEMANDS, OR COSTS PROXIMATELY CAUSED BY THE FAULT, CULPABILITY OR NEGLIGENCE OF THE APPLICANT IN THE PERFORMANCE OF OR IN ANY WAY RELATED TO OR RESULTING FROM THE PERMITTED WORK OVER AND ACROSS THE DRAINS OR DRAINAGE RIGHTS-OF-WAY UNDER THE JURISDICTION OF THE LAKE COUNTY DRAINAGE BOARD.
3. **IMPORTANT CLAUSE IN THIS PERMIT APPLICATION:** THE APPLICANT FURTHER AGREES TO NOTIFY THE LAKE COUNTY DRAINAGE BOARD OR THE LAKE COUNTY SURVEYOR IN WRITING AT LEAST FIVE (5) DAYS IN ADVANCE OF THE COMMENCEMENT OF THE WORK DESCRIBED IN THIS APPLICATION, AND WILL ALSO GIVE NOTICE TO THE LAKE COUNTY DRAINAGE BOARD OR THE LAKE COUNTY SURVEYOR THE DAY PRECEDING THE COMPLETION OF THE WORK. FAILURE TO PROVIDE SUCH NOTICE MAY CAUSE REVOCATION OF THE PERMIT(S) AND APPLICANT MAY INCUR PENALTIES. PLEASE SEND NOTICES TO: **LAKE COUNTY DRAINAGE BOARD, ATTN: LAKE COUNTY DRAINAGE BOARD SECRETARY, 2293 N. MAIN STREET, CROWN POINT, IN 46307**
- 4(a). THE APPLICANT AGREES TO AVOID CAUSING DAMAGE TO THE ESTABLISHED REGULATED DRAIN OR TO LANDOWNERS AFFECTED BY THE DRAIN, PURSUANT TO I.C.36-9-27-72(D).
- 4(b). FOR APPLICATIONS REGARDING THE PLACEMENT OF TEMPORARY STRUCTURES IN THE DRAIN'S EASEMENT (BOX III, PAGE 1), SUCH AS FENCES, TREES, GARDENS, SHEDS, ETC., THE APPLICANT UNDERSTANDS THAT, IF THE DRAINAGE BOARD GRANTS PERMISSION TO PLACE SAID TEMPORARY STRUCTURES WITHIN THE DRAINAGE EASEMENT, SAID PLACEMENT IS AT THE OWNER'S RISK. SHOULD THE COUNTY SURVEYOR/DRAINAGE BOARD, THEIR AGENTS, REPRESENTATIVES, CONTRACTORS OR OTHERS AT THE DIRECTION OF SAID COUNTY SURVEYOR/DRAINAGE BOARD, NEED ACCESS TO THE DRAIN OR EASEMENT AND THE STRUCTURE REQUIRES REMOVAL, THE OWNER SHALL REMOVE SAME AT THE OWNER'S EXPENSE. SHOULD THE OWNER FAIL TO REMOVE SAME IN A TIMELY FASHION, THEN THE COUNTY SURVEYOR/DRAINAGE BOARD SHALL CAUSE SAME TO BE REMOVED AND THE OWNER SHALL HAVE NO RECOURSE. AFTER COMPLETION OF THE COUNTY SURVEYOR'S/DRAINAGE BOARD'S ACTIVITY, THE OWNER SHALL HAVE THE RIGHT TO REINSTALL THE TEMPORARY STRUCTURE IN COMPLIANCE WITH THE COUNTY SURVEYOR'S/DRAINAGE BOARD'S REQUIREMENTS. THE COUNTY SURVEYOR/DRAINAGE BOARD MAY REQUIRE PAYMENT FROM THE OWNER FOR THE COST OF THE REMOVAL OR REPLACEMENT FOR ANY OF SAID ITEMS, PURSUANT TO STATUTE.
5. THE APPLICANT SHALL HAVE WORKMAN'S COMPENSATION INSURANCE AS REQUIRED BY STATE LAW.
6. THE APPLICANT SHALL PAY THE LAKE COUNTY SURVEYOR'S OFFICE AN APPLICATION FEE(S) PRIOR TO THE APPLICATION BEING CONSIDERED AT THE NEXT MONTHLY LAKE COUNTY DRAINAGE BOARD MEETING.
7. THE APPLICANT SHALL CARRY PUBLIC LIABILITY INSURANCE MEETING THE MAXIMUM DOLLAR LIMITS AS SPECIFIED IN I.C. 34-13-3-1 ET SEQ. OR ANY SUBSEQUENTLY ENACTED APPLICABLE STATUTES, AND SHALL LIST THE COUNTY OF LAKE, THE BOARD OF COMMISSIONERS OF THE COUNTY OF LAKE, THE LAKE COUNTY DRAINAGE BOARD, LAKE COUNTY SURVEYOR, ITS ELECTED OFFICIALS, ITS APPOINTED OFFICIALS, ITS OFFICERS, ITS EMPLOYEES, ITS DEPARTMENTS, ITS BOARDS AND AGENTS AS OTHER INSURED.
8. **THIS PERMIT DOES NOT OBTAIN THE NEED TO OBTAIN ANY OTHER FEDERAL, STATE AND/OR LOCAL AUTHORIZATION, IF REQUIRED.**

9 BY SUBMITTING THIS APPLICATION, THE APPLICANT HEREBY STATES THE FOLLOWING:

- A. THE PROPOSED WORK MEETS ALL HYDRAULIC REQUIREMENTS THAT WILL PERMIT THE DRAIN TO FUNCTION PROPERLY. (I.C. 36-9-37-72 (C)).
- B. THE REGULATED DRAIN IS ADEQUATE TO HANDLE THE ADDITIONAL FLOW OF WATER, IF ANY
- C. NO HARMFUL POLLUTION IS LIKELY TO RESULT. (I.C. 36-9-27-17(C)).

10. ENGINEERING PLANS, WHICH SUBSTANTIATE THE ABOVE STATEMENTS, MUST ACCOMPANY THIS APPLICATION. THESE PLANS MUST INCLUDE SUFFICIENT DETAIL TO ALLOW VERIFICATION OF THE ABOVE STATEMENTS. (THESE PLANS SHOULD GENERALLY INCLUDE DIMENSIONS, ELEVATIONS, CALCULATIONS, DESCRIPTIONS OR THE QUANTITIES AND TYPES OF MATERIAL TO BE USED, DISCHARGE CALCULATIONS AND OTHER RELEVANT INFORMATION.)

11. UPON COMPLETION OF THE WORK, "AS BUILT PLANS", SIGNED AND SEALED BY AN INDIANA REGISTERED PROFESSIONAL ENGINEER, SHALL BE FORWARDED TO THE LAKE COUNTY DRAINAGE BOARD WITHIN 30 DAYS.

12. THE DRAINAGE BOARD RESERVES THE RIGHT TO WAIVE ANY OF THE REQUIREMENTS STATED HEREON.

SUBMITTED: PAUL MYERS DATE: 7/6/16
(PRINT OR TYPE NAME)


(SIGNATURE)

SUBMITTED FOR: NIPSCO

ADDRESS 1055 JOLIET RD.

VALPARAISO, IN 46385

PHONE#: 219-793-6402

(THIS SECTION FOR DRAINAGE BOARD USE ONLY)

LAKE COUNTY DRAINAGE BOARD

DATE: _____ APPROVED: _____ DENIED: _____

SHOULD ANY APPLICATIONS BE SUBMITTED BY AN AGENT, CONSULTANT, ENGINEER, REPRESENTATIVE OR OTHERS PURPORTING TO ACT AS THE OWNER, THEN A POWER OF ATTORNEY SHALL BE DULY EXECUTED AND ATTACHED TO THESE APPLICATIONS. [SEE ATTACHMENT I]

APPROVAL SHALL BE VALID FOR A PERIOD OF TWO YEARS FROM THE DATE OF APPROVAL. SHOULD THE WORK AND ALL RELATED ACTIVITIES NOT BE COMPLETED BY THAT TIME, PETITIONER IS REQUIRED TO REAPPLY. SHOULD THE SCOPE OF WORK, PLANS AND SPECIFICATIONS, OR ACTIVITIES LISTED HEREIN BE MODIFIED, PETITIONER MUST NOTIFY THE LAKE COUNTY SURVEYOR AND THE DRAINAGE BOARD OF THESE MODIFICATIONS FOR REVIEW AND/OR APPROVAL/DENIAL BY THE COUNTY SURVEYOR/DRAINAGE BOARD.

AERIAL OVERVIEW



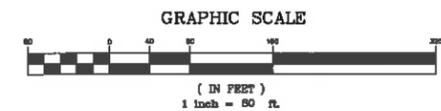
LEGEND	
○	EXISTING NIPSCO POLE AND POLE NUMBER AS INDICATED
×	PROPOSED NIPSCO POLE
⊠	EXISTING PAD MOUNT TRANSFORMER
⊠	PROPOSED PAD MOUNT TRANSFORMER
⊕	EXISTING FOREIGN POLE
⤴	PRIMARY UG TERMINATION FROM POLE
⊕	EXISTING PEDESTAL
⊕	PROPOSED PRIMARY PEDESTAL
⊕	PROPOSED SECONDARY PEDESTAL
⊕	PROPOSED 2PH PRIMARY SWITCH PEDESTAL: NORMALLY OPEN
⊕	EQUIPMENT TO BE RETIRED
---	EXISTING DIRECT BURIED 1PH CABLE TO BE RETIRED IN PLACE
---	EXISTING 3 PHASE CABLE TO BE RETIRED IN PLACE
---	EXISTING 3 PHASE CABLE TO REMAIN
---	EXISTING JACKETED CABLE
---	PROPOSED A PHASE IN 2" PVC CONTINUOUS CONDUIT
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---	PROPOSED C PHASE IN 3" PVC CONTINUOUS CONDUIT
---	PROPOSED 3 PHASE IN 4" PVC CONTINUOUS CONDUIT
---	3 PHASE OVERHEAD LINE
---	PROPOSED SECONDARY
⚡	PROPOSED PAD MOUNT TRANSFORMER FAULT INDICATOR
N.O.	NORMALLY OPEN IDENTIFICATION
	OPEN POINT
Ⓧ	LOCATION NOTE
Ⓧ	CABLE SPAN

- NOTES:**
1. PRIOR TO CONSTRUCTION VERIFY ALL NORMAL OPEN POINTS AND ENSURE NEW OPENS ARE INSTALLED IN SAME LOCATION.
 2. SEE DRAWING E-0300 FOR LOCATION NOTES.
 3. FOR LOCATION NOTE TAGS AND INFORMATION BOXES * REPRESENTS 3" CONDUIT.
 4. PRIOR TO ANY DIGGING, LOCATE ALL EXISTING UTILITIES AND VERIFY NEW CABLE LENGTH.

W.O. #: 50736-912
 CIRCUIT #: 12-316
 TAX ID. #: M17
 LOCAL OPERATING AREA #: 010

ISSUED FOR CONSTRUCTION

Project Leader	Scott A. Oerig	Date	4/1/2016	Rev.	0
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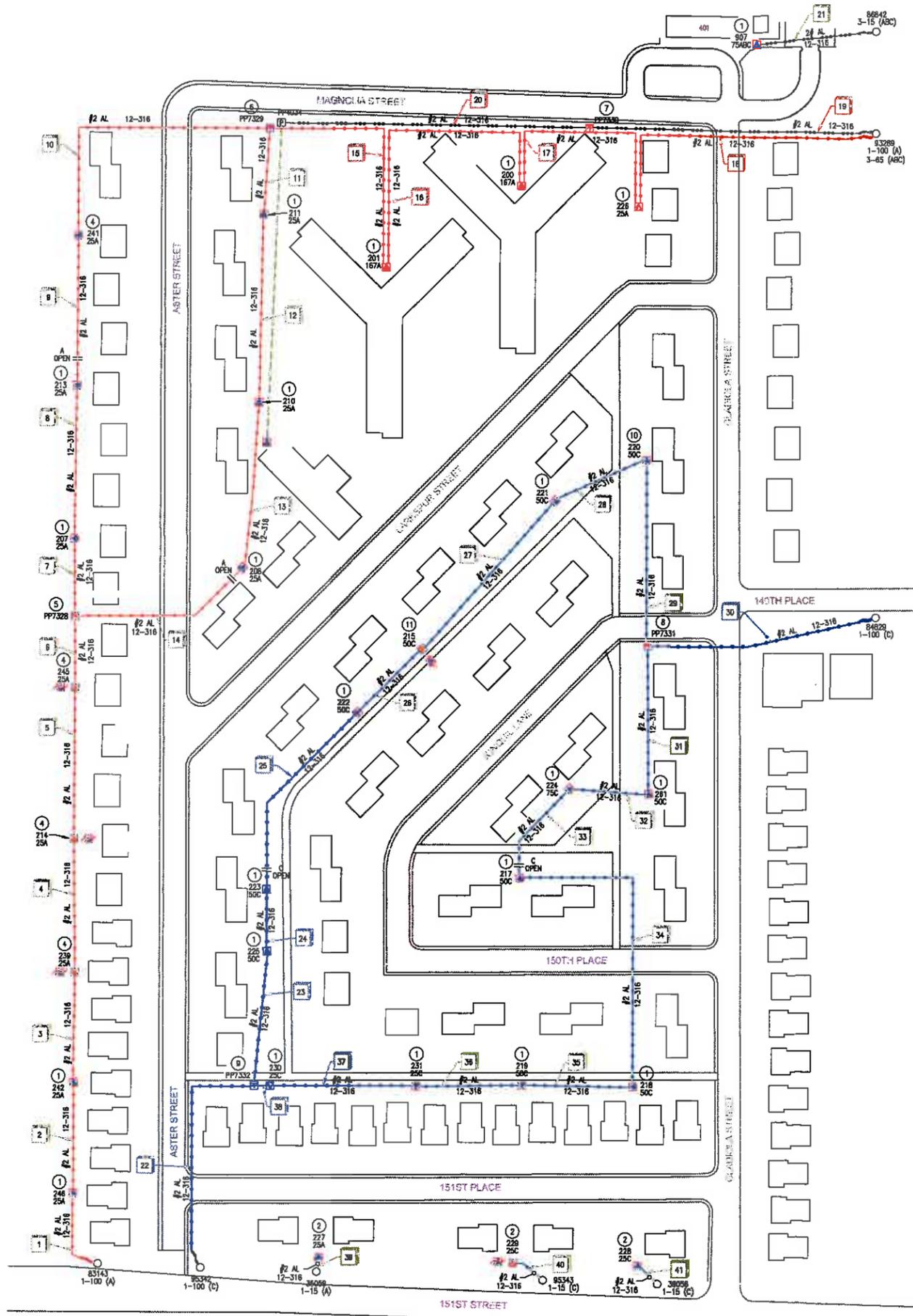


ENR: JEFF FORMOSO	PHONE NO.: 219-989-3300
DRAWN: EDR	CITY NO.:
DATE: 04/01/2016	PAGER NO.:
TOWNSHIP: NORTH	COUNTY: LAKE

WORKING PLAN TDSIC CIRCUIT 12-316 PRIMARY UNDERGROUND REPLACEMENT

LOCATION: 151ST STREET & GLADOLA STREET EAST CHICAGO
 DESCRIPTION: REPLACE EXISTING UNDERGROUND UNJACKETED PRIMARY WITH #2 JACKETED IN 2" OR 3" CONDUIT. REPLACE (5) TRANSFORMERS, (1) UTILITY POLE AND ADD (5) PRIMARY PEDESTALS.
 ADDITIONAL COMMENTS: TAXING UNIT: M17
 FILENAME: E-0100

SCALE: 1" = 80'-0"
 RET.W.D.: 80736-912
 WORK ORDER NO.
50736-912
E-0100
 SHEET: 01 OF 04



PROPOSED UNDERGROUND PHASING

1 PL 83143 TO TR 246 PROPOSED: 114 ASBUILT: #2 AL 1/C	18 PL 83289 TO PED PP7330 PROPOSED: 387 ASBUILT: #2 AL 3/C	37 TR 231 TO TR 230 PROPOSED: 195 ASBUILT: #2 AL 1/C
2 TR 246 TO TR 242 PROPOSED: 148 ASBUILT: #2 AL 1/C	20 PED PP7330 TO PED PP4034 PROPOSED: 418 ASBUILT: #2 AL 3/C	38 TR 230 TO PED PP7332 PROPOSED: 22 ASBUILT: #2 AL 1/C
3 TR 242 TO TR 239 PROPOSED: 147 ASBUILT: #2 AL 1/C	21 PL 88642 TO TR 907 PROPOSED: 184 ASBUILT: #2 AL 3/C	39 PL 35059 TO TR 227 PROPOSED: 19 ASBUILT: #2 AL 1/C
4 TR 239 TO TR 214 PROPOSED: 178 ASBUILT: #2 AL 1/C	22 PL 95342 TO PED PP7332 PROPOSED: 326 ASBUILT: #2 AL 1/C	40 PL 85343 TO TR 229 PROPOSED: 49 ASBUILT: #2 AL 1/C
5 TR 214 TO TR 245 PROPOSED: 202 ASBUILT: #2 AL 1/C	23 PED PP7332 TO TR 225 PROPOSED: 180 ASBUILT: #2 AL 1/C	41 PL 38058 TO TR 228 PROPOSED: 35 ASBUILT: #2 AL 1/C
6 TR 245 TO PED PP7328 PROPOSED: 88 ASBUILT: #2 AL 1/C	24 TR 225 TO TR 223 PROPOSED: 83 ASBUILT: #2 AL 1/C	
7 PED PP7328 TO TR 207 PROPOSED: 104 ASBUILT: #2 AL 1/C	25 TR 223 TO TR 222 PROPOSED: 287 ASBUILT: #2 AL 1/C	
8 TR 207 TO TR 213 PROPOSED: 205 ASBUILT: #2 AL 1/C	26 TR 222 TO TR 215 PROPOSED: 121 ASBUILT: #2 AL 1/C	
9 TR 213 TO TR 241 PROPOSED: 280 ASBUILT: #2 AL 1/C	27 TR 215 TO TR 221 PROPOSED: 288 ASBUILT: #2 AL 1/C	
10 TR 241 TO PED PP7328 PROPOSED: 402 ASBUILT: #2 AL 1/C	28 TR 221 TO TR 220 PROPOSED: 135 ASBUILT: #2 AL 1/C	
11 PED PP7328 TO TR 211 PROPOSED: 116 ASBUILT: #2 AL 1/C	29 TR 220 TO PED PP7331 PROPOSED: 248 ASBUILT: #2 AL 1/C	
12 TR 211 TO TR 210 PROPOSED: 252 ASBUILT: #2 AL 1/C	30 PED PP7331 TO PL 84829 PROPOSED: 311 ASBUILT: #2 AL 1/C	
13 TR 210 TO TR 208 PROPOSED: 223 ASBUILT: #2 AL 1/C	31 PED PP7331 TO TR 281 PROPOSED: 198 ASBUILT: #2 AL 1/C	
14 TR 208 TO PED PP7328 PROPOSED: 251 ASBUILT: #2 AL 1/C	32 TR 281 TO TR 224 PROPOSED: 104 ASBUILT: #2 AL 1/C	
15 PED PP7328 TO TR 201 PROPOSED: 340 ASBUILT: #2 AL 1/C	33 TR 224 TO TR 217 PROPOSED: 148 ASBUILT: #2 AL 1/C	
16 TR 201 TO TR 200 PROPOSED: 436 ASBUILT: #2 AL 1/C	34 TR 217 TO TR 218 PROPOSED: 500 ASBUILT: #2 AL 1/C	
17 TR 200 TO TR 226 PROPOSED: 324 ASBUILT: #2 AL 1/C	35 TR 218 TO TR 219 PROPOSED: 149 ASBUILT: #2 AL 1/C	
18 TR 226 TO PL 83289 PROPOSED: 418 ASBUILT: #2 AL 1/C	36 TR 219 TO TR 231 PROPOSED: 143 ASBUILT: #2 AL 1/C	

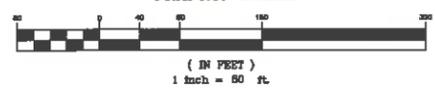
LEGEND

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- N.O. NORMALLY OPEN IDENTIFICATION
- || OPEN POINT
- Ⓧ LOCATION NOTE
- Ⓜ CABLE SPAN

- #### NOTES:
- PRIOR TO CONSTRUCTION VERIFY ALL NORMAL OPEN POINTS AND ENSURE NEW OPENS ARE INSTALLED IN SAME LOCATION.
 - SEE DRAWING E-0300 FOR LOCATION NOTES.
 - FOR LOCATION NOTE TAGS AND INFORMATION BOXES * REPRESENTS 3" CONDUIT.
 - PRIOR TO ANY DIGGING, LOCATE ALL EXISTING UTILITIES AND VERIFY NEW CABLE LENGTH.

ISSUED FOR CONSTRUCTION

Scott A. Gerly 4/1/2016 0
PROJECT LEADER DATE REV.



W.O. #: 50736-912
CIRCUIT #: 12-316
TAX ID. #: M17
LOCAL OPERATING AREA #: 010

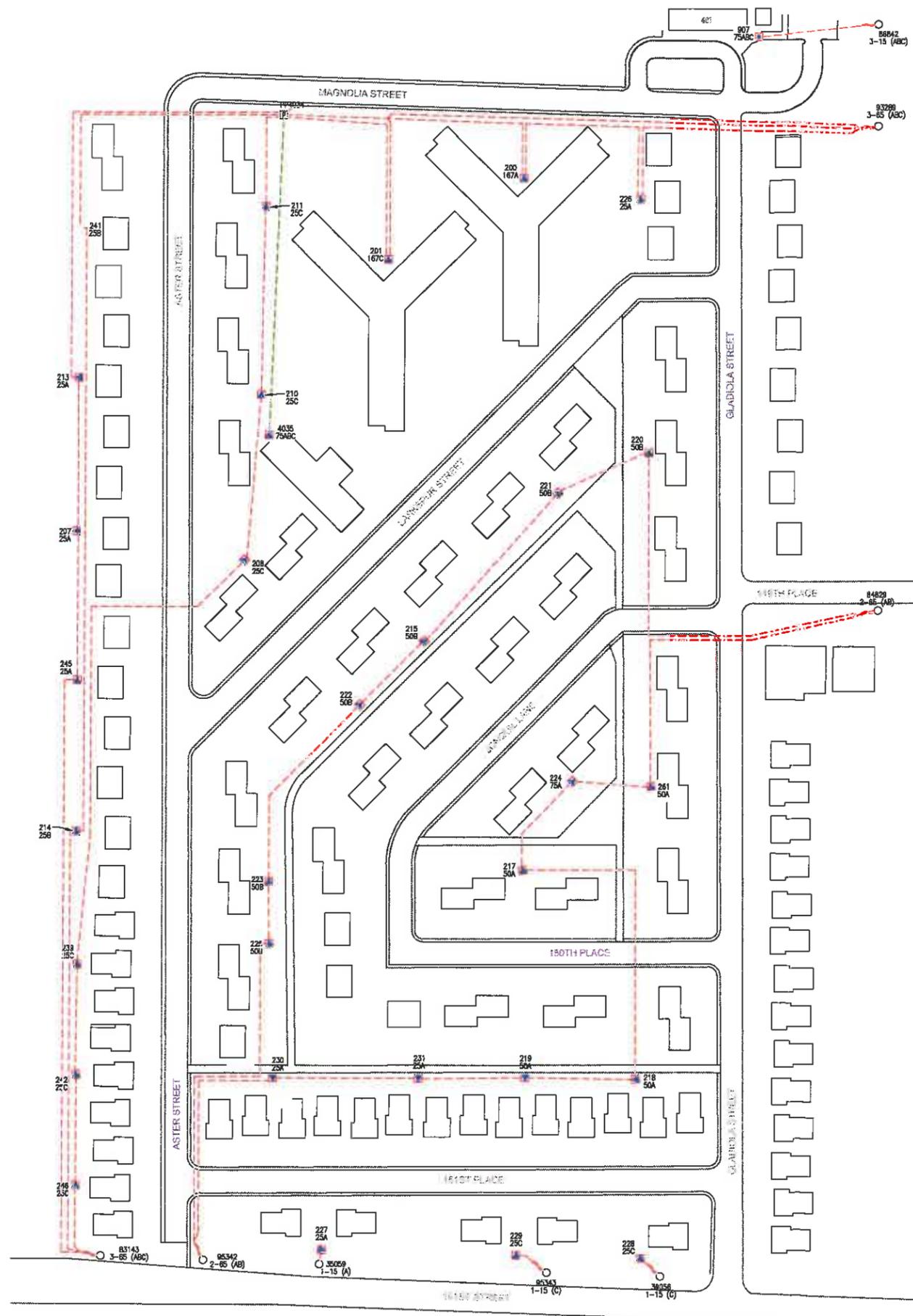
ENGR.: JEFF FORMOSO
PHONE NO.: 219-949-5300
CELL NO.:
FAXER NO.:

DRAWN: EDR
DATE: 04/01/2016
TOWNSHIP: NORTH
COUNTY: LAKE

WORKING PLAN TDSIC CIRCUIT 12-316 PRIMARY UNDERGROUND REPLACEMENT
LOCATION: 151ST STREET & MAGNOLIA STREET, EAST CHICAGO
DESCRIPTION: REPLACE EXISTING UNDERGROUND UNJACKETED PRIMARY WITH #2 JACKETED IN 2" OR 3" CONDUIT. REPLACE (S) TRANSFORMERS, (U) UTILITY POLE AND ADD (S) PRIMARY PEDESTALS.
ADDITIONAL COMMENTS:
TAKING UNIT: M17
FILENAME: E-0100

SCALE: 1" = 80'-0"
RET.W.O. #: 80736-912
WORK ORDER NO.:
50736-912
E-0100
SHEET: 02 OF 04

EXISTING UNDERGROUND PHASING



LEGEND

- EXISTING NIPSCO POLE AND POLE NUMBER AS INDICATED
- × PROPOSED NIPSCO POLE
- ⊠ EXISTING PAD MOUNT TRANSFORMER
- ⊠ PROPOSED PAD MOUNT TRANSFORMER
- ⊙ EXISTING FOREIGN POLE
- ⊙ PRIMARY LG TERMINATION FROM POLE
- ⊠ EXISTING PEDESTAL
- ⊠ PROPOSED PRIMARY PEDESTAL
- ⊠ PROPOSED SECONDARY PEDESTAL
- ⊠ PROPOSED 2PH PRIMARY SWITCH PEDESTAL: NORMALLY OPEN
- ⊠ EQUIPMENT TO BE RETIRED
- - - EXISTING DIRECT BURIED 1PH CABLE TO BE RETIRED IN PLACE
- - - EXISTING 3 PHASE CABLE TO BE RETIRED IN PLACE
- - - EXISTING 3 PHASE CABLE TO REMAIN
- - - EXISTING JACKETED CABLE
- - - PROPOSED A PHASE IN 2" PVC CONTINUOUS CONDUIT
- - - PROPOSED A PHASE IN 3" PVC CONTINUOUS CONDUIT
- - - PROPOSED B PHASE IN 2" PVC CONTINUOUS CONDUIT
- - - PROPOSED B PHASE IN 3" PVC CONTINUOUS CONDUIT
- - - PROPOSED C PHASE IN 2" PVC CONTINUOUS CONDUIT
- - - PROPOSED C PHASE IN 3" PVC CONTINUOUS CONDUIT
- - - PROPOSED 3 PHASE IN 4" PVC CONTINUOUS CONDUIT
- - - 3 PHASE OVERHEAD LINE
- - - PROPOSED SECONDARY
- ⚡ PROPOSED PAD MOUNT TRANSFORMER FAULT INDICATOR
- N.O. NORMALLY OPEN IDENTIFICATION
- || OPEN POINT
- Ⓧ LOCATION NOTE
- Ⓧ CABLE SPAN

- NOTES:**
- PRIOR TO CONSTRUCTION VERIFY ALL NORMAL OPEN POINTS AND ENSURE NEW OPENS ARE INSTALLED IN SAME LOCATION.
 - SEE DRAWING E-0300 FOR LOCATION NOTES.
 - FOR LOCATION NOTE TAGS AND INFORMATION BOXES * REPRESENTS 3" CONDUIT.
 - PRIOR TO ANY DIGGING, LOCATE ALL EXISTING UTILITIES AND VERIFY NEW CABLE LENGTH.

NIPSCO

ENGR: JEFF FORGOSO PHONE NO.: 219-999-3300
 DRAWN: EDR DATE: 04/01/2016 TOWNSHIP: NORTH COUNTY: LAKE
 CELL NO.: PAGER NO.:
 FILENAME: E-010

WORKING PLAN TDSIC CIRCUIT 12-316 PRIMARY UNDERGROUND REPLACEMENT

LOCATION: 158TH STREET & GLADIOLA STREET EAST CHICAGO
 DESCRIPTION: REPLACE EXISTING UNDERGROUND UNJACKETED PRIMARY WITH #2 JACKETED IN 2" OR 3" CONDUIT. REPLACE (S) TRANSFORMERS, (U) UTILITY POLE AND ADD (G) PRIMARY PEDESTALS.
 ADDITIONAL COMMENTS: TAXING UNIT: M17

PROJECT LEADER	DATE	REV.
Scott A. Gerig	4/1/2016	0

SCALE: 1" = 80'-0"

RET.W.O.: 80736-912
 WORK ORDER NO.
50736-912
 E-0100
 SHEET: 03 OF 04

W.O. #: 50736-912
 CIRCUIT #: 12-316
 TAX ID. #: M17
 LOCAL OPERATING AREA #: 010

ISSUED FOR CONSTRUCTION

GRAPHIC SCALE

(IN FEET)
 1 inch = 80 ft.

5-B-12
7-20-16

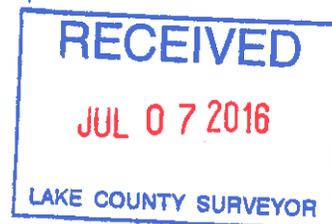
DNR

Indiana Department of Natural Resources

Michael R. Pence, Governor
Cameron F. Clark, Director
Division of Water
402 W. Washington Street
Room W264
Indianapolis, IN 46204
Phone (317) 232-4160
Toll-free (877) 928-3755
Fax (317) 233-4579
www.in.gov/dnr/water

June 30, 2016

Little Calumet River Basin Development Commission
Ron McAhron
Ridge Road Suite H 900
Munster, IN 46321



Re: CTS-4232
Little Calumet River, Lake County

Dear Mr. McAhron:

This is in response to your request received at the Division of Water on June 28, 2016 for the renewal of multiple permits associated with the Federal Little Calumet River Flood Control and Recreation Project.

In accordance with IC 14-28-1-22(h) the Department is granting a one-time two (2) year renewal of the DNR permits listed below for the completion of work as shown on plans on file with the Division of Water.

G-13167	FW-15822
L-13600 as amended under CTS-49	FW-16167 as amended under CTS-49
L-13940 as amended under CTS-49	FW-19609
L-15057 as amended under CTS-49	FW-19784
L-15162 as amended under CTS-49	FW-22241 as amended under CTS-2364 and CTS-2954
FW-15434	FW-22313 as amended under CTS-2364 and CTS-2954
FW-15509 as amended under CTS-49	

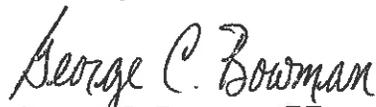
If the work authorized by the permits and amendments listed above is not completed by July 1, 2018, the permits will expire and new permits will have to be obtained. Any additional work proposed as a result of the Chicago District of the US Army Corps of Engineers' efforts to finalize plans for the Independent External Peer Review of the Project should be coordinated with our office to determine whether new permits will be required.

Please note that FW-15477 was terminated by request of the applicant on December 2, 1993; therefore, the request to extend FW-15477 is not included in this renewal letter.

This letter should be attached to the existing permits and displayed at the project site. The Division of Water will place a copy of this letter in the permit files to be retained as a permanent part of each application. Please be aware that all conditions of the original permits and any amendments must be met for your project to be in compliance.

If there are any further questions concerning this project, please contact the Technical Services Section, Division of Water at (317) 232-4160 or at water_inquiry@dnr.in.gov.

Sincerely,



George C. Bowman, PE
Assistant Director
Division of Water

Enclosure: Notice of Right to Administrative Appeal
Copy of Certificate of Approval, G-13167
Copy of Certificate of Approval, L-13600
Copy of Certificate of Approval, L-13940
Copy of Certificate of Approval, L-15057
Copy of Certificate of Approval, L-15162
Copy of Certificate of Approval, FW-15434
Copy of Certificate of Approval, FW-15509
Copy of Certificate of Approval, FW-15822
Copy of Certificate of Approval, FW-16167
Copy of Amendment Letter, DNR No. CTS-49
Copy of Certificate of Approval, FW-19609
Copy of Certificate of Approval, FW-19784
Copy of Certificate of Approval, FW-22241
Copy of Certificate of Approval, FW-22313
Copy of Amendment Letter, DNR No. CTS-2364
Copy of Amendment Letter, DNR No. CTS-2954

pc: Service List for FW-16167
Service List for FW-22241
Service List for FW-22313

STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES
NOTICE OF RIGHT TO ADMINISTRATIVE REVIEW
File No. CTS-4232

The letter or any of the conditions, limitations, and amendments which it contains may be appealed by applying for administrative review. Such review is governed by the Administrative Orders and Procedures Act, IC 4-21.5, and the Department's rules pertaining to adjudicative proceedings, 312 IAC 3-1.

In order to obtain a review, a written petition must be filed with the Division of Hearings within 18 days of the mailing date of this notice. The petition should be addressed to:

Natural Resources Commission
Division of Hearings
Indiana Government Center North, Room N501A
100 North Senate Avenue
Indianapolis, IN 46204

The petition must contain specific reasons for the appeal and indicate the portion or portions of the letter to which the appeal pertains.

If an appeal is filed, the final agency determination will be made by the Natural Resources Commission following a legal proceeding conducted before an Administrative Law Judge. The Department of Natural Resources will be represented by legal counsel.

**STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES
CERTIFICATE OF APPROVAL
CONSTRUCTION IN A FLOODWAY**

APPLICATION # : FW-22241

STREAM : Little Calumet River

APPLICANT : Little Calumet River Basin Development Commission
Dan Gardner, Executive Director
6100 Southport Road
Portage, IN 46368-6409

AUTHORITY : IC 14-28-1 with 312 IAC 10 and IC 14-29-1 with 312 IAC 6

DESCRIPTION : In total, approximately 10.3 miles of earthen levee, concrete I-wall and sheet piling wall will be constructed on the north and south overbanks of the river for flood control along the riverside areas of Hammond, Munster, and Highland. The earthen levee will have a top width of 10', crest elevations varying from 600.5' to 604.1' National Geodetic Datum of 1929 (NGVD), and streamward and landward slopes varying from 2.5:1 and 3.5:1. The concrete I-wall and sheet piling wall will have crest elevations varying from 600.5' to 604.1' (NGVD). Portions of the levee will provide access to vehicles for normal maintenance, inspection, and flood fighting, and will have a designated recreation trail that will be continuous from Cline Avenue to Hohman Avenue. Other construction activities within the floodway includes a proposed control structure in the river about 350' east of the Northcote Avenue crossing. The control structure will be rectangular in shape and made of concrete. Details of the project are contained in information and plans received at the Division of Water on August 31, 2001, October 15, 2002, February 20, 2003, May 2, 2003, and July 28, 2003.

LOCATION : **DOWNSTREAM:** Along both banks, beginning at the Indiana/Illinois state line and continuing upstream (east) to the State Road 912/Cline Avenue river crossing near Hammond, North Township, Lake County
NE $\frac{1}{4}$, NW $\frac{1}{4}$, NW $\frac{1}{4}$, Section 13, T 36N, R 9W, Calumet City, IL-IN Quadrangle
UTM Coordinates: Downstream 4603230 North, 456215 East
UPSTREAM: near Highland, North Township, Lake County
NE $\frac{1}{4}$, NE $\frac{1}{4}$, NE $\frac{1}{4}$, Section 22, T 36N, R 9W, Highland Quadrangle
UTM Coordinates: Upstream 4601530 North, 463940 East

ORIGINAL SIGNED BY

APPROVED BY : _____
James J. Hebenstreit, P.E., Assistant Director
Division of Water

APPROVED ON : February 27, 2004

Attachments: Notice Of Right To Administrative Review
General Conditions
Special Conditions
Service List

STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF RIGHT TO ADMINISTRATIVE REVIEW

APPLICATION #: FW- 22241

This signed document constitutes the issuance of a permit by the Department of Natural Resources, subject to the conditions and limitations stated on the pages entitled "General Conditions" and "Special Conditions".

The permit or any of the conditions or limitations which it contains may be appealed by applying for administrative review. Such review is governed by the Administrative Orders and Procedures Act, IC 4-21.5, and the Department's rules pertaining to adjudicative proceedings, 312 IAC 3-1.

In order to obtain a review, a written petition must be filed with the Division of Hearings within 18 days of the mailing date of this notice. The petition should be addressed to:

Mr. Stephen L. Lucas, Director
Division of Hearings
Room W272
402 West Washington Street
Indianapolis, Indiana 46204

The petition must contain specific reasons for the appeal and indicate the portion or portions of the permit to which the appeal pertains.

If an appeal is filed, the final agency determination will be made by the Natural Resources Commission following a legal proceeding conducted before an Administrative Law Judge. The Department of Natural Resources will be represented by legal counsel.

STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES

GENERAL CONDITIONS

APPLICATION #: FW- 22241

- (1) If any archaeological artifacts or human remains are uncovered during construction, federal law and regulations (16 USC 470, et seq.; 36 CFR 800.11, et al) and State Law (IC 14-21-1) require that work must stop and that the discovery must be reported to the Division of Historic Preservation and Archaeology within 2 business days.

Division of Historic Preservation and Archaeology
Room W274
402 West Washington Street
Indianapolis, IN 46204

Telephone: (317) 232-1646, FAX: (317) 232-8036

- (2) This permit must be posted and maintained at the project site until the project is completed.
- (3) This permit does not relieve the permittee of the responsibility for obtaining additional permits, approvals, easements, etc. as required by other federal, state, or local regulatory agencies. These agencies include, but are not limited to:

<u>Agency</u>	<u>Telephone Number</u>
Lake County Drainage Board	(219) 755-3755
US Army Corps of Engineers, Detroit District	(313) 226-2218
Indiana Department of Environmental Management	(317) 233-8488 or (800) 451-6027
Local city or county planning or zoning commission	

- (4) This permit must not be construed as a waiver of any local ordinance or other state or federal law.
- (5) This permit does not relieve the permittee of any liability for the effects which the project may have upon the safety of the life or property of others.
- (6) This permit may be revoked by the Department of Natural Resources for violation of any condition, limitation or applicable statute or rule.
- (7) This permit shall not be assignable or transferable without the prior written approval of the Department of Natural Resources. To initiate a transfer contact

Mr. Michael W. Neyer, PE, Director
Division of Water
Room W264
402 West Washington Street
Indianapolis, IN 46204

Telephone: (317) 232-4160, Toll Free: (877) 928-3755
FAX: (317) 233-4579

- (8) The Department of Natural Resources shall have the right to enter upon the site of the permitted activity for the purpose of inspecting the authorized work.
- (9) The receipt and acceptance of this permit by the applicant or authorized agent shall be considered as acceptance of the conditions and limitations stated on the pages entitled "General Conditions" and "Special Conditions".

**STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES**

SPECIAL CONDITIONS

APPLICATION #: FW- 22241

PERMIT VALIDITY : This permit is valid for 24 months from the "Approved On" date shown on the first page. If work has not been initiated by February 27, 2006 the permit will become void and a new permit will be required in order to continue work on the project.

This permit becomes effective 18 days after the "MAILED" date shown on the first page. If both a petition for review and a petition for a stay of effectiveness are filed before this permit becomes effective, any part of the permit that is within the scope of the petition for stay is stayed for an additional 15 days.

CONFORMANCE : Other than those measures necessary to satisfy the "General Conditions" and "Special Conditions", the project must conform to the information received by the Department of Natural Resources on: August 31, 2001, October 15, 2002, February 20, 2003, May 2, 2003 and July 28, 2003. Any deviation from the information must receive the prior written approval of the Department.

<u>Number</u>	<u>Special Condition</u>
(1)	revegetate all bare and disturbed areas with a mixture of grasses (excluding all varieties of tall fescue) and legumes as soon as possible upon completion
(2)	appropriately designed measures for controlling erosion and sediment must be implemented to prevent sediment from entering the stream or leaving the construction site; maintain these measures until construction is complete and all disturbed areas are stabilized
(3)	seed and protect all disturbed streambanks and slopes that are 3:1 or steeper with erosion control blankets (follow manufacturer's recommendations for selection and installation) or use an appropriate structural armament; seed and apply mulch on all other disturbed areas
(4)	implement the Habitat Mitigation Plan on file at the Division of Water and dated August 2001
(5)	construction of Project Stages V, VII, VIII (North and South for each Stage), as shown on the plans entitled "Little Calumet River, Indiana, Flood Control Project, West Reach Plan & Profile Sheets, Cline Ave to Indiana/Illinois State Line" that were received at the Division of Water on October 15, 2002, shall not begin until all lands needed to meet the habitat mitigation requirements, as detailed in the Habitat Mitigation Plan dated August 2001, are acquired
(6)	within 90 days of mitigation property acquisition the applicant must grant a legal conservation easement that protects all habitat replacement areas in perpetuity from disturbance; the development of the easement must be coordinated with the environmental biologist and a DNR attorney
(7)	each mitigation site must be monitored and success criteria evaluated until the mitigation site is complete and determined to be successful, as described in the Habitat Mitigation Plan on file at the Division of Water and dated August 2001

**STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES**

SPECIAL CONDITIONS

APPLICATION #: FW- 22241

- (8) a monitoring report must be submitted to the Division of Water, 402 West Washington Street, Rm W264, Indianapolis, IN 46204, by December 31 of each year; reports must be submitted even if work has not been initiated on site to monitor the initiation, progress, and success of each mitigation site; the report must include a narrative that describes the activity accomplished to date and identifies upcoming activity scheduled to complete the plan, appropriate pictures of vegetative plantings, acres planted, number planted, list of species planted, and estimated survival for each mitigation site
- (9) do not leave felled trees, brush, or other debris in the floodway *
- (10) upon completion of the project, remove all construction debris from the floodway *
- (11) construction of Project Stages V, VII, and VIII (North and South for each Stage), as shown on the plans entitled "Little Calumet River, Indiana, Flood Control Project, West Reach Plan & Profile Sheets, Cline Ave to Indiana/Illinois State Line" that were received at the Division of Water on October 15, 2002, shall not begin until all construction contracts have been awarded for the completion of the Burr Street Betterment Levee
- (12) construction of the control structure, part of Project Stage 5 Phase 2, as shown on the plans entitled "Little Calumet River, Indiana, Local Flood Protection, Hart Ditch Control Structure, Hammond, Indiana, Munster, Indiana" and dated May 27, 1998 that were received at the Division of Water on May 2, 2003, shall not begin until all of the levee segments along the Little Calumet River east of the control structure, including the Burr Street Betterment Levee permitted under Application # FW-19784 and the levees along Hart Ditch permitted under Application # FW-22313, are built
- (13) by this Certificate of Approval, the project and its appurtenant works are recognized and approved by the Department of Natural Resources as a Flood Control Project under IC 14-28-1-29; this approval is conditioned upon the Little Calumet River Basin Development Commission owning, operating, and maintaining the project in perpetuity and in accordance with the above-referenced project plans and resolution or agreement on file at the Division of Water
- (14) as a condition of the Department's approval of the project as a Flood Control Project under IC 14-28-1-29, ownership of or interest in all lands subject to flooding as a result of this project must be secured prior to operation of the project; within 6 months of completion of the project, submit a letter to the Division of Water confirming title or interest in all lands subject to flooding as a result of the project
- (15) the U.S. Army Corps of Engineers must certify that the constructed levee will perform as the intended flood control structure and submit "as-built" plans with any documentation of any field or geotechnical anomalies to the Division of Water for consideration within 6 months of completion of the project
- (16) * NOTE: for regulatory purposes, the floodway is defined as: that shown on PANEL 7 of the City of Hammond Flood Boundary and Floodway Map dated March 16, 1981; that area inundated by the 100-year frequency flood as shown on PANEL 8 of the City of Hammond Flood Boundary and Floodway Map dated March 16, 1981; that area inundated by the 100-year frequency flood as shown on Town of Highland Flood Boundary and Floodway Map dated December 15, 1983; and that shown on PANELS 1 and 2 of the Town of Munster Flood Boundary and Floodway Map dated May 16, 1983; until such time when a final Letter of Map Revision (LOMR) is obtained from the Federal Emergency Management Agency (FEMA) which would supersede the existing floodway at the site

**STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES**

SPECIAL CONDITIONS

APPLICATION #: FW- 22241

- (17) NOTE: pursuant to 327 IAC 15-5, this project will require a Storm Water Run-Off Associated with Construction Activity NPDES general permit from the Indiana Department of Environmental Management's Office of Water Quality, Storm Water Group Permits Section

STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES

SERVICE LIST

APPLICATION #: FW- 22241

Little Calumet River Basin Development
Commission
Dan Gardner, Executive Director
6100 Southport Road
Portage, IN 46368-6409

Mr. and Mrs. Samuel Artunian
6530 Delaware Avenue
Hammond, IN 46323

Betty Balanoff
1447 Michigan
Hammond, IN 46320

Walter and Cynthia Breitingner
255 Park Avenue
Valparaiso, IN 46383

City of Gary
Scott L. King, Mayor
401 Broadway
Gary, IN 46402

Dunelands Sierra Club
Sandy O'Brien
5500 South Liverpool Road
Hobart, IN 46342-5720

Dunes - Calumet Audubon Chapter
Donna A Gonzalez, President
529 South Broadway Street
Griffith, IN 46419

Grand Calumet Task Force
6060 Miller Avenue
Gary, IN 46403-2467

Griffith Chapter Izaak Walton
Jim Sweeney
1773 Selo Drive
Schereville, IN 46375-2250

Lake County Drainage Board
County Surveyor
County Government Center
2293 North Main Street
Crown Point, IN 46307-1854

Danny A McDowell
707 South Wisconsin Street
Hobart, IN 46342

Munster Plan Commission
Town Hall
Munster, IN 46321

Gary and Beverly Overmyer
110 North 641 West
Valparaiso, IN 46385-9721

PBS&J
Michael DePue, PE
12101 Indian Creek Court
Beltsville, MD 20705-4223

Jay Scriba
322 Michigan Avenue
Hobart, IN 46342-3238

US Army Corps of Engineers, Detroit District
Gary Mannesto
Regulatory Functions Branch
PO Box 1027
Detroit, MI 48231-1027

Patti Woronecki
29 North Wabash Street
Hobart, IN 79342-4029

Steve Davis
Indiana Department of Natural Resources
100 West Water Street
Michigan City, IN 46360-1310

Hammond Plan Commission
5925 Calumet Avenue
Hammond, IN 46320

Highland Plan Commission
3333 Ridge Road
Highland, IN 46322

Indiana Department of Natural Resources
North Region Headquarters Dist 10
Division of Law Enforcement
RR 6 Box 344
Peru, IN 46970-9030

Lake County Board of Commissioners
2293 North Main Street
Crown Point, IN 46307-1854

Lake County Soil and Water Conservation District
928 South Court Street, Suite C
Crown Point, IN 46307-4848

Staff Assignment:

Administrative : Beth L. Tallon
Technical : Rajindra Gosine, P.E.
Environmental : Christie L. Kiefer

**STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES
CERTIFICATE OF APPROVAL
CONSTRUCTION IN A FLOODWAY**

APPLICATION # : FW-22313

STREAM : Hart Ditch

APPLICANT : Little Calumet River Basin Development Commission
Dan Gardner, Executive Director
6100 Southport Road
Portage, IN 46368-6409

AUTHORITY : IC 14-28-1 with 312 IAC 10

DESCRIPTION : In total, approximately 4900' of earthen levee and I-wall will be constructed on the east and west overbanks of Hart Ditch for flood control. The earthen levee will have a top width of 10', crest elevations varying from 605.2' to 604.7', National Geodetic Datum of 1929 (NGVD), and streamward and landward slopes of 2.5:1 and 2.5:1 respectively. The I-wall will have a crest elevation of 604.7' (NGVD). Details of the project are contained in information and plans received at the Division of Water on August 31, 2001, October 15, 2002, February 20, 2003 and May 2, 2003.

LOCATION : **DOWNSTREAM:** Along both banks, beginning about 500' upstream of the mouth and continuing upstream (south) for about 2,100' near Munster, North Township, Lake County
NW¼, N½, Section 20, T 36N, R 9W, Highland Quadrangle
UTM Coordinates: Downstream 4601500 North, 459900 East
UPSTREAM:
UTM Coordinates: Upstream 4600850 North, 459900 East

ORIGINAL SIGNED BY

APPROVED BY : _____
James J. Hebenstreit, P.E., Assistant Director
Division of Water

APPROVED ON : February 27, 2004

Attachments: Notice Of Right To Administrative Review
General Conditions
Special Conditions
Service List

STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF RIGHT TO ADMINISTRATIVE REVIEW

APPLICATION #: FW- 22313

This signed document constitutes the issuance of a permit by the Department of Natural Resources, subject to the conditions and limitations stated on the pages entitled "General Conditions" and "Special Conditions".

The permit or any of the conditions or limitations which it contains may be appealed by applying for administrative review. Such review is governed by the Administrative Orders and Procedures Act, IC 4-21.5, and the Department's rules pertaining to adjudicative proceedings, 312 IAC 3-1.

In order to obtain a review, a written petition must be filed with the Division of Hearings within 18 days of the mailing date of this notice. The petition should be addressed to:

Mr. Stephen L. Lucas, Director
Division of Hearings
Room W272
402 West Washington Street
Indianapolis, Indiana 46204

The petition must contain specific reasons for the appeal and indicate the portion or portions of the permit to which the appeal pertains.

If an appeal is filed, the final agency determination will be made by the Natural Resources Commission following a legal proceeding conducted before an Administrative Law Judge. The Department of Natural Resources will be represented by legal counsel.

STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES

GENERAL CONDITIONS

APPLICATION #: FW- 22313

- (1) If any archaeological artifacts or human remains are uncovered during construction, federal law and regulations (16 USC 470, et seq.; 36 CFR 800.11, et al) and State Law (IC 14-21-1) require that work must stop and that the discovery must be reported to the Division of Historic Preservation and Archaeology within 2 business days.

Division of Historic Preservation and Archaeology
Room W274
402 West Washington Street
Indianapolis, IN 46204

Telephone: (317) 232-1646, FAX: (317) 232-8036

- (2) This permit must be posted and maintained at the project site until the project is completed.
- (3) This permit does not relieve the permittee of the responsibility for obtaining additional permits, approvals, easements, etc. as required by other federal, state, or local regulatory agencies. These agencies include, but are not limited to:

<u>Agency</u>	<u>Telephone Number</u>
Lake County Drainage Board	(219) 755-3755
US Army Corps of Engineers, Detroit District	(313) 226-2218
Indiana Department of Environmental Management	(317) 233-8488 or (800) 451-6027
Local city or county planning or zoning commission	

- (4) This permit must not be construed as a waiver of any local ordinance or other state or federal law.
- (5) This permit does not relieve the permittee of any liability for the effects which the project may have upon the safety of the life or property of others.
- (6) This permit may be revoked by the Department of Natural Resources for violation of any condition, limitation or applicable statute or rule.
- (7) This permit shall not be assignable or transferable without the prior written approval of the Department of Natural Resources. To initiate a transfer contact:

Mr. Michael W. Neyer, PE, Director
Division of Water
Room W264
402 West Washington Street
Indianapolis, IN 46204

Telephone: (317) 232-4160, Toll Free: (877) 928-3755
FAX: (317) 233-4579

- (8) The Department of Natural Resources shall have the right to enter upon the site of the permitted activity for the purpose of inspecting the authorized work.
- (9) The receipt and acceptance of this permit by the applicant or authorized agent shall be considered as acceptance of the conditions and limitations stated on the pages entitled "General Conditions" and "Special Conditions".

**STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES**

SPECIAL CONDITIONS

APPLICATION #: FW- 22313

PERMIT VALIDITY : This permit is valid for 24 months from the "Approved On" date shown on the first page. If work has not been initiated by February 27, 2006 the permit will become void and a new permit will be required in order to continue work on the project.

This permit becomes effective 18 days after the "MAILED" date shown on the first page. If both a petition for review and a petition for a stay of effectiveness are filed before this permit becomes effective, any part of the permit that is within the scope of the petition for stay is stayed for an additional 15 days.

CONFORMANCE : Other than those measures necessary to satisfy the "General Conditions" and "Special Conditions", the project must conform to the information received by the Department of Natural Resources on: August 31, 2001, October 15, 2002, February 20, 2003 and May 2, 2003. Any deviation from the information must receive the prior written approval of the Department.

<u>Number</u>	<u>Special Condition</u>
(1)	revegetate all bare and disturbed areas with a mixture of grasses (excluding all varieties of tall fescue) and legumes as soon as possible upon completion
(2)	appropriately designed measures for controlling erosion and sediment must be implemented to prevent sediment from entering the stream or leaving the construction site; maintain these measures until construction is complete and all disturbed areas are stabilized
(3)	seed and protect all disturbed streambanks and slopes that are 3:1 or steeper with erosion control blankets (follow manufacturer's recommendations for selection and installation) or use an appropriate structural armament; seed and apply mulch on all other disturbed areas
(4)	implement the Habitat Mitigation Plan on file at the Division of Water and dated August 2001
(5)	construction of Project Stages V, VII, VIII (North and South for each Stage), as shown on the plans entitled "Little Calumet River, Indiana, Flood Control Project, West Reach Plan & Profile Sheets, Cline Ave to Indiana/Illinois State Line" that were received at the Division of Water on October 15, 2002, shall not begin until all lands needed to meet the habitat mitigation requirements, as detailed in the Habitat Mitigation Plan dated August 2001, are acquired
(6)	within 90 days of mitigation property acquisition the applicant must grant a legal conservation easement that protects all habitat replacement areas in perpetuity from disturbance; the development of the easement must be coordinated with the environmental biologist and a DNR attorney
(7)	each mitigation site must be monitored and success criteria evaluated until the mitigation site is complete and determined to be successful, as described in the Habitat Mitigation Plan on file at the Division of Water and dated August 2001

**STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES**

SPECIAL CONDITIONS

APPLICATION #: FW- 22313

- (8) a monitoring report must be submitted to the Division of Water, 402 West Washington Street, Rm W264, Indianapolis, IN 46204, by December 31 of each year; reports must be submitted even if work has not been initiated on site to monitor the initiation, progress, and success of each mitigation site; the report must include a narrative that describes the activity accomplished to date and identifies upcoming activity scheduled to complete the plan, appropriate pictures of vegetative plantings, acres planted, number planted, list of species planted, and estimated survival for each mitigation site
- (9) do not leave felled trees, brush, or other debris in the floodway *
- (10) upon completion of the project, remove all construction debris from the floodway *
- (11) construction of Project Stages V, VII, and VIII (North and South for each Stage), as shown on the plans entitled "Little Calumet River, Indiana, Flood Control Project, West Reach Plan & Profile Sheets, Cline Ave to Indiana/Illinois State Line" that were received at the Division of Water on October 15, 2002, shall not begin until all construction contracts have been awarded for the completion of the Burr Street Betterment Levee
- (12) by this Certificate of Approval, the project and its appurtenant works are recognized and approved by the Department of Natural Resources as a Flood Control Project under IC 14-28-1-29; this approval is conditioned upon the Little Calumet River Basin Development Commission owning, operating, and maintaining the project in perpetuity and in accordance with the above-referenced project plans and resolution or agreement on file at the Division of Water
- (13) as a condition of the Department's approval of the project as a Flood Control Project under IC 14-28-1-29, ownership of or interest in all lands subject to flooding as a result of this project must be secured prior to operation of the project; within 6 months of completion of the project, submit a letter to the Division of Water confirming title or interest in all lands which are subject to flooding as a result of the project
- (14) the U.S. Army Corps of Engineers must certify that the constructed levee will perform as the intended flood control structure and submit "as-built" plans with any documentation of any field or geotechnical anomalies to the Division of Water for consideration within 6 months of completion of the project
- (15) * NOTE: for regulatory purposes, the floodway is defined as: that shown on PANEL 1 of the Town of Highland Flood Boundary and Floodway Map dated December 15, 1983; and that shown on PANEL 2 of the Town of Munster Flood Boundary and Floodway Map dated May 16, 1983; until such time when a final Letter of Map Revision (LOMR) is obtained from the Federal Emergency Management Agency (FEMA) which would supersede the existing floodway at the site
- (16) NOTE: pursuant to 327 IAC 15-5, this project will require a Storm Water Run-Off Associated with Construction Activity NPDES general permit from the Indiana Department of Environmental Management's Office of Water Quality, Storm Water Group Permits Section

STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES

SERVICE LIST

APPLICATION #: FW- 22313

Little Calumet River Basin Development
Commission
Dan Gardner, Executive Director
6100 Southport Road
Portage, IN 46368-6409

Mr. and Mrs. Samuel Artunian
6530 Delaware Avenue
Hammond, IN 46323

Betty Balanoff
1447 Michigan
Hammond, IN 46320

Walter and Cynthia Breitinger
255 Park Avenue
Valparaiso, IN 46383

City of Gary
Scott L. King, Mayor
401 Broadway
Gary, IN 46402

Dunelands Sierra Club
Sandy O'Brien
5500 South Liverpool Road
Hobart, IN 46342-5720

Dunes - Calumet Audubon Chapter
Donna A Gonzalez, President
529 South Broadway Street
Griffith, IN 46419

Grand Calumet Task Force
6060 Miller Avenue
Gary, IN 46403-2467

Griffith Chapter Izaak Walton
Jim Sweeney
1773 Selo Drive
Schereville, IN 46375-2250

Hammond Plan Commission
5925 Calumet Avenue
Hammond, IN 46320

Highland Plan Commission
3333 Ridge Road
Highland, IN 46322

Lake County Drainage Board
George Van Til
2293 North Main Street
Crown Point, IN 46307

Danny A McDowell
707 South Wisconsin Street
Hobart, IN 46342

Gary and Beverly Overmyer
110 North 641 West
Valparaiso, IN 46385-9721

PBS&J
Mike Melito
12101 Indian Creek Court
Beltsville, MD 20705-4223

Jay Scriba
322 Michigan Avenue
Hobart, IN 46342-3238

US Army Corps of Engineers, Detroit District
Gary Mannesto
Regulatory Functions Branch
PO Box 1027
Detroit, MI 48231-1027

Patti Woronecki
29 North Wabash Street
Hobart, IN 79342-4029

Steve Davis
Indiana Department of Natural Resources
100 West Water Street
Michigan City, IN 46360-1310

Indiana Department of Natural Resources
North Region Headquarters Dist 10
Division of Law Enforcement
RR 6 Box 344
Peru, IN 46970-9030

Lake County Board of Commissioners
2293 North Main Street
Crown Point, IN 46307-1854

Lake County Soil and Water Conservation District
928 South Court Street, Suite C
Crown Point, IN 46307-4848

Munster Plan Commission
Town Hall
Munster, IN 46321

Staff Assignment:

Administrative : Beth L. Tallon
Technical : Rajindra Gosine, P.E.
Environmental : Christie L. Kiefer



MAILED APR 14 2008
Indiana Department of Natural Resources

Mitchell E. Daniels, Jr., Governor
Robert E. Carter, Jr., Director
Division of Water
402 West Washington Street
Room W264
Indianapolis, IN 46204-2641
Phone: (317) 232-4160
Toll-Free: (877) 928-3755
FAX: (317) 233-4579

April 14, 2008
CTS-2364 / FW-22241 / FW-22313
Permit Amendment

US Army Corps of Engineers, Chicago District
Joseph J. Schmidt, P.E.
Chief, Design Branch
111 North Canal Street
Chicago, Illinois 60606-7206

Re: Lake County – Highland Quad
Little Calumet River / Hart Ditch / Basin 1

Dear Mr. Schmidt:

On March 24, 2008, we received your request to amend Permit Nos. FW-22241 and FW-22313 to allow the placement of riprap along a section of the Calumet River and Hart Ditch to insure the structural stability of the floodwall that is being constructed in these areas. Based on the information submitted, Site 1 (Little Calumet River), is located along the south bank, beginning 250' upstream of the Norfolk and Southern Railroad and continuing upstream 1,050 linear feet; Site 2 (Hart Ditch), is located along the west bank, beginning 1,200' downstream of the Ridge Road ditch crossing and continuing downstream 422 linear feet in Highland and Munster, North Township, Lake County.

In your request you indicate that the work at Site 1 will involve the placement of approximately 1,050 linear feet of riprap along the bank of the Little Calumet River consisting of a 12" layer of INDOT revetment gradation riprap placed on 6" of bedding stone and geotextile fabric with a 3' high by 5' wide riprap prism at the toe to allow for future scour. The work at Site 2 will involve the placement of approximately 422 linear feet of riprap along the bank of Hart Ditch consisting of 36" of INDOT revetment gradation riprap on 6" of bedding stone and geotextile fabric (the extra thickness is to allow self healing of any additional toe scour).

The Department's staff has completed their review of the plans to construct the proposed project. There should be no adverse effect on the efficiency or capacity of the floodway; no unreasonable threat to safety of life or property; and no unreasonable detrimental impacts to fish, wildlife, and botanical resources resulting from the revision to this permit. Therefore, approval is granted for the placement of the riprap and all other conditions still must be met plus the following:

- 1) except for the material used as backfill as shown on the above referenced project plans on file at the Division of Water, place all excavated material landward of the floodway
- 2) all riprap placed for bank stabilization must conform to the bank
- 3) obtain the prior written approval of the Department for any additional construction, excavation or filling in or on the floodway beyond the scope of the project

Letter to Joseph Schmidt
April 14, 2008
CTS-2364 / FW-22241 / FW-22313
Page Two

You should not construe this letter to be a local building permit, or a waiver of any local building or zoning ordinance. Additionally, this letter does not relieve you of the responsibility of obtaining permits, approvals, easements, etc. as required by other federal, state and local agencies.

This letter should be displayed at the project site. The Division of Water will retain a copy of this letter in our files as a permanent record. If you have any questions, please contact Debe Lowe at 1-317-232-4160 or toll-free at 1-877-928-3755.

Sincerely,



James J. Hebenstreit, P.E.
Assistant Director
Division of Water

JJH/DKL

Enclosures: Copies of Permit Nos. FW-22241 and FW-22313

pc: Service Lists for Permit Nos. Fw-22241 and FW-22313

DNR Indiana Department of Natural Resources

Mitchell E. Daniels, Jr., Governor
Robert E. Carter, Jr., Director
Division of Water
402 W. Washington Street
Room W264
Indianapolis, IN 46204
Phone (317) 232-4160
Toll-free (877) 928-3755
Fax (317) 233-4579
www.in.gov/dnr/water/

October 4, 2010

Ron McAhron
Little Calumet River Basin Development Commission
6100 Southport Road
Portage, IN 46368-1854

MAILED OCT 04 2010

Re: CTS-2954 - Little Calumet River and Hart Ditch
Lake County - Basin 1

Dear Mr. McAhron:

Thank you for your correspondence received at the Division of Water on September 24, 2010 requesting an extension to complete the required mitigation plan that was approved for a flood control project along Little Calumet River and Hart Ditch. The project was approved by the Department on February 27, 2004 under Permit Numbers FW-22241 (Little Calumet River) and FW-22313 (Hart Ditch), copies enclosed. You are requesting approval to extend the completion date of the Habitat Mitigation Plan two years. The flood control levees are located near Munster and Hammond, North Township, Lake County.

Department Staff have completed their review of your request and determined that this request will have no adverse cumulative effect on the efficiency or capacity of the floodway; no unreasonable threat to safety of life or property; and no unreasonable detrimental impacts to fish, wildlife, and botanical resources resulting from the revision to the mitigation site completion date. Therefore, your request has been approved provided the following condition is met:

complete the Habitat Mitigation Plan previously approved under FW-22241 and FW-22313 by September 29, 2014

This letter should be attached to the existing permits and displayed at the project site. The Division of Water will retain a copy of this letter in our files as a permanent record of the file. **Please note that all other conditions listed on the original permits, FW-22241 and FW-22313 must be followed in order for the project to be in compliance.**

You should not construe this letter to be a local building permit or a waiver of the provisions of local building zoning ordinances. Additionally, this letter does not relieve you of the responsibility of obtaining permits, approvals, easements, etc. as required by other federal, state, and local agencies.

Thank you for this opportunity to be of assistance; your interest in providing safe floodplain development is appreciated. If you have any questions, please call Alysso Olinger, Technical Services Section, at our toll-free number, 877-928-3755 or at 317-234-1097.

Sincerely,



James J. Hebenstreit, PE
Assistant Director
Division of Water

JJH/ACO

pc: Service List for FW-22241 and FW-22313
Enclosures: Permit Nos. FW-22241 and FW-22313
Notice of Right to Administrative Review

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5-B-13
7-20-16



Office of the Lake County Surveyor

Lake County Government Center • 2293 North Main Street • Crown Point, Indiana 46307
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Bill Emerson, Jr.
County Surveyor

July 7, 2016

1213 North Indiana LLC
P.O. Box 1029
Hammond, Indiana 46325

**RE: Cady Marsh Ditch Access of Easements
for Bridge Replacement and Channel Clearing (CN Railroad Wisconsin Central Limited)
Brinwood Street extended east of Indiana Street
Griffith, Calumet Township, Lake County Indiana
(Revised July 8, 2016)**

Dear Property Owner,

As part of the cooperative effort between the Lake County Surveyors Office, the Lake County Drainage Board, the Town of Griffith, and the ~~CN Railroad~~ Wisconsin Central Limited, the Lake County Surveyors Office acknowledges, that ~~CN Railroad~~ Wisconsin Central Limited are authorized by the Lake County Surveyor and Lake County Drainage Board and have the right-of-entry over and upon the recorded utility and drainage easements of the Cady Marsh Ditch.

Please be advised, that at this time, the area being utilized is for accessing the existing railroad to remove and replace the bridge structures over the Cady Marsh Ditch and is the statutory easement (I.C. ~~36-9-37-33~~ 36-9-27-33) of 75 feet from the top-of-bank. The ~~CN Railroad~~ Wisconsin Central Limited will clear any debris that is within the channel under their structure to ensure proper drainage once the structure has been replaced. The ~~CN Railroad~~ Wisconsin Central Limited will also restore the access path within the drainage easement to existing or better condition.

The Lake County Surveyors Office appreciates the cooperation and the opportunity to work with the Town of Griffith and the ~~CN Railroad~~ Wisconsin Central Limited in this matter.

Should you have any questions or comments, please do not hesitate to contact our office.

Sincerely,

Daniel V. Gossman
Drainage Administrator

Encl

- Cc: Bill Emerson, Jr., Lake County Surveyor (via email)
- Tom Regalado, Asst Drainage Admn (via email)
- Cliff Duggan, Legal Advisor (via email)
- Peter Katic, Lake County Drainage Board Attorney (via email)
- Louise Neese, Calumet Township Advisory Committee Representative (via email)
- Lake County Drainage Board & Advisory Committee (via email)
- Rick Konopasek, Director Public Work – Town of Griffith (via email)
- Richard Anderson, CN Railroad (via email)



Office of the Lake County Surveyor

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Phone: (219) 755-3745 • Fax: (219) 755-3750



Bill Emerson, Jr.
County Surveyor

July 7, 2016

1213 North Indiana LLC
P.O. Box 1029
Hammond, Indiana 46325

**RE: Cady Marsh Ditch Access of Easements
for Bridge Replacement and Channel Clearing (CN Railroad)
Brinwood Street extended east of Indiana Street
Griffith, Calumet Township, Lake County Indiana**

Dear Property Owner,

As part of the cooperative effort between the Lake County Surveyors Office, the Lake County Drainage Board, the Town of Griffith, and the CN Railroad, the Lake County Surveyors Office acknowledges, that **CN Railroad** are authorized by the Lake County Surveyor and Lake County Drainage Board and have the right-of-entry over and upon the recorded utility and drainage easements of the Cady Marsh Ditch.

Please be advised, that at this time, the area being utilized is for accessing the existing railroad to remove and replace the bridge structures over the Cady Marsh Ditch and is the statutory easement (I.C. 36-9-37-33) of 75 feet from the top-of-bank. The CN Railroad will clear any debris that is within the channel under their structure to ensure proper drainage once the structure has been replaced. The CN Railroad will also restore the access path within the drainage easement to existing or better condition.

The Lake County Surveyors Office appreciates the cooperation and the opportunity to work with the Town of Griffith and the CN Railroad in this matter.

Should you have any questions or comments, please do not hesitate to contact our office.

Sincerely,

Daniel V. Gossman
Drainage Administrator

Encl

Cc: Bill Emerson, Jr., Lake County Surveyor (via email)
Tom Regalado, Asst Drainage Admn (via email)
Cliff Duggan, Legal Advisor (via email)
Peter Katic, Lake County Drainage Board Attorney (via email)
Louise Neese, Calumet Township Advisory Committee Representative (via email)
Lake County Drainage Board & Advisory Committee (via email)
Rick Konopasek, Director Public Work – Town of Griffith (via email)
Richard Anderson, CN Railroad (via email)

Owner Information
1213 North Indiana LLC
P O Box 1029
Hammond, IN 46325
Parcel Number: 45-07-26-332-001.000-006

Site Information
1213 N INDIANA
GRIFFITH, IN 46319
Tax Code: 006
Tax Description: Griffith
Legal Description (Not for use on legal documents): BRINWOOD ADD. ALL LOTS
30
Net Acres: 0.6598
Property Class: 4-19 family apartments
Zoning Code: 0
Use Code: 0



5-B-14
7-20-16

MEMORANDUM

July 13, 2016

TO: Bill Emerson, Jr., Lake County Surveyor
Dan Gossman, Drainage Administrator

FROM: Thomas T. Burke, Jr., PhD, PE

SUBJECT: Drainage Board Reviews Overview
(CBBEL Project No. 93-0169)

At the June 2016 Advisory Drainage Board meeting, you were asked about what a drainage review entails. This Memorandum is to address that question.

An application that comes before the Drainage Board must be for one or more of the following reasons:

1. Work within a Regulated Drain
2. Connect/Discharge into the Drain/Easement
3. Place Temporary/Permanent Structure in the Drain/Easement
4. Reduce Easement from 75 feet

If a proposed project meets any one of the listed conditions above, the applicant must seek Drainage Board approval prior to starting the project. Often projects involve more than one of the requirements. For example, a project may include a detention pond that extends 10 feet into the easement (Condition 3) and a storm sewer that discharges in the ditch, the outfall from the pond (Condition 2). Included in that could be a request to reduce the easement from 75 feet to 60 feet (Condition 4).

Recently we have seen many utility applications where the applicant requests to replace utility poles inside the 75 feet easement (Condition 3). They are very straightforward applications that do not change any drainage characteristics.

Some of the more complex projects are when a subdivision is being built in an incorporated area adjacent to a regulated drain. A few communities have adopted stormwater ordinances as stringent as the Lake County Surveyor's Office Stormwater Ordinance. More communities have less stringent stormwater requirements. Any application that comes before the Drainage Board is reviewed using the County Stormwater Ordinance. Typical items we look at during review are:

- Base Flood Elevation of the adjacent regulated drain (are structures built high enough to be safe from ditch flooding and compliant with Federal regulations)
- Wetland delineation
- Detention pond volume (was the pond sized with the correct rainfall and release rate and taking into account the BFE)
- Overland flow paths (are the homes/structures safe from internal flooding)
- Grading (does all the runoff drain to the detention pond)



CHRISTOPHER B. BURKE ENGINEERING, LTD.

9575 W Higgins Road, Suite 600 Rosemont, Illinois 60018-4920 Tel (847) 823-0500 Fax (847) 823-0520

MEMORANDUM

- Hydrologic Modeling (disturbance over 5 acres need to prepare hydrologic models to demonstrate the proposed conditions with the additional impervious areas and demonstrate the ordinance is being met)
- Hydraulic Modeling (if changes inside the floodplain are being proposed, the regulated drain model needs to be updated to determine and upstream or downstream impacts)
- Compensatory storage for floodplain fill
- Soil erosion and sediment control (Storm Water Pollution Prevention Plan)
- Permits required by other agencies (INDNR-DOW, USACE, IDEM, Lake SWCD, INDOT, etc.)
- Plan specifications and details
- Storm sewer sizes, materials, slopes and velocities
- Inlet capacity to make sure the runoff can get into the storm sewers

The list above is not all inclusive but provides an idea of the various stormwater aspects of the project that are reviewed.

We had applicants submit a subdivision plan that does not have enough detention storage and the outlet is in the ditch because they are trying to get the lowest elevation. Instead of increasing the detention and meeting the Lake County Stormwater Ordinance, they change their plans to release the stormwater 76 feet away from the top of bank to avoid the Lake County requirements.

We do not review things outside the purview of the Stormwater Ordinance such as:

- Density of the development
- Traffic impacts or the need for signalization of intersections
- Roadway widths or pavement thickness
- Zoning or land use issues
- Sanitary or water utility design

Having done hundreds of reviews on behalf of the Lake County Surveyor's Office, there are times where it is our recommendation that certain aspects of the Ordinance be waived that are left up to the discretion of the County Surveyor. The most common recommendation is when the Lake County Highway Department (LCHD) is replacing a bridge over a regulated drain. There are times where they cannot meet the 1.5 to 1 compensatory storage requirement without expanding the limits of the project. The LCHD's engineer demonstrates that they provide the maximum compensatory storage within the project limits and demonstrate no adverse impact upstream or downstream. We recommend approval of the reduced compensatory storage because of the no adverse impact as opposed to the LCHD having to take surrounding private land to provide more storage which would significantly delay and increase the project costs.

N:\INDIANA\93169\2016\IM Drainage Board Reviews Overview 071316.doc



CHRISTOPHER B. BURKE ENGINEERING, LTD.

9575 W Higgins Road, Suite 600 Rosemont, Illinois 60018-4920 Tel (847) 823-0500 Fax (847) 823-0520

5-B-15
7-20-16



Office of the Lake County Surveyor

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Bill Emerson, Jr.
County Surveyor

July 14, 2016

Bill Emerson, Jr
Lake County Surveyor
2293 North Main Street
Crown Point, Indiana 46307

RE: Monthly Report on Clearing and Snagging Crew
Little Calumet River Watershed

Dear Mr. Emerson,

Following are the sites addressed by the crew since mid-June

June 8th – July 8th

Turkey Creek	Removed Fallen Trees
Turkey Creek	Removed Fallen Trees
Spring Street	Removed Fallen Trees
Cady Marsh Ditch	Cleared Easement

In addition, crew maintained/cleared easements along Johnson Ditch, removed beaver dams and fallen trees at Sprout Ditch, also maintained/ inspected various culvert crossings countywide.

Respectfully,

Thomas Regalado
Assistant Drainage Administrator

Cc: Daniel V. Gossman, Drainage Administrator
Lake County Drainage Board and Advisory Committee

Turkey Creek Hendricks St.

Ross Twp.



Before

Prepared by the Lake County Surveyor's Office
Bill Emerson, Jr Lake County Surveyor

Turkey Creek Hendricks St.

Ross Twp.



After

Prepared by the Lake County Surveyor's Office
Bill Emerson, Jr Lake County Surveyor

Turkey Creek Hendricks St.

Ross Twp.



Before

Prepared by the Lake County Surveyor's Office
Bill Emerson, Jr Lake County Surveyor

Turkey Creek Hendricks St.

Ross Twp.



After

Prepared by the Lake County Surveyor's Office
Bill Emerson, Jr Lake County Surveyor

Spring Street Ditch Hart Road Highland

North Twp.



Before

Prepared by the Lake County Surveyor's Office
Bill Emerson, Jr Lake County Surveyor

Spring Street Ditch Hart Road Highland

North Twp.



After

Prepared by the Lake County Surveyor's Office
Bill Emerson, Jr Lake County Surveyor

Cady Marsh Ditch Broad St. to Arbogast

Calumet Twp.



Prepared by the Lake County Surveyor's Office
Bill Emerson, Jr Lake County Surveyor

File: July112016

5-B-16
7-20-16



March 31, 2016
JMS-016-0003

via e-mail: browncp@lakecountyin.org

Mr. Chris Brown
Building 'A', 3rd Floor
2293 North Main Street
Crown Point, IN 46307

**Re: Plum Creek Circuit Rebuild 12-595 Utility Replacement Project
Lake County Drainage Board Easement Permit Assessment**

Dear Mr. Brown:

Enercon Services, Inc. (ENERCON) is providing consulting services for the Plum Creek Circuit 12-595 Utility Replacement Project on behalf of NiSource, Inc. The project will consist of rebuilding approximately 2.32 miles of overhead electrical transmission line near Dyer, Indiana. The typical pole replacement will be conducted with support vehicles that will be located on public roadways and within in the utility Right of Way (ROW). To the extent possible, the work will be performed from the roadway adjacent to the utility pole locations. Generally, the new poles will be placed within 2 feet of the existing poles and the utility lines will be transferred to the new pole.

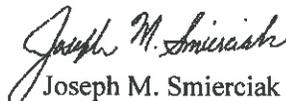
The utility pole replacement project will encroach upon the 75' easement of a regulated drain at Plum Creek/Hart Ditch near the NiSource Plum Creek Substation. Please refer to **Figure 1** for the project location subject to the easement. The NiSource property parcel number is 45-11-06-126-007.000-034. Note that the NiSource Plum Creek Substation, which is subject to the easement, is at the termination point of the project. The limits of the utility pole replacements associated with the project are shown on **Figure 2**.

Based on preliminary discussions in 2015 between John McCreight (ENERCON) and Chris Brown (Lake County Drainage Board), an easement permit application will not be necessary for the project. However, the Lake County Drainage Board wanted to further assess the potential impact to accessing the drainage swale with an excavator before making the final determination that an easement application was not required.

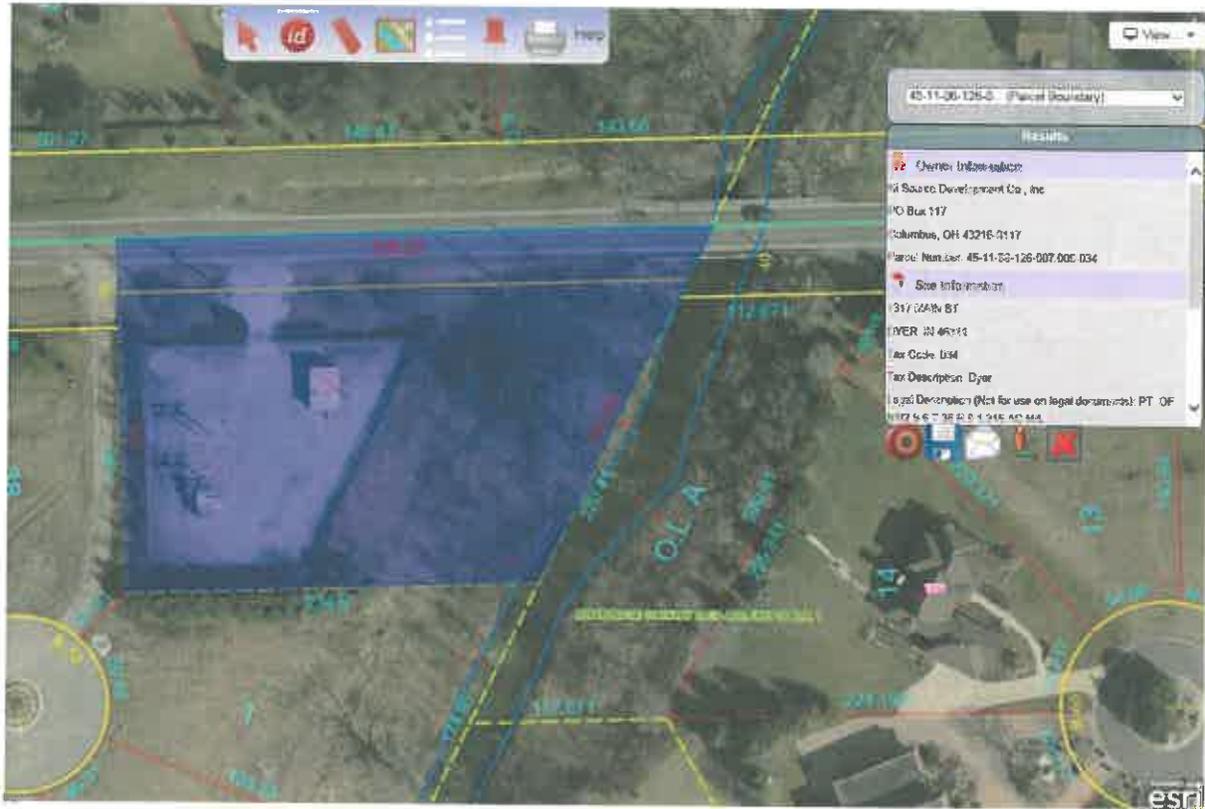
Can you please review the information presented for the project and make a final determination regarding the need for an easement application.

Thank you for your review and assistance with this matter. If you have any questions, please call me at (724) 733-8711, extension 245.

Sincerely,


Joseph M. Smierciak
Senior Project Manager

Cc: Michael G. Haluska, P.E. (ENERCON)
John P. McCreight (ENERCON)



Screenshot from <http://lakeinsurveyor.mygisonline.com/>

Figure 1: NiSource Property Subject to the 75' Easement of a Regulated Drain

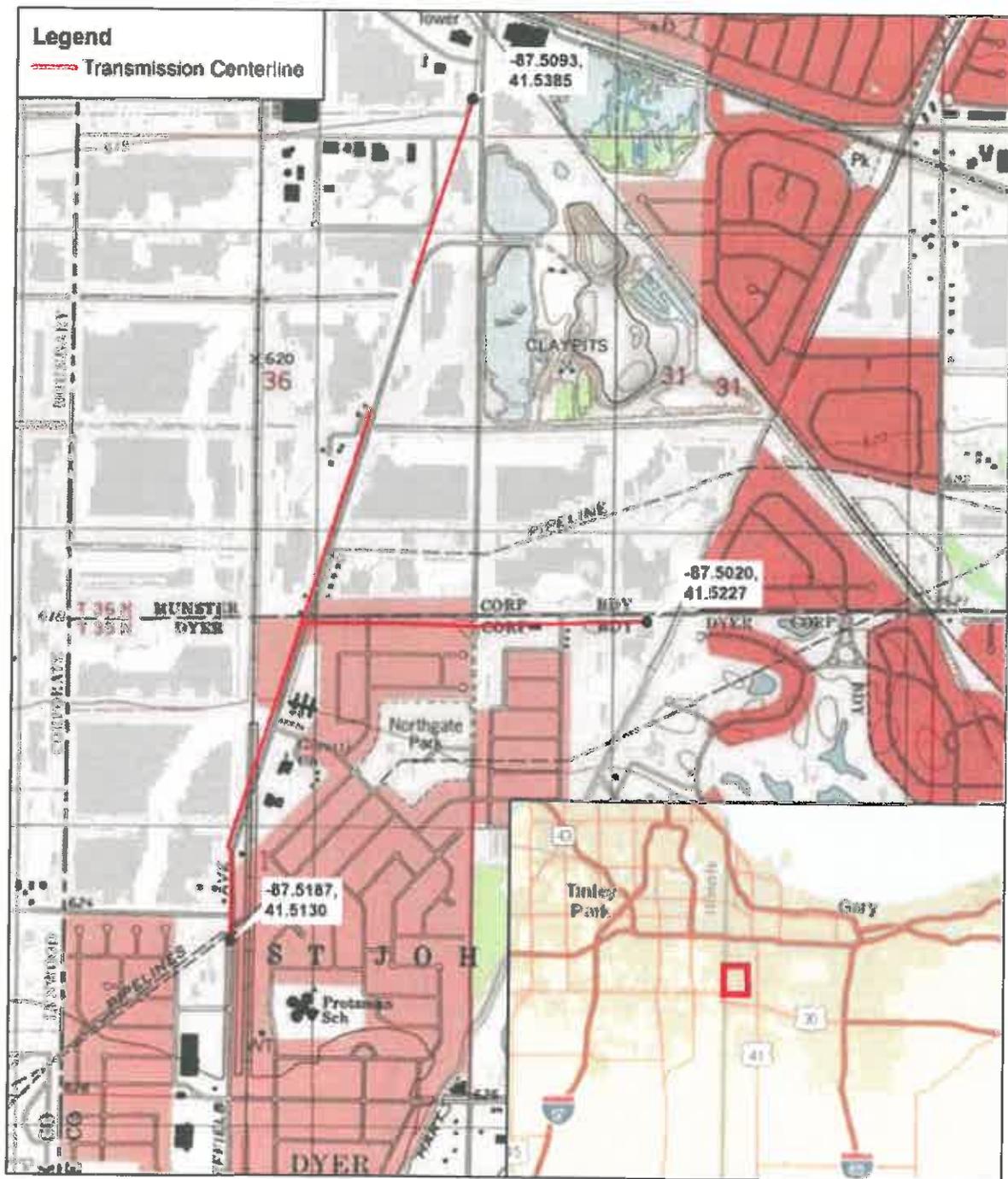


Figure 2: Limits of the Plum Creek Circuit Rebuild 12-595 Utility Replacement Project



5-B-16
7-20-16

RECEIVED
JUL 14 2016
LAKE COUNTY SURVEYOR

CHRISTOPHER B. BURKE ENGINEERING, LTD.
9575 West Higgins Road Suite 600 Rosemont, Illinois 60018 TEL (847) 823-0500 FAX (847) 823-0520

July 14, 2016

Lake County Surveyor's Office
Lake County Government Center
2293 North Main Street
Crown Point, Indiana 46307

Attention: Mr. Daniel Gossman
Senior Drainage Administrator

Subject: NiSource Cedar Lake & Plum Creek Circuit Rebuilds
(Lake County Drainage Board Easement Permit Assessment)

Dear Dan:

This application was received from Enercon Services, Inc. in May. If they are putting a new pole next to the old one and removing the old one, as long as they take care of any disturbed areas, we don't see a problem with it. There is minimal hydrologic disturbance. We have reviewed several from NIPSCO similar to this.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Thomas T. Burke, Jr.', is written over the typed name.

Thomas T. Burke, Jr., PhD, PE
Vice President
Head, Water Resources Department



5-C-1
7-20-16

Office of the Lake County Surveyor

Lake County Government Center • 2293 North Main Street • Crown Point, Indiana 46307
Phone: (219) 755-3745 • Fax: (219) 755-3750

Bill Emerson, Jr.
County Surveyor

June 14, 2016

Renee Hampton
14179 Delaware Street
Crown Point, Indiana 46307

RE: Stoney Run Ditch West Branch Lateral No. 9
Culvert Replacement – Agreement

Dear Ms. Hampton,

At the June 2013 Lake County Drainage Board meeting, it was discussed and approved to replace the culvert in Stoney Run Ditch West Branch Lateral No. 9. The approval by the Drainage Board was conditional, providing that the property owners share in the cost of the replacement. In previous conversations with you and Mr. David Henke and Renee Hampton, an agreement to contribute a fair share of the replacement was agreed upon and signed.

In the August 2014 Lake County Drainage Board meeting, a change order for additional materials was requested and approved by the board.

The original project cost was \$19,550.00 and the change order was \$1,500.00 for a total project cost of \$21,050.00. The "cost share" agreement was for the County and the 2 property owners to share equally in the project. The breakdown for the complete project is as follows:

Lake County Drainage Board	33 1/3 %	\$ 7,016.68
Property Owner #1	33 1/3 %	\$ 7,016.66
Property Owner #2	33 1/3 %	<u>\$ 7,016.66</u>
		\$21,050.00

As stated in the agreement, the County initially was willing to spread this payment over the next couple of years for your convenience. However, since the total amount of the project was higher than the original estimate and with the additional material required to complete the project, I am suggesting the payments be as follows:

2015	\$ 2,338.89
2016	\$ 2,338.89
2017	<u>\$ 2,338.88</u>
	\$ 7,016.66

These amounts would be more in line with the original amounts agreed to by both property owners. Therefore, the Lake County Surveyor on behalf of the Lake County Drainage Board has included an invoice for this year. Should you have any questions or concerns regarding payment, please do not hesitate to contact our office.

Sincerely,

Daniel V. Gossman
Drainage Administrator

Cc: Bill Emerson, Jr., Lake County Surveyor
Lake County Drainage Board & Advisory Committee



Office of the Lake County Surveyor

Lake County Government Center • 2293 North Main Street • Crown Point, Indiana 46307
Phone: (219) 755-3745 • Fax: (219) 755-3750

Bill Emerson, Jr.
County Surveyor



INVOICE 2016

DATE: June 14, 2016

TO: Renee Hampton
14179 Delaware Street
Crown Point, IN 46307

FROM: Bill Emerson, Jr., Lake County Surveyor
Lake County Drainage Board

REFERENCE: Obligatory Agreement
Stony Run Ditch West Branch Lateral No. 9 Culvert Replacement

Pursuant to the Obligatory Agreement by and between the Lake County Drainage Board; the Lake County Surveyor; Renee Hampton, and George Knish for services rendered by Delta III, Inc. for a total of \$21,050.00, payable as follows:

Lake County Drainage Board 33-1/3% =	\$ 7,016.68
Property Owner #1 33-1/3% =	7,016.66
Property Owner #2 33-1/3% =	<u>7,016.66</u>
	\$21,050.00

Paid 2015	\$ 2,338.89
Current Amount Due 2016	\$ 2,338.89
2017	<u>\$ 2,338.88</u>
Total:	\$ 7,016.66

Please make check payable to: Lake County Surveyor

OBLIGATORY AGREEMENT

Stony Run Ditch - West Branch - Lateral No. 9

RECEIVED

III 26 2013

LAKE COUNTY, INDIANA

PROPERTY LOCATED AT: 14179 Delaware
Crown Point, IN 46307

This Agreement by and between the Lake County Drainage Board, hereinafter, the "Board", Lake County Surveyor, hereinafter, the "Surveyor" and George Knish, hereinafter, "Owner #1", and Renee Hampton, hereinafter, "Owner #2", dated this 7th day of August 2013, hereby agree to the following obligations and conditions:

1. The Board and Owner #1 and Owner #2 are to provide funding for the removal of an existing and installation of a new 72" 12 gauge aluminized corrugated metal pipe (CMP), a length of forty feet (40') in the Owner's property.
2. The estimated cost for said removal and installation is \$12,600.00 based on quantities that include required items of improvement as listed on the attached Exhibit "A".
3. The Board and the Owner shall fund said removal and installation for a sum not to exceed \$15,300.00 in 2013.
4. The estimated shared costs of the work shall be paid by the following:

The Board:	33 1/3 %	or	\$4,200 (Not To Exceed)
Owner #1:	33 1/3 %	or	\$4,200 (Not To Exceed)
Owner #2:	33 1/3 %	or	\$4,200 (Not To Exceed)

5. The Owners agrees to pay the Board installments of:

2013 \$ 2,100 (Not To Exceed)
2014 \$ 2,100 (Not To Exceed)
\$ 4,200 (No Interest Required)

The above is hereby accepted, approved and authorized this 7th day of August, 2013.

LAKE COUNTY DRAINAGE BOARD

By: Gerry Scheub
Gerry Scheub, Chairman

By: Roosevelt Allen Jr.
Roosevelt Allen Jr., Member

By: Michael C. Repay
Michael C. Repay, Member

LAKE COUNTY SURVEYOR

By: _____
George Van Til, County Surveyor

OWNER #1

By: _____
George Knish, Property Owner

OWNER #2

By: Renee Hampton
Renee Hampton, Property Owner

OBLIGATORY AGREEMENT

Stony Run Ditch – West Branch – Lateral No. 9

PROPERTY LOCATED AT: 14179 Delaware
Crown Point, IN 46307

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By: 
Gerry Scheub, Chairman

By: 
Roosevelt Allen Jr., Member

By: 
Michael C. Repay, Member

LAKE COUNTY SURVEYOR

By: _____
George Van Til, County Surveyor

OWNER #1

By: 
George Knish, Property Owner

OWNER #2

By: _____
Renee Hampton, Property Owner



Office of the Lake County Surveyor

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Phone: (219) 755-3745 • Fax: (219) 755-3750

Bill Emerson, Jr.
County Surveyor

June 14, 2016

George Knish
14161 Delaware Street
Crown Point, Indiana 46307

RE: Stoney Run Ditch West Branch Lateral No. 9
Culvert Replacement – Agreement

Dear Mr. Knish,

At the June 2013 Lake County Drainage Board meeting, it was discussed and approved to replace the culvert in Stoney Run Ditch West Branch Lateral No. 9. The approval by the Drainage Board was conditional, providing that the property owners share in the cost of the replacement. In previous conversations with you and Mr. David Henke and Renee Hampton, an agreement to contribute a fair share of the replacement was agreed upon and signed.

In the August 2014 Lake County Drainage Board meeting, a change order for additional materials was requested and approved by the board.

The original project cost was \$19,550.00 and the change order was \$1,500.00 for a total project cost of \$21,050.00. The "cost share" agreement was for the County and the 2 property owners to share equally in the project. The breakdown for the complete project is as follows:

Lake County Drainage Board	33 1/3 %	\$ 7,016.68
Property Owner #1	33 1/3 %	\$ 7,016.66
Property Owner #2	33 1/3 %	<u>\$ 7,016.66</u>
		\$21,050.00

As stated in the agreement, the County initially was willing to spread this payment over the next couple of years for your convenience. However, since the total amount of the project was higher than the original estimate and with the additional material required to complete the project, I am suggesting the payments be as follows:

2015	\$ 2,338.89
2016	\$ 2,338.89
2017	<u>\$ 2,338.88</u>
	\$ 7,016.66

These amounts would be more in line with the original amounts agreed to by both property owners. Therefore, the Lake County Surveyor on behalf of the Lake County Drainage Board has included an invoice for this year. Should you have any questions or concerns regarding payment, please do not hesitate to contact our office.

Sincerely,

Daniel V. Gossman
Drainage Administrator

Cc: Bill Emerson, Jr., Lake County Surveyor
Lake County Drainage Board & Advisory Committee



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Phone: (219) 755-3745 • Fax: (219) 755-3750

Bill Emerson, Jr.
County Surveyor



INVOICE 2016

DATE: June 14, 2016

TO: George Knish
14161 Delaware Street
Crown Point, IN 46307

FROM: Bill Emerson, Jr., Lake County Surveyor
Lake County Drainage Board

REFERENCE: Obligatory Agreement
Stony Run Ditch West Branch Lateral No. 9 Culvert Replacement

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Please make check payable to: Lake County Surveyor

OBLIGATORY AGREEMENT

Stony Run Ditch – West Branch – Lateral No. 9

PROPERTY LOCATED AT: 14179 Delaware
Crown Point, IN 46307

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Owner #1:	33 1/3 %	or	\$4,200 (Not To Exceed)
Owner #2:	33 1/3 %	or	\$4,200 (Not To Exceed)

5. The Owners agrees to pay the Board installments of:

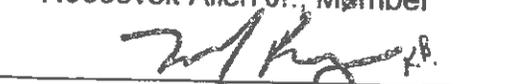
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2014	\$ 2,100 (Not To Exceed)
	\$ 4,200 (No Interest Required)

The above is hereby accepted, approved and authorized this 7th day of August, 2013.

LAKE COUNTY DRAINAGE BOARD

By: 
Gerry Scheub, Chairman

By: 
Roosevelt Allen Jr., Member

By: 
Michael C. Repay, Member

LAKE COUNTY SURVEYOR

By: _____
George Van Til, County Surveyor

OWNER #1

By: 
George Knish, Property Owner

OWNER #2

By: _____
Renee Hampton, Property Owner

OBLIGATORY AGREEMENT

Stony Run Ditch - West Branch - Lateral No. 9



PROPERTY LOCATED AT: 14179 Delaware
Crown Point, IN 46307

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LAKE COUNTY DRAINAGE BOARD

By: Gerry Scheub
Gerry Scheub, Chairman

By: Roosevelt Allen Jr.
Roosevelt Allen Jr., Member

By: Michael C. Repay
Michael C. Repay, Member

LAKE COUNTY SURVEYOR

By: _____
George Van Til, County Surveyor

OWNER #1

By: _____
George Knish, Property Owner

OWNER #2

By: Renee Hampton
Renee Hampton, Property Owner



Office of the Lake County Surveyor

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Phone: (219) 755-3745 • Fax: (219) 755-3750

5-C-2
7-20-16

Bill Emerson, Jr.
County Surveyor

June 16, 2016

Bill Emerson, Jr.
Lake County Surveyor
2293 North Main Street
Crown Point, IN 46307

Gerry Scheub, Chairman
Lake County Drainage Board
2293 North Main Street
Crown Point, IN 46307

RE: Greystone Subdivision
Town of St John

Dear Gentlemen,

It was reported that the developer of Greystone Subdivision in the Town of St John has started breaking ground. The Lake County Surveyor/Lake County Drainage Board was requested to investigate this subdivision regarding its discharge of stormwater into a county regulated drain.

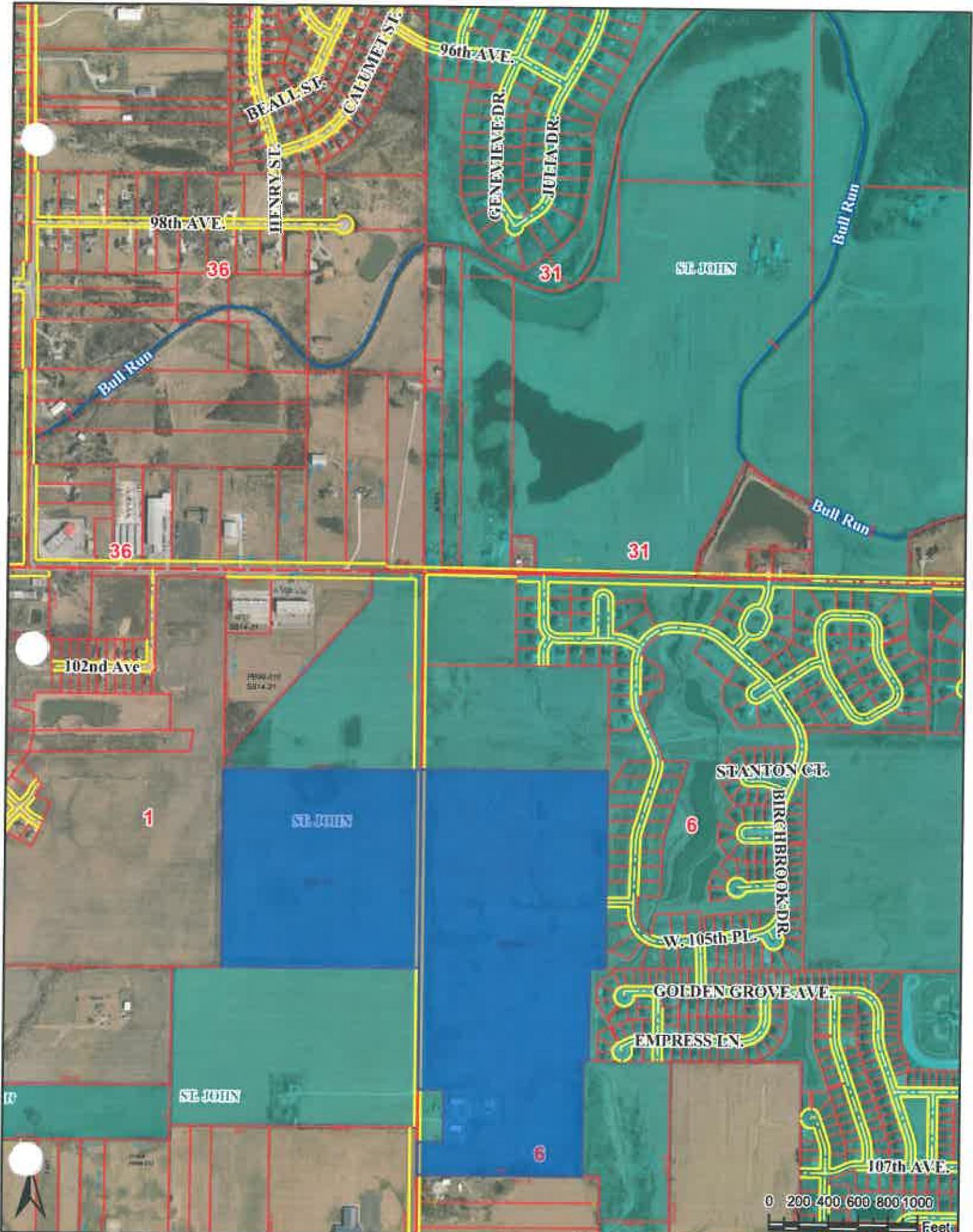
Attached for your review are aerial photographs of the subdivision (highlighted in blue), the Town of St John "Corporate Limit" (highlighted in aqua) and their respective proximity to county regulated drain Bull Run Ditch to the north in blue. Indiana Drainage Code (36-9-27-33) states the regulated drainage easement is 75' from the top-of-bank, and the County Drainage Board has jurisdiction over any activity within the 75 feet and any discharge directly into the regulated drain. As you can see from the aerial, the closest point to the subdivision is over 3,000 feet away. Therefore, any drainage requirements are solely under the jurisdiction of the Town of St John.

I hope this helps in defining the jurisdictional areas concerning this development in the Town of St John and the county regulated drain Bull Run Ditch. Should you have any additional questions or comments, please do not hesitate to contact our office.

Sincerely,

Daniel V. Gossman
Drainage Administrator

Cc: Tom Regalado, Asst Drainage Admn
Cliff Duggan, Legal Advisor
Jean Shepherd, St John Township Advisory Committee Representative
Lake County Drainage Board & Advisory Committee
Vince Casboni, P.O. Box 88 Schererville, IN



GREYSTONE

of Saint John



SCHILLING
DEVELOPMENT

WWW.SCHILLINGDEVELOPMENT.COM
219-365-6000

5-C-3
7-20-16



Office of the Lake County Surveyor

Lake County Government Center • 2293 North Main Street • Crown Point, Indiana 46307
Phone: (219) 755-3745 • Fax: (219) 755-3750



Bill Emerson, Jr.
County Surveyor

July 6, 2016

Dan G. Delgado, P.E.
Lawson-Fisher Associates P.C.
525 West Washington Avenue
South Bend, Indiana 46601

**RE: Partial 3R Pavement Project – S.R. 2
0.9 mile east of I-65 to U.S. 231
Eagle Creek Twp., Lake County**

Des. No.: 1296675

Dear Mr. Delgado,

The Lake County Surveyor's Office has received and reviewed the plans sent to our office on the above referenced project. **Be advised that any monumentation that is directly or indirectly impacted with the proposed project, must be replaced/restored to its original condition or better by you or your contractor, and is subject to conditions set forth by the Lake County Surveyor's Office or its agents.** Indiana Code 36-2-12-1 et. seq. and other applicable statutes and/or ordinances.

Any Section Corner disturbed or removed must be re-established by an Indiana Registered Land Surveyor and/or Professional Engineer. All witness references must be tied to the newly established Section Corner, and **ALL** documentation immediately forwarded to the Lake County Surveyor's Office for its records.

Any Benchmark in danger of disturbance must be replaced with a Brass Monument and must have an elevation established by an Indiana Registered Land Surveyor and/or Professional Engineer. The elevation must be tied to an existing USC&GS benchmark, and **ALL** documentation immediately forwarded to the Lake County Surveyor's Office for its records.

PROCEDURE: All visible stamped or tagged survey monuments found in INDOT rights-of-way that may be destroyed by construction or maintenance activities must be perpetuated under the supervision of a licensed Indiana Professional Land Surveyor. This will be achieved for each found monument by the following:

- A. Prior to the development of all construction or major maintenance contracts;
 - (1) The Design Engineer shall request the Lake County Surveyor to verify the presence of any Survey Corners within the construction zone.
 - (2) The Lake County Surveyor will conduct an in-house record search to determine if there are any Survey Corners within the right-of-way. If so, they will be verified in the field.
 - (3) All found Survey Corners will be listed in the contract by the Design Engineer for perpetuation;

- (a) They must be perpetuated according to Indiana Code 36-2-12-1 Et. Seq. by an Indiana Licensed Professional Land Surveyor then tied to three (3) reference monuments. A copy of the recorded Corner Record for each monument with a written report identifying the character, location, description and ties of the new monument and Reference Monuments shall be sent by the land surveyor to the Lake County Surveyor's Office 2293 North Main Street, Crown Point, Indiana 46307.
- (4) At the discretion of the Lake County Surveyor, any Survey Corner found in the roadway will be tied to three (3) Reference Monuments set by a licensed Indiana Professional Land Surveyor. A Corner Record will be sent to the Lake County Surveyor to be recorded.
- (5) The Lake County Surveyor will maintain a record of all perpetuated Survey Corners.

B. Prior to staking a construction project;

- (1) The Engineer, under the direction of the Lake County Surveyor, will follow the provisions in Indiana Code 36-2-12-1 Et. Seq. and field verify the presence of all visible monuments.
- (2) Any Survey Corners found and which are not listed in the contract plans for perpetuation will be added to the contract for perpetuation as defined the Procedure (3)(a).
- (3) The Engineer will tie all visible stamped or tagged Survey Corners or Benchmarks that may be disturbed. The ties will be to three (3) existing visible Reference Monuments or three (3) set visible INDOT Reference Monuments, which will not be disturbed during construction activities. Instruction on procedures used to tie a Survey Corner or Benchmark or to construct a Reference Monument will be available from the Lake County Surveyor.
- (4) Found monuments will be noted in the as-built construction plans and written report identifying the character, location, description and ties of the monument and INDOT Reference Monuments will be sent to the Lake County Surveyor 2293 North Main Street, Crown Point, Indiana 46307.
- (5) After review and acceptance of the written report, monuments used to reference a Survey Corner or Benchmark shall be approved to be stamped by an Indiana Licensed Professional Land Surveyor with the registration number by memo from the Surveyor to the Lake County Surveyor.
- (6) INDOT will maintain a record of all tied Survey Corners or Benchmarks and a Record will be sent by INDOT to the Lake County Surveyor for its record.

C. Prior to maintenance activities that will cover or destroy monuments;

- (1) INDOT, under the direction of the Lake County Surveyor, will follow the provision in Indiana Code 36-2-12-1 Et. Seq., and field verify the presence of any monuments.
- (2) Any Survey Corners found will be reported to the Lake County Surveyor with a request that the monument be perpetuated prior to maintenance activities.
- (3) INDOT will tie all visible stamped or tagged Survey Corners or Benchmarks that may be disturbed. Instruction on procedures used to tie Survey Corner or Benchmark or to construct an INDOT Reference Monument will be available from the Lake County Surveyor.
- (4) Found and tied monuments will be noted in the latest as-built construction plans and a written report identifying the character, location, description and ties of the monument and INDOT reference monuments will be sent to the Lake County Surveyor, 2293 North Main Street, Crown Point, Indiana 46307.
- (5) After review and acceptance of the written report, monuments used to reference Survey Corners or Benchmarks shall be approved to be stamped with the registration number of the licensed Indiana Professional Land Surveyor by memo from the Lake County Surveyor.
- (6) The Lake County Surveyor will maintain a record of all tied Survey Corners or Benchmarks in the Office of the Lake County Surveyor.

Should you have any additional questions or comments, please do not hesitate to contact our office.

Sincerely,

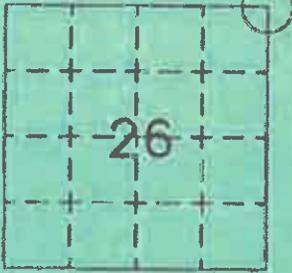


Daniel V. Gossman
Drainage Administrator

Encls

cc: Bill Emerson, Jr., Lake County Surveyor
Juan Lopez, Surveying Administrator
John Jurs, Eagle Creek Township Advisory Committee Representative
Lake County Drainage Board & Advisory Committee

COR. I.D. = M-40



CORNER RECORD LAKE COUNTY, IN.

OFFICE OF THE COUNTY SURVEYOR
2293 N. MAIN ST. CROWN POINT, IN 46307 219-755-3745

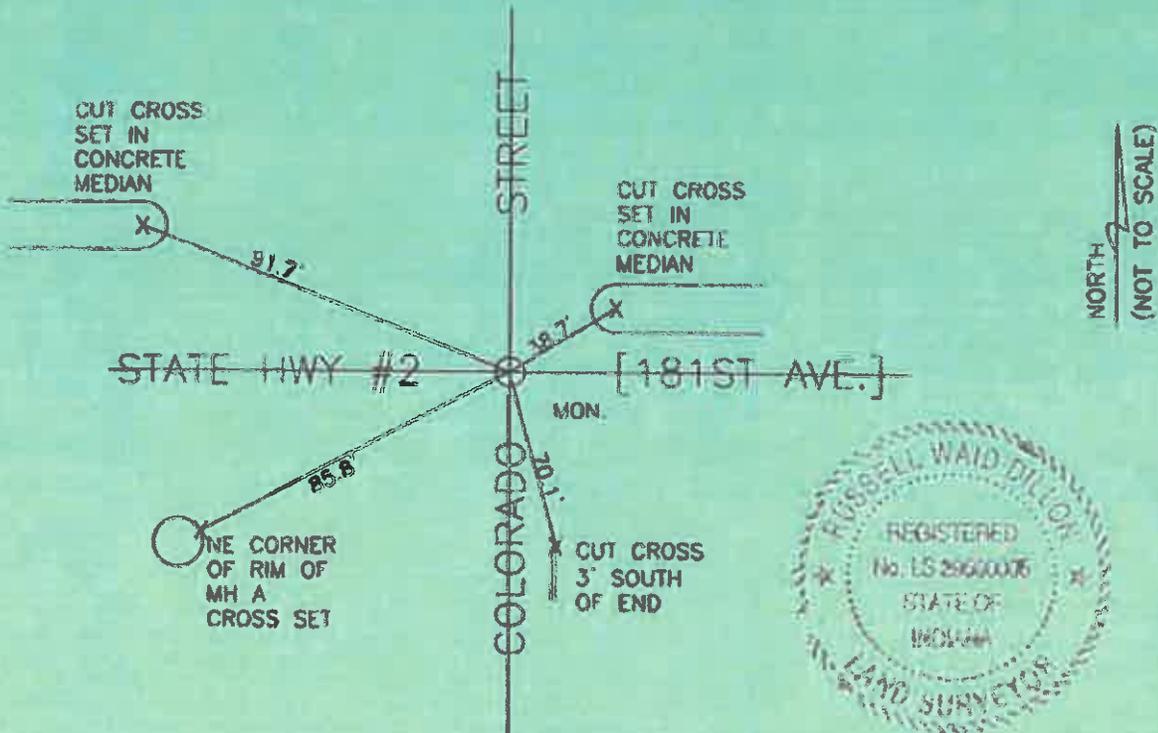
DATE: 01/28/13
PREPARED BY: JUAN LOPEZ
FIELD CREW: JOEL JANOWSKI, MARK SOPATA, JAKE FEHRMAN

SEC. NE 26, 33TN., R.8W.

ALSO NW SEC. 25, 33TN., R.8W.
ALSO SE SEC. 23, 33TN., R.8W.
ALSO SW SEC. 24, 33TN., R.8W.

EAGLE CREEK TOWNSHIP

I.S.P.C. WEST ZONE, NAD 83 HOR. NAVD 88 VERT. COORDINATES: N=2200478.0, E=2894318.8, Z=869.5'
SURFACE MARK:
P.T.A. RESET CORNER, 'CUT CROSS IN CONCRETE' USING INDIANA NETWORK



SURVEYOR'S REPORT:
REWITNESSED PREVIOUSLY PERPETUATED CORNER. LCS'S COORDINATES WERE HELD FOR SECTION CORNER. THIS POINT WAS CALCULATED BY USE OF SURVEYS PROVIDED BY P.T.A., TORRENGA SURVEYING, AND TURNING POINT SURVEYING, THE POINT WAS ESTABLISHED 01/07.

RWD

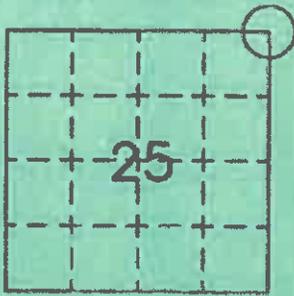
WAID DILLON
INDIANA REG. LAND SURVEYOR #29500005

(SEAL)

M-40

M-40

COR. I.D. = N-40



CORNER RECORD LAKE COUNTY, IN.

OFFICE OF THE COUNTY SURVEYOR
2293 N. MAIN ST. CROWN POINT, IN 46307 219-755-3745

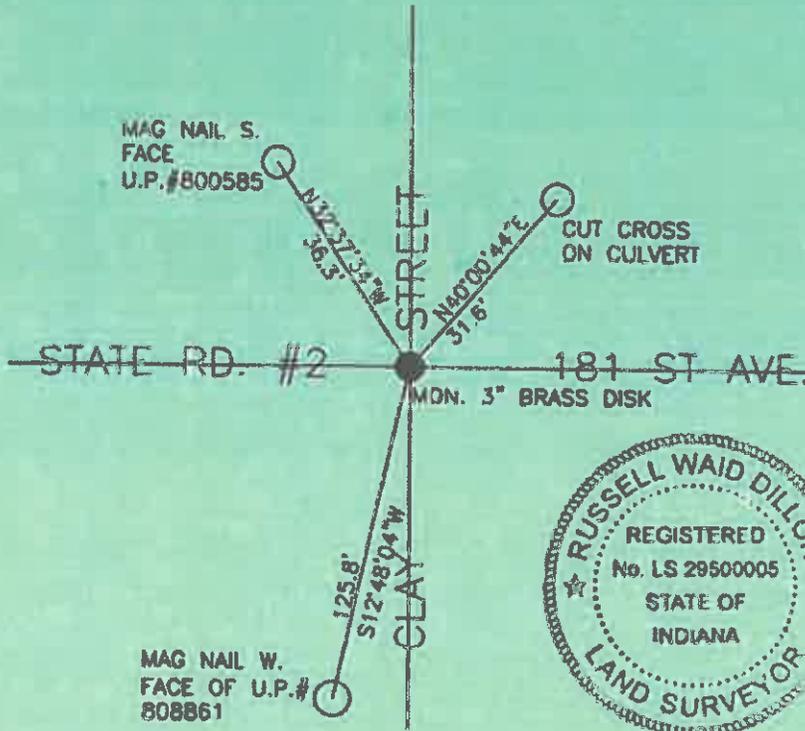
DATE: 05/22/13
PREPARED BY: JUAN LOPEZ
FIELD CREW: JOEL JANOWSKI, MARK SOPATA

SEC. NE 25, 33TN., R.8W.

ALSO NW SEC. 30, 33TN., R.7W.
ALSO SW SEC. 19, 33TN., R.7W.
ALSO SE SEC. 24, 33TN., R.8W.

EAGLE CREEK TOWNSHIP

I.S.P.C. WEST ZONE, NAD 83 HOR. NAVD 88 VERT. COORDINATES: N=2200487.4, E=2899677.4, Z=654.6'
SURFACE MARK: 3" BRASS DISK
SPECTRA PRECISION EPDCH 50 VRS/GPS USED TO RESET USING INDIANA NETWORK



NORTH
(NOT TO SCALE)



SURVEYOR'S REPORT:
THE SECTION CORNER WAS RESET BY USE OF ESTABLISHED COORDINATES PER DLZ ENGINEERING. NEW WITNESSES SET.

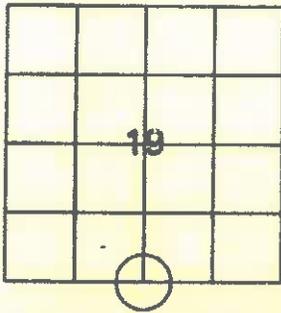
RWD
W A I D D I L L O N
INDIANA REG. LAND SURVEYOR #29500005

(SEAL)

N-40

N-40

COR. I.D.=1/4N-0 40



SEC. S1/4 19, 33TN., R.7W.
ALSO N 1/4 SEC.30, 33TN., R.7W.

CORNER RECORD LAKE COUNTY, IN.

OFFICE OF THE COUNTY SURVEYOR, BILL EMERSON, JR.
2293 N. MAIN ST. CROWN POINT, IN 46307 219-755-3745

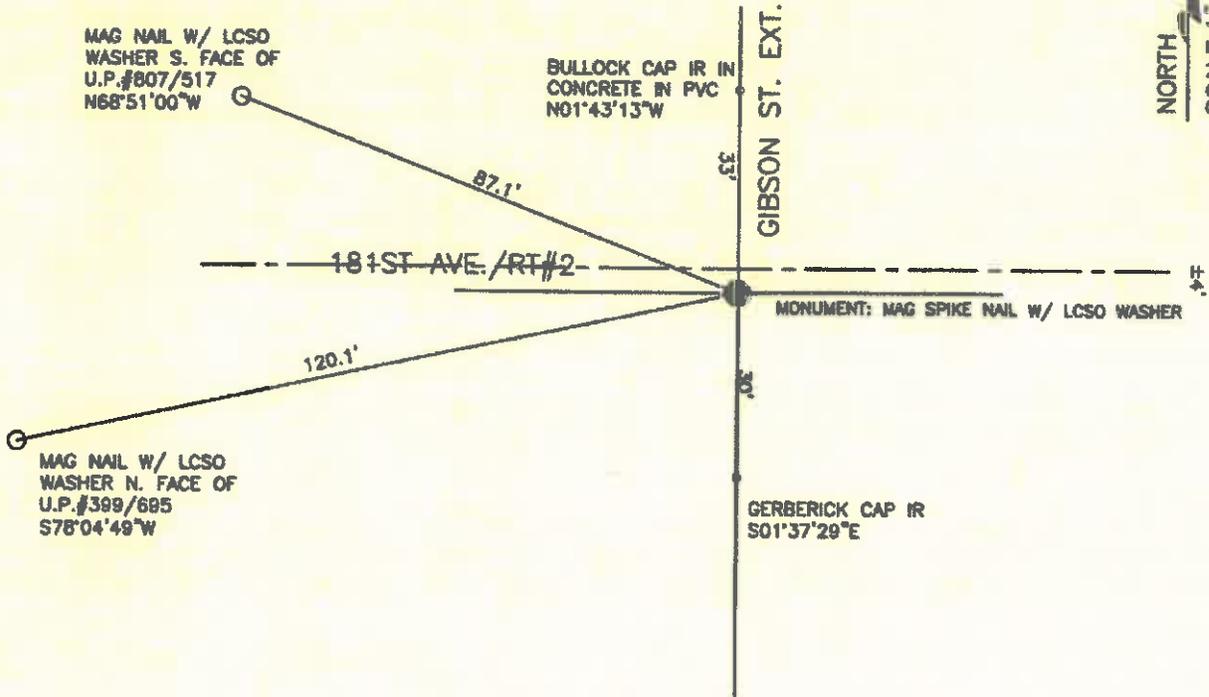
DATE: 08/04/15
PREPARED BY: JUAN LOPEZ
FIELD CREW: JOEL JANOWSKI, KYLE DEUTSCH

EAGLE CREEK TOWNSHIP

I.S.P.C. WEST ZONE, NAD 83 HOR. NAVD 88 VERT. COORDINATES: N=2200480.1, E=2902170.7, Z=673.6'
SURFACE MARK: MAG SPIKE NAIL W/ LCSO WASHER
SPECTRA PRECISION EPOCH 50 VRS/GPS USED TO LOCATE USING THE INDIANA NETWORK

1/4N-0 40

1/4N-0 40



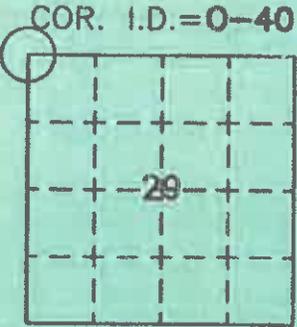
NORTH
SCALE: 1"=30'

SURVEYOR'S REPORT:
NAIL WAS SET BY LCSO PER PLAT OF SURVEY BY LAND TECHNOLOGIES RECORDED IN SURVEY BOOK 15, PAGE 84. THE POSITION IS ON LINE AND AT AN EQUAL LINE SPLIT.

WAID DILLON
INDIANA REG. LAND SURVEYOR #29500005



(SEAL)



CORNER RECORD LAKE COUNTY, IN.

OFFICE OF THE COUNTY SURVEYOR
2293 N. MAIN ST. CROWN POINT, IN 46307 219-755-3745

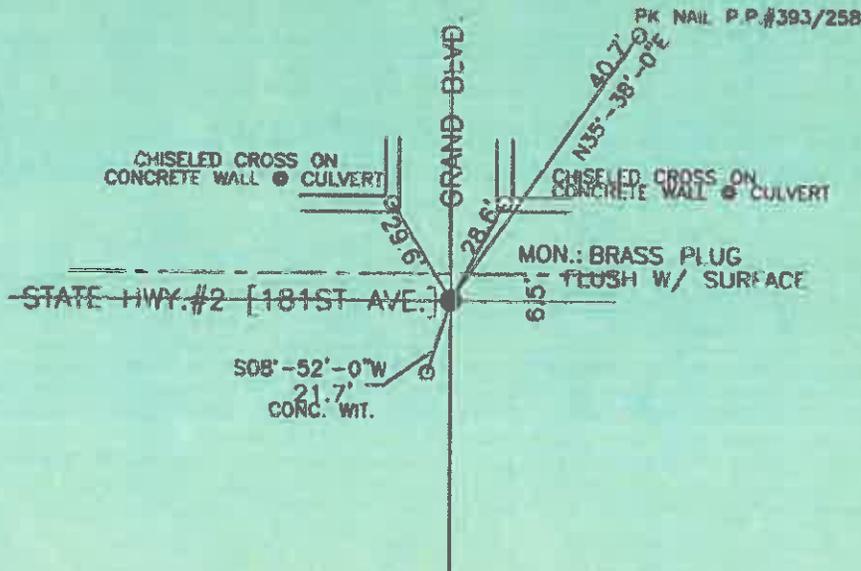
DATE: 3/06/08
PREPARED BY: RUSSELL WAID DILLON
FIELD CREW: RWD, DOUG IRK, JAY LOPEZ

SEC. NW 29, 33TN., R.7W.

ALSO SW SEC.20, 33TN., R.7W.
ALSO NE SEC.30, 33TN., R.7W.
ALSO SE SEC.19, 33TN., R.7W.

EAGLE CREEK TOWNSHIP

I.S.P.C. WEST ZONE, NAD 83 HOR. NAVD 88 VERT. COORDINATES: N2200472.2. E=2904844.5. Z=669.6'
SURFACE MARK: BRASS PLUG



SURVEYOR'S REPORT:
INFORMATION WAS USED FROM PREVIOUS 2005 UPDATE. ALSO SEE ATTACHED PROVIDED ADDITIONAL TIE CARD.

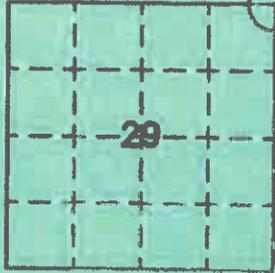
RWD

WAID DILLON
INDIANA REG. LAND SURVEYOR #29500005



(SEAL)

COR. I.D. = P-40



CORNER RECORD LAKE COUNTY, IN.

OFFICE OF THE COUNTY SURVEYOR
2293 N. MAIN ST. CROWN POINT, IN 46307 219-755-3745

DATE: 05/22/13
PREPARED BY: JUAN LOPEZ
FIELD CREW: JOEL JANOWSKI, MARK SOPATA

SEC. NE 29, 33TN., R.7W.

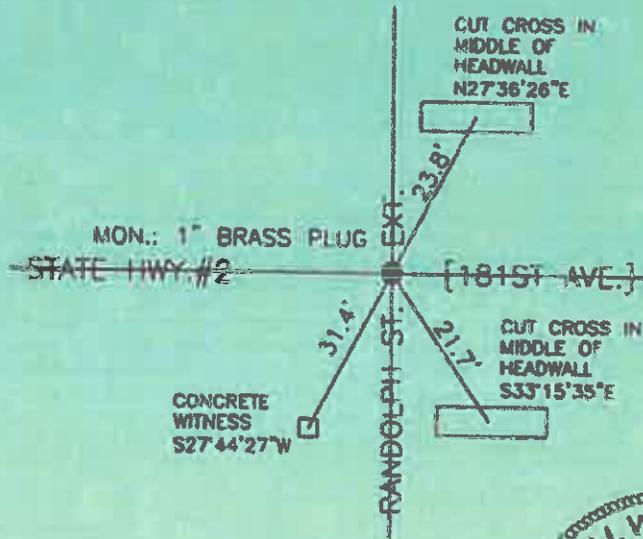
ALSO SW SEC.21, 33TN., R.7W.

ALSO NW SEC.28, 33TN., R.7W.

ALSO SE SEC.20, 33TN., R.7W.

EAGLE CREEK TOWNSHIP

I.S.P.C. WEST ZONE, NAD 83 HOR. NAVD 88 VERT. COORDINATES: N2200458.8. E=2910135.4. Z=662.63
SPECTRA PRECISION EPOCH 50 USED TO LOCATE USING THE INDIANA NETWORK
SURFACE MARK: 1" BRASS PLUG



NORTH
(NOT TO SCALE)



SURVEYOR'S REPORT.
REWITNESSED PREVIOUSLY PERPETUATED CORNER. DLZ'S COORDINATES WERE
CHECKED AND HELD.

RWD

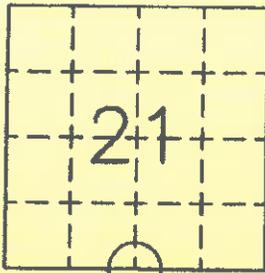
WAID DILLON
INDIANA REG. LAND SURVEYOR #29500005

(SEAL)

P-40

P-40

COR. I.D. = PQ40



SEC. 21, 33TN., R. 7W.

ALSO:

S1/4 COR 21-33-7

N1/4 COR 28-33-7

CORNER RECORD LAKE COUNTY, IN.

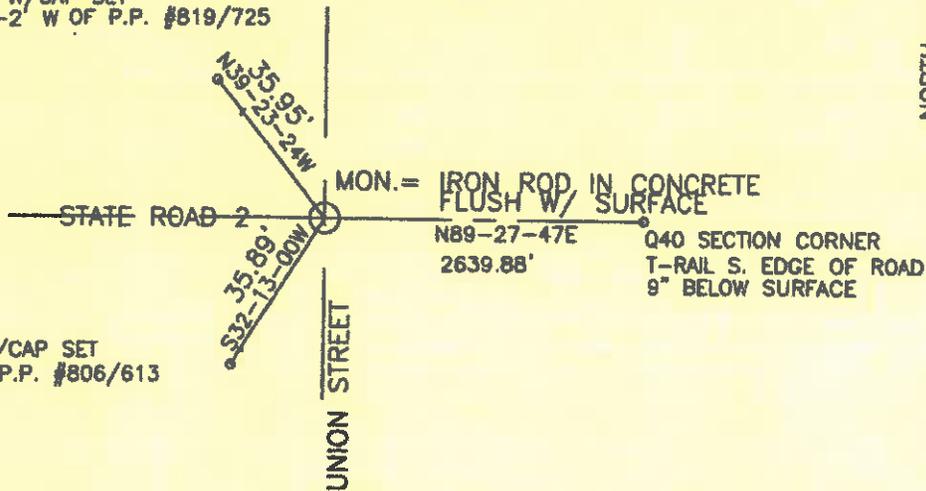
OFFICE OF THE COUNTY SURVEYOR, GEORGE W. VAN TIL
2293 N. MAIN ST. CROWN POINT, IN 46307 219-755-3745

DATE: 03/07/07
PREPARED BY: RUSSELL WAID DILLON
FIELD CREW: JAY LOPEZ, KYLE BONTA

EAGLE CREEK TOWNSHIP

I.S.P.C. WEST ZONE, NAD 83 HOR. NAVD 88 VERT. COORDINATES: N2200428.7', E=2912777.7', Z=676.8'
SURFACE MARK: IRON ROD IN CONCRETE FLUSH WITH SURFACE

I.P. W/CAP SET
+/-2' W OF P.P. #819/725



NORTH
(NOT TO SCALE)

SURVEYOR'S REPORT:

THE MONUMENT IS A IRON ROD IN CONCRETE FLUSH WITH THE SURFACE OF THE ASPHALT ROAD ON COUNTY LINE ROAD THE POSITION OF THIS POINT WAS DETERMINED USING PREVIOUS SURVEYS BY TORRENGA, PLUMB TUCKETT, AND TURNING POINT SURVEYING. THEY ALL FIT WELL NORTH TO SOUTH. ALL THE RELATED SURVEY INFORMATION FIT EACH OTHER WITHIN 0.5 FOOT. MEASUREMENTS ON THE GROUND FIT WELL. SEE RELATED SECTION WORK IN LCS SECTION FILE. IN MY OPINION, THE THEORY OF LOCATION IS LESS THAN 1 FOOT.



WAID DILLON
INDIANA REG. LAND SURVEYOR #29500005

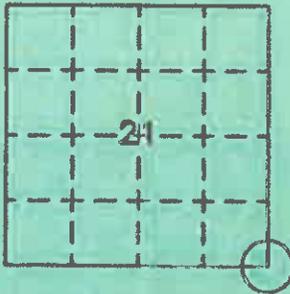


(SEAL)

1/4 PQ 40

1/4 PQ 40

COR. I.D. = Q-40



CORNER RECORD LAKE COUNTY, IN.

OFFICE OF THE COUNTY SURVEYOR
2293 N. MAIN ST. CROWN POINT, IN 46307 219-755-3745

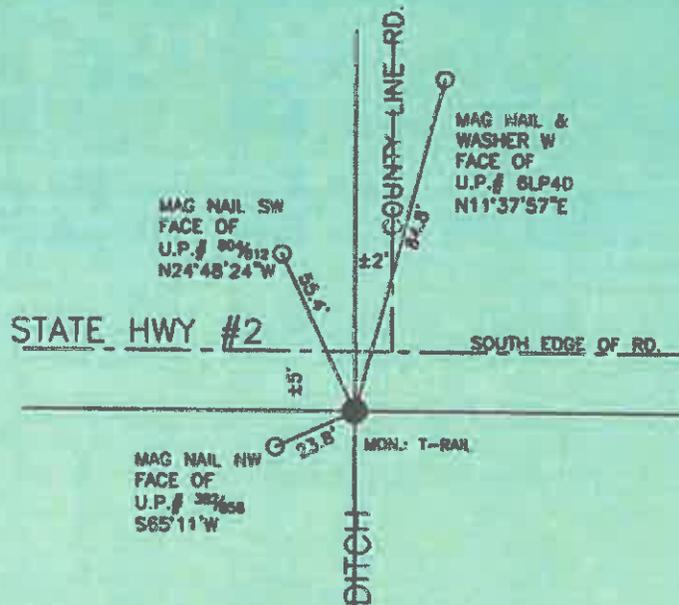
DATE: 05/22/13
PREPARED BY: JUAN LOPEZ
FIELD CREW: JOEL JANOWSKI, MARK SOPATA

SEC. SE 21, 33TN., R.7W.

ALSO NE SEC. 21, 33TN., R.7W.

EAGLE CREEK TOWNSHIP

I.S.P.C. WEST ZONE, NAD 83 HOR. NAVD 88 VERT. COORDINATES: N=2200453.4, E=2915417.5, Z=866.0'
SURFACE MARK: T-RAIL 9" BELOW GRADE
SPECTRA PRECISION EPOCH 50 VRS/GPS USED TO LOCATE USING THE INDIANA NETWORK



NORTH
(NOT TO SCALE)



SURVEYOR'S REPORT:
REWITNESSED PREVIOUSLY PERPETUATED CORNER. DLZ'S COORDINATES WERE
CHECKED AND HELD.

RW Dillon

WAID DILLON
INDIANA REG. LAND SURVEYOR #29500005

(SEAL)

Q-40

Q-40

LAKE COUNTY, INDIANA SURVEYOR'S OFFICE
BENCH MARK RECORD FILE

INDEX NO: 428

CROSS FILE
 NEW BRIDGE

LOCATION OF B.M. NW ¼ SECTION 29-33-7
 STREETS: 181ST [IND ST RT #2], GRAND BLVD

DESCRIPTION OF B.M. AND ITS LOCATION		LOCATION SKETCH	
DESIGNATION: BRYANT	ELEVATION 654.52		
STAMPING: 1952 NO2 1982			
CHARACTER OF MARK: BRONZE DISK			
ESTABLISH BY: U.S.C.& G.S.	1982		
DETAILED DESCRIPTION: ELEV. 654.52 A BRONZ DISK ON SOUTHEAST CORNER HEADWALL OF STATE HIGHWAY #2 BRIDGE OVER M.J. BROWN DITCH, APPROX 1.5 MILE EAST OF CLAY STREET ON STATE HIGHWAY #2.			
DATE:	FIELD BK.	PAGES	REPORTS
JULY 4, 1992			B.M. BRONZ DISK F 139 1946 WAS DESTROYED WHEN A NEW BRIDGE WAS BUILT U.S.C.& G.S. SET A NEW BRONZ DISK ON BRIDGE AND ELEV. 654.52 WAS ESTABLISHED BY LAKE COUNTY SURVEYOR AS A SEDIMENT POINT - LAKE COUNTY SURVEYOR
JAN 17, 1995			B.M. BRONZ DISK WAS FOUND OK AND IN GOOD SHAPE - LAKE COUNTY SURVEYOR
JULY 2011			B.M. FOUND IN GOOD CONDITION
12 JULY 2012			B.M. FOUND IN GOOD CONDITION, PAINTED, SEE PICTURES
			BY: L.C.S.
			JFF BF KB
			JJ MS



LAKE COUNTY, INDIANA SURVEYOR'S OFFICE
BENCH MARK RECORD FILE

INDEX NO: 427
CROSS FILE
OLD No. 427

LOCATION OF B.M. NW ¼ SECTION 30-33-7
STREETS: CLAY STREET [RANGE LINE ROAD], 181ST
[STATE HWY #2]

DESCRIPTION OF B.M. AND ITS LOCATION	
DESIGNATION: E 139	ELEVATION 668.509
STAMPING: E 139 1946	
CHARACTER OF MARK: BRONZE DISK	
ESTABLISH BY: U.S.C. & G.S.	1946

DETAILED DESCRIPTION:
 ABOUT 2.25 MILES SOUTH ALONG STATE HIGHWAY 2 AND 53 FROM THE PENNSYLVANIA RAILROAD STATION AT HEBRON, TRENCH ABOUT 3.7 MILES WEST ALONG STATE HIGHWAY 2, ABOUT 0.3 MILE EAST OF A CROSS-ROAD, SET IN THE TOP OF THE WEST END OF THE SOUTH HEAD WALL OF AN 18" CONCRETE PIPE CULVERT, 22 FEET SOUTH OF THE CENTER LINE OF THE HIGHWAY, 1 FOOT EAST OF THE WEST END OF THE HEAD WALL, ABOUT 7 FEET BELOW THE HIGHWAY, END SET IN DRILL HOLE.

NOTE: THIS MARK MAY BE REACHED FROM THE JUNCTION OF STATE HIGHWAY 55 AT ORCHARD GROVE BY GOING ABOUT 4.3 MILES EAST ALONG STATE HIGHWAY 2.

NEW DESCRIPTION: 1500 FEET EAST OF CENTERLINE OF CLAY STREET (RANGE LINE ROAD), ALONG IND. ST. RT. #2, SOUTH SIDE OF THE ROAD, ABOUT 15 FEET SOUTH OF THE PAVEMENT ONE FOOT EAST OF THE WEST END OF THE HEAD WALL ON A CONCRETE HEADWALL.

LOCATION SKETCH



DATE:	FIELD BK.	PAGES	REPORTS	BY:
JULY 19, 1976			B.M. BRONZE DISK COULD NOT BE FOUND AT THIS TIME - LAKE COUNTY SURVEYOR	L.C.R.
JUNE 19, 1980			B.M. BRONZE DISK WAS FOUND IN GOOD SHAPE - LAKE COUNTY SURVEYOR	J.D.E.G.
NOV 9, 1993			B.M. BRONZE DISK STAMPED E 139 1946 WAS FOUND OK AND IN GOOD SHAPE - LAKE COUNTY SURVEYOR	JFF
12 JULY 2012			B.M. BRONZE DISK WAS FOUND IN GOOD CONDITION, PAINTED AND PICTURED AS SHOWN, BETTER DISTANCE TO MONUMENT FROM GOOGLE EARTH	JMS



June 21, 2016

GREGORY L. HOLDEN, P.E.
THOMAS S. SHARP, P.E.
JON E. RIEMKE, P.E.
JEFFREY L. McKEAN, P.E.
RANDOLPH J. LINDLEY, P.E.
CHRISTOPHER J. JETER, P.E.
DENNIS A. ZEBELL, P.E.
BENJAMIN P. HOLDEN, P.E.
DAN G. DELGADO, P.E.
MICHAEL F. JOHNSTON, P.E.
JEFFREY M. BYRD, P.E.
JARED M. HUSS, P.E.
SKY K. MEDORS, P.E.
AARON W. BLANK, P.L.S., P.E.
BREAGAN P. EICHER, P.E.
RICHARD A. CHAPMAN, II, P.E.
THOMAS J. McNICHOLAS, P.E.
BRANDON M. ARNOLD, P.E.
KEVIN J. SIEDLECKI, P.E.
CHRISTOPHER M. VANHULLE, P.E.

FINAL FIELD CHECK NOTIFICATION

Work Type: Partial 3R Pavement Project
Route: S.R. 2
Des. No.: 1296675
PE Project No.: 1296675
CN Project No.: 1296675
Location: 0.9 mi. east of I-65 to U.S. 231 in Lake and Porter County

Lawson-Fisher Associates P.C. is under contract with the Indiana Department of Transportation for the design of the above referenced project. A Final Field Check for this project has been scheduled for July 12, 2016. The meeting will be held at 10:00 a.m. Central time at the Arby's parking lot on S.R. 2 just east of the I-65 Interchange. Anyone wishing to provide input into the design of this project should plan to attend.

Utilities with facilities within the limits of this project should review the plans to determine if their existing facilities are accurately shown. Utilities that believe that their facilities will need to be adjusted should attend this meeting. This meeting could provide opportunities for design changes that could eliminate some utility conflicts. Utilities will be contacted by Lawson-Fisher Associates P.C. at a later date concerning the project schedule and relocation coordination. The Utility Coordinator will be Dan G. Delgado, P.E., Lawson-Fisher Associates P.C., 525 West Washington Avenue, South Bend, Indiana, 46601, Tel: 574-234-3167, Fax: 574-236-1330, email: dldelgado@lawson-fisher.com.

Very truly yours,

LAWSON-FISHER ASSOCIATES P.C.



Dan G. Delgado, P.E.
Project Manager

FRM/cas

c: Paul A. Hummel, P.E. (Letter Only)
Michael F. Johnston, P.E. (Letter Only)
Faith R. Morrison, E.I. (Letter Only)



Final Field Check Notification
S.R. 2 Partial 3R Pavement Project
Des. No. 1296675
June 21, 2016
Page 2

The distribution of this notification is as follows:

INDOT Production Mgmt. Div., Geotechnical Engineering Manager – Letter only
INDOT Production Mgmt. Div., Real Estate Acquisition Team Leader – Letter only
INDOT Production Mgmt. Div., Real Estate Admin. Services Team Leader – Letter only
INDOT LaPorte District Construction Engineer – Letter only
INDOT LaPorte District Design Office Manager – Letter only
INDOT LaPorte District Environmental Scoping Manager – Letter only
INDOT LaPorte District Highway Maintenance Director Manager – Letter only
INDOT LaPorte District Planning and Programming Director – Letter only
INDOT LaPorte District Production Director – Letter only
INDOT LaPorte District Program Coordinator – Letter only
INDOT LaPorte District Real Estate and RW Program Director – Letter only
INDOT LaPorte District System Assessment Manager – Letter only
INDOT LaPorte District Testing Office Manager – Letter only
INDOT LaPorte District Traffic Engineer – Letter only
Ms. Lynette Werner, INDOT LaPorte District Utilities Team Leader – Letter only
Mr. Duane A. Alverson, P.E., Lake County Engineer w/11x17 Plans & X-Sections
Mr. Marcus W. Malczewski, Lake County Highway Superintendent w/11x17 Plans & X-Sections
→ Mr. Bill Emerson, Jr., Lake County Surveyor w/11x17 Plans & X-Sections
Mr. Raymond D. Riddell, Porter County Engineer w/11x17 Plans & X-Sections
Mr. David James, Porter County Highway Supervisor w/11x17 Plans & X-Sections
Mr. Kevin D. Breitzke, P.E., L.S., Porter County Surveyor w/11x17 Plans & X-Sections
Ms. Elizabeth McCloskey, U.S. Fish and Wildlife Services – Letter Only
Mr. Timothy Roy, NIPSCO (Electric) w/11x17 Plans & X-Sections
Mr. Dan Phillips, NIPSCO (Gas) w/11x17 Plans & X-Sections
Mr. Doug Benda, NIPSCO (Electric & Gas) – Letter Only
Mr. Don Schoenbeck, NITCO (Telephone) w/11x17 Plans & X-Sections
Mr. Angelo LaMantia, AT&T (Telephone and Fiber) w/11x17 Plans & X-Sections

INDIANA DEPARTMENT OF TRANSPORTATION

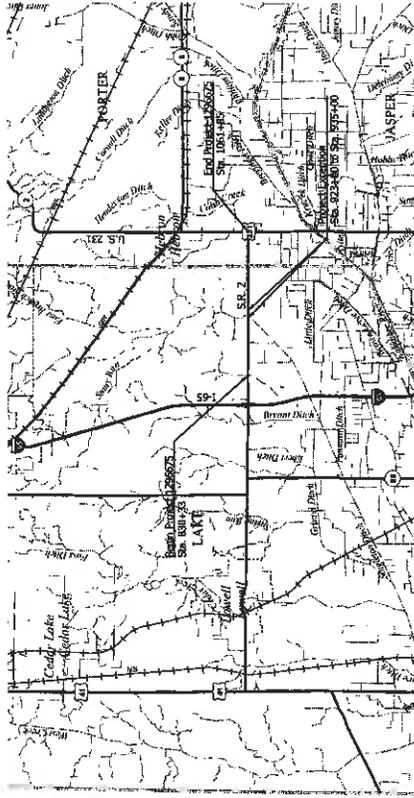


ROAD PLANS

ROUTE: S.R. 2 FROM: RP 15+81 TO: RP 20+11
 PROJECT NO. 1296675 P.E. R/W CONST.
~~1296675~~ 1296675

Gross Length: 4.38 MI.
 Net Length: 4.21 MI.
 Maximum Grade: 2.72%

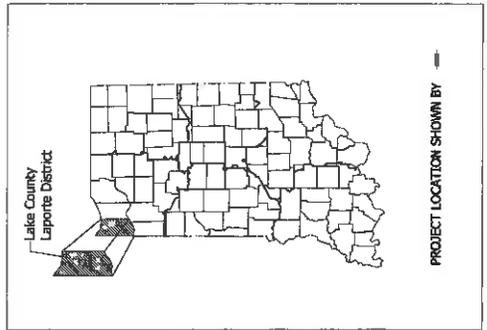
Pavement Project on SR 2 From 0.9-mi east of I-65 to US 231
 in Sections 24 and 25, T-33-N, R-8-W, and Sections 19-22 and 27-30, T-33-N, R-7-W,
 Eagle Creek and Boone Township, Lake and Porter County, Indiana



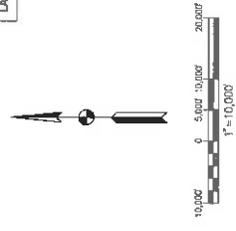
LOCATION MAP
LAKE AND PORTER COUNTY

TRAFFIC DATA		SR 2	
A.A.S.T. (2017)	6,592 V.P.D.		
A.A.S.T. (2017)	6,455 V.P.D.		
D.A.V. (2017)	8.3%		
ADJUSTED DISTRIBUTION			
TRUCKS	12.8% A.A.S.T.		
	8.1% D.A.V.		

DESIGN DATA	
DESIGN SPEED	55 M.P.H.
DESIGN LIFE	20 YEARS
FUNCTIONAL CLASSIFICATION	INTERURBAN RURAL FEEDER
TRAVEL SURFACE	PAVEMENT
TEMPERATURE	TEMPERATURE
ADJUSTMENT	ADJUSTMENT
ADJUSTMENT	ADJUSTMENT



LATITUDE: 41°17'23"N LONGITUDE: 87°28'48"W



FINAL FIELD CHECK
JUNE 21, 2016

INDIANA DEPARTMENT OF TRANSPORTATION
STANDARD SPECIFICATIONS DATED 2016
TO BE USED WITH THESE PLANS

LFA
 LAWSON-FISHER ASSOCIATES P.C.
 525 W. WASHINGTON AVENUE
 SOUTH BEND, INDIANA 46601
 PH. (574) 234-3167

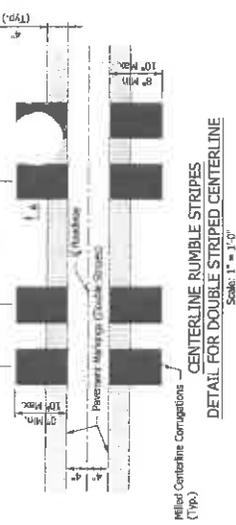
NOT FOR CONSTRUCTION

PLANS PREPARED BY:	LAWSON-FISHER ASSOC. P.C.	574-234-3167	PHONE NUMBER
CERTIFIED BY:			DATE
APPROVED FOR LETTING:			DATE

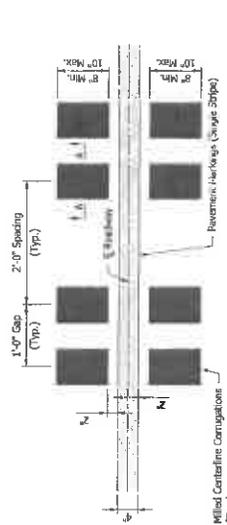
DESIGNATION	1296675
SHEET NO.	1
TOTAL SHEETS	1
CONTRACT NO.	141
PROJECT NO.	32
DATE	05-28-16
SCALE	AS SHOWN

PROJECT	1296675
DESIGNATION	1296675
SHEET NO.	1
TOTAL SHEETS	1
CONTRACT NO.	141
PROJECT NO.	32
DATE	05-28-16
SCALE	AS SHOWN

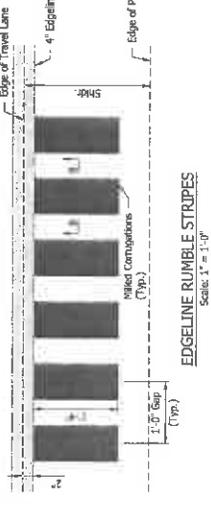
KIN PROJECT INFORMATION	
DESIGNATION	1296675
PROJECT DESCRIPTION	Surface Treatment, This HMA Overlay
1397235	Surface Treatment, This HMA Overlay
1397235	Surface Treatment, This HMA Overlay
1397235	Surface Treatment, This HMA Overlay



DETAIL FOR DOUBLE STRIPED CENTERLINE
Scale: 1" = 1'-0"



DETAIL FOR SINGLE STRIPED CENTERLINE
Scale: 1" = 1'-0"



EDGE LINE RUMBLE STRIPES
Scale: 1" = 1'-0"

NOTE:
The liquid asphalt sealant width shall be a minimum of 24 inches on the shoulder-joint line.

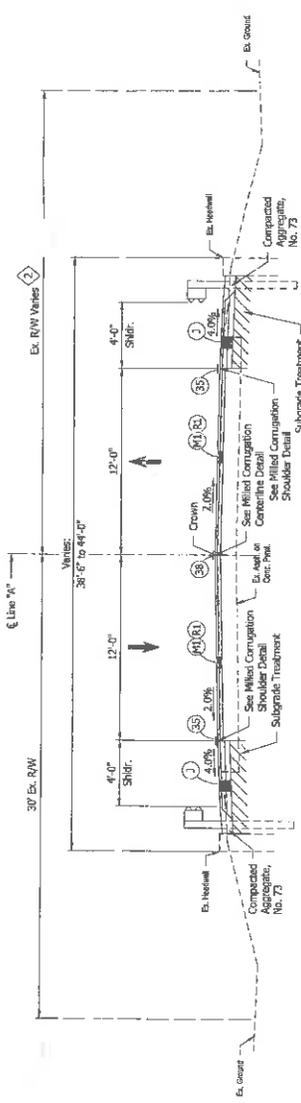


SECTION A-A
NOT TO SCALE

SECTION B-B
NOT TO SCALE

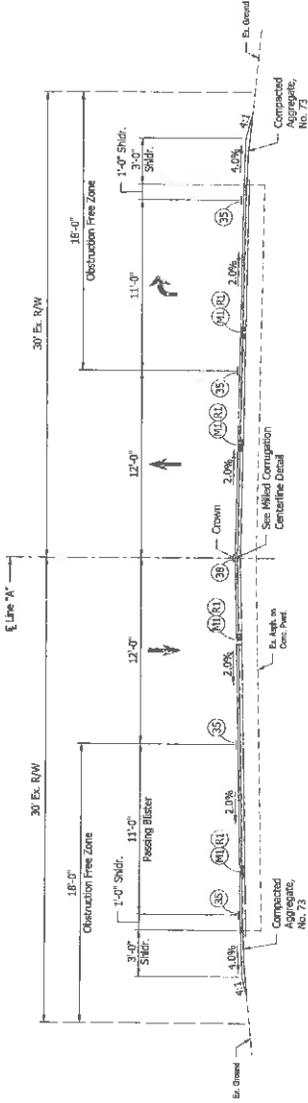
LEGEND:

- ① 185 #/lbs OCQA-HMA, 2.64, Surface, 0.5 mm on 385 #/lbs OCQA-HMA, 2.64, Intermediate, 13.0 mm on 4" Compacted Aggregate, No. 53 Base
- ② Line, Thermoplastic, Solid, White, 4"
- ③ Line, Thermoplastic, Solid, Yellow, 4"
- ④ Line, Thermoplastic, Broken, Yellow, 4"
- ⑤ Milling, Asphalt, 2"
- ⑥ 185 #/lbs OCQA-HMA, 4.70, Surface, 0.5 mm on 275 #/lbs OCQA-HMA, 4.70, Intermediate, 13.0 mm



S.R. 2 - LINE 'A'
Scale: 1" = 1'-0"

Sta. 850+00 to Sta. 859+00
Sta. 860+00 to Sta. 869+00
Sta. 870+00 to Sta. 879+00
Sta. 880+00 to Sta. 889+00
Sta. 101+45 to Sta. 102+73



S.R. 2 - LINE 'A'
Scale: 1" = 1'-0"

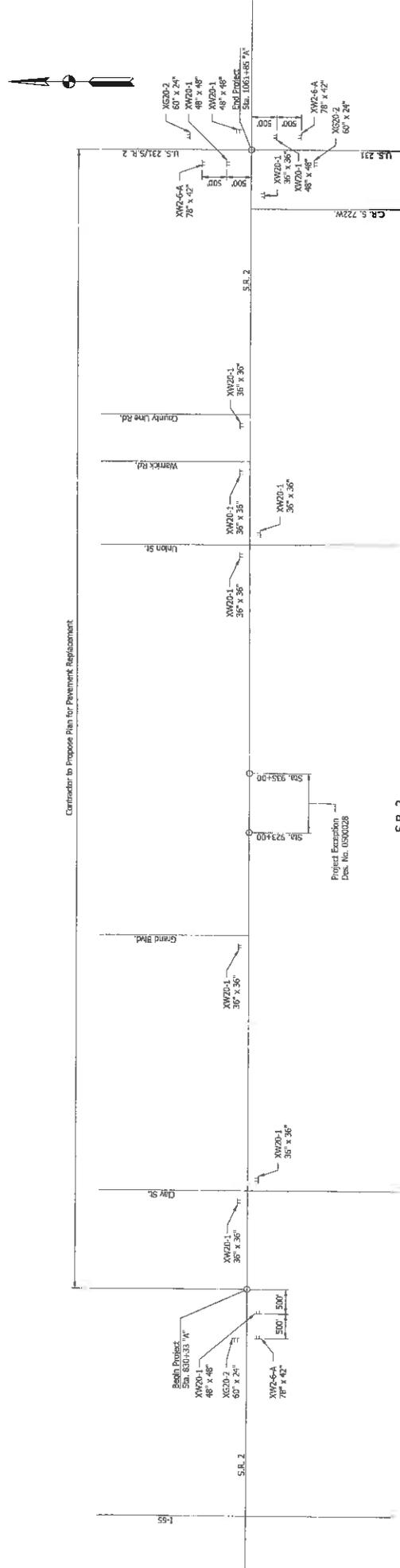
Sta. 1048+65 to Sta. 1050+80

RECOMMENDED FOR APPROVAL	DESIGN ENGINEER	DATE
	DESIGNED: FRM	CHECKED: FRM
NOT FOR CONSTRUCTION	DESIGNED: BJS	CHECKED: FRM
	DESIGNED: FRM	CHECKED: FRM
INDIANA DEPARTMENT OF TRANSPORTATION		
TYPICAL SECTIONS		
LINE 'A'		
SCALE	BRIDGE FILE	
1" = 1'-0"	DESIGNATION	
	156675	
	SURVEY BOOK	
	4	32
	CONTRACT	
	SUBJECT	
	ISSUES	

**ESTIMATE OF QUANTITIES - S.R. 2
ADVANCED SIGNING**

Item	Quantity	Unit
Construction Sign Type A (4.0 Unpublished)	1	Installation
Construction Sign Type C (4.0 Unpublished)	11	Each
	1	Each

- GENERAL NOTES:**
- S.R. 2 shall remain open at all times and maintain traffic with flagging and alternating flagging. Intersecting roads may be closed on the side of the current construction when construction is at that intersection. Otherwise intersecting roads are to remain open.
 - Construction zone speed limit: 45 mph
 - Contractor to provide speed limit reduction signing as needed within project limits and in advance of construction zone.
 - Contractor to propose and provide W.O.T. plans for project limits and area indicated. W.O.T. plans must be submitted to and approved by the Project Engineer.



**S.R. 2
PROJECT LIMITS CONSTRUCTION SIGNING**
Not to Scale

- LEGEND:**
- XG20-2 (60' x 24") End Construction - "K"
 - XW20-4 (48' x 48") Spreading Max. 51000 - "C"
Roadless Driving Plac. 5 Years
 - XW20-1 (36' x 36" or 48' x 36" or 48' x 48") Road Construction Ahead - "K"

RECOMMENDED FOR APPROVAL	DESIGNED	DESIGNED ENGINEER	DATE
	CHECKED	DRAWN	CHECKER
DESIGNED	DSD	BUS	
CHECKED	MPJ	DSD	
NOT FOR CONSTRUCTION			
SCALE		BRIDGE FILE	
NOT TO SCALE		DESIGNATION	
		125675	
SUNNY BECK		SHEETS	
		5 of 32	
CONTRACT		PROJECT	
125628		125675	

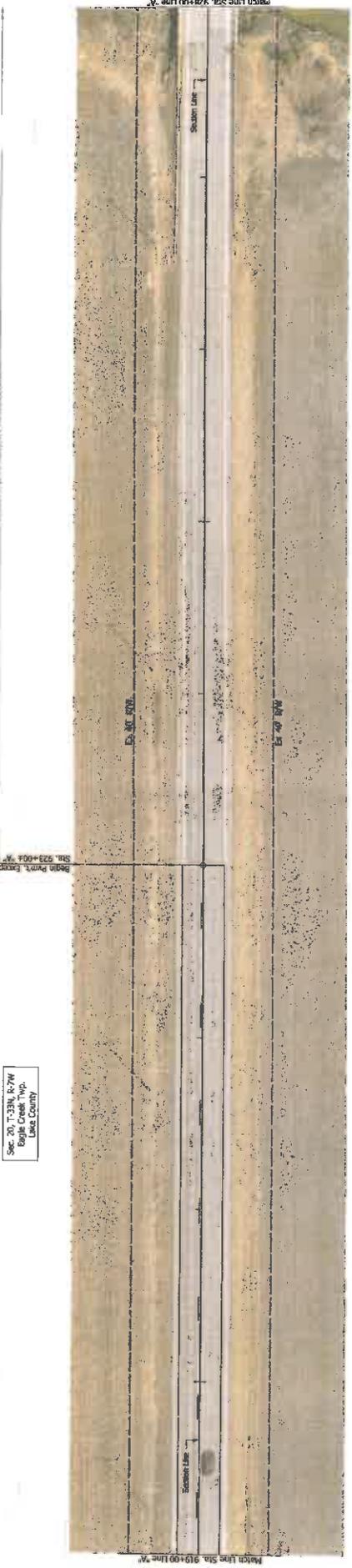
INDIANA
DEPARTMENT OF TRANSPORTATION
MAINTENANCE OF TRAFFIC

925

920

Sec. 20, T-23N, R-7W
Eagle Creek Twp.
Lake County

Sec. 20, T-33N, R-7W
Eagle Creek Twp.
Lake County



935

930

Sec. 20, T-33N, R-7W
Eagle Creek Twp.
Lake County



NOT FOR
CONSTRUCTION

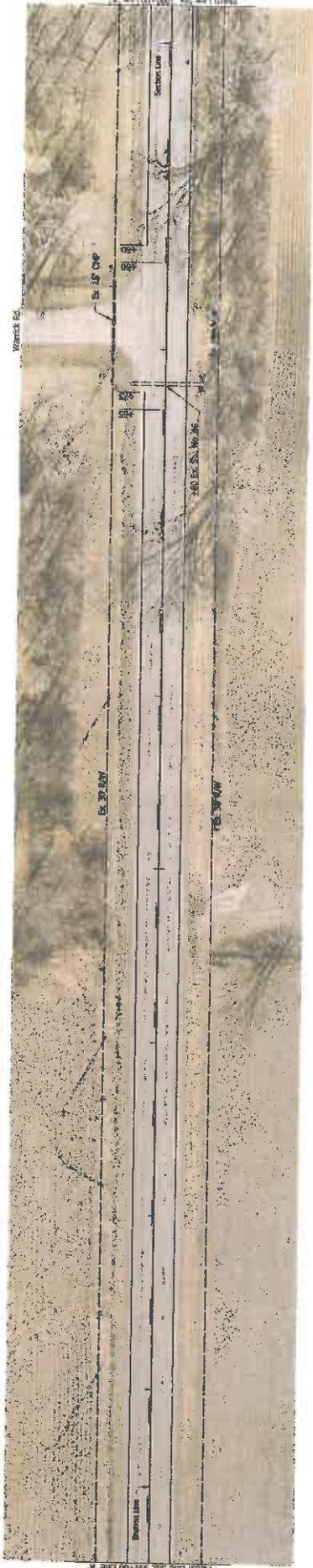
Sec. 20, T-33N, R-7W
Eagle Creek Twp.
Lake County

DESIGNED FOR APPROVAL	DESIGN ENGINEER	DATE	INDIANA DEPARTMENT OF TRANSPORTATION
	DESIGNED, FSN	DRAWN: BJS	
DESIGNED, DSD	CHECKED: JEM		PLAN - LINE "A" STA. 919+00 TO STA. 937+00
SCALE 1" = 37'	SURVEY BOOK	SHEETS 11 of 22	PROJECT PC 3380
			BRIDGE FILE 128625
			CONTRACT PC 3380
			128625

1000

995

Sec. 27, T.33N, R.7W
Boone Twp.
Pomer County

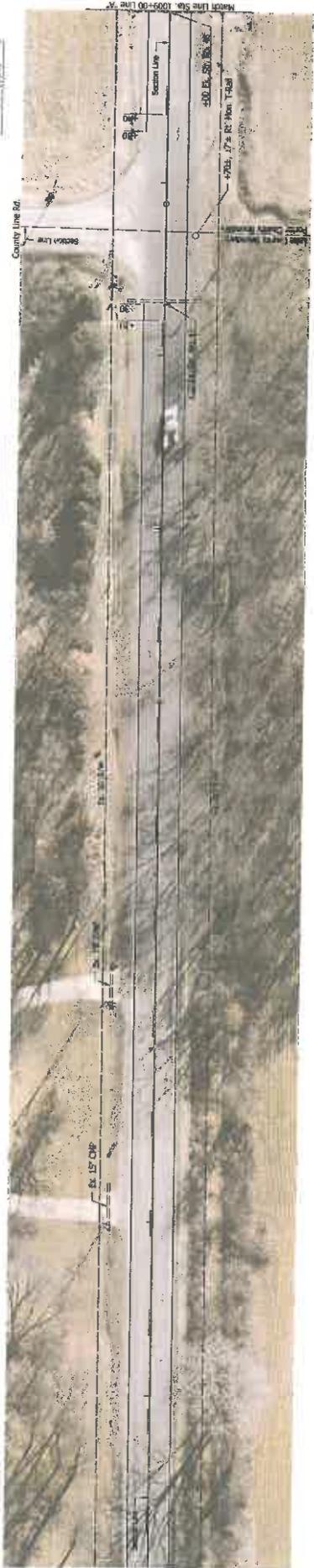


2

1005

1000

Sec. 27, T.33N, R.7W
Boone Twp.
Pomer County



2

NOT FOR CONSTRUCTION

INDIANA
DEPARTMENT OF TRANSPORTATION
PLAN - LINE "A"
STA. 991+00 TO STA. 1009+00

RECOMMENDED FOR APPROVAL	DATE	DESIGN ENGINEER	DATE
DESIGNED: JRM	DRAWN: BJS	CHECKED: JRM	
DRAWN: BJS	CHECKED: JRM		

SCALE	1" = 30'	BRIDGE FILE	
DATE		DESIGNATION	1386675
PROJECT	15	SHEETS	15
CONTRACT	RS-1803	PROJECT	1386675

Sec. 28, T.33N, R.7W
Boone Twp.
Pomer County

Sec. 27, T.33N, R.7W
Boone Twp.
Pomer County

NOT FOR CONSTRUCTION	RECOMMENDED FOR APPROVAL	DESIGN ENGINEER	DATE	INDIANA DEPARTMENT OF TRANSPORTATION		SCALE	BRIDGE FILE
	DESIGNED: JRM	DRAWN: JJS				1" = 30'	DESTINATION
	CHECKED: JGB	CHECKED: JRM		PLAN - LINE "A"		PROJECT	17
				STA. 1027+00 TO STA. 1045+00		CONTRACT	BS-1033B
						PROJECT	1266576



2

1030

1035

2

2

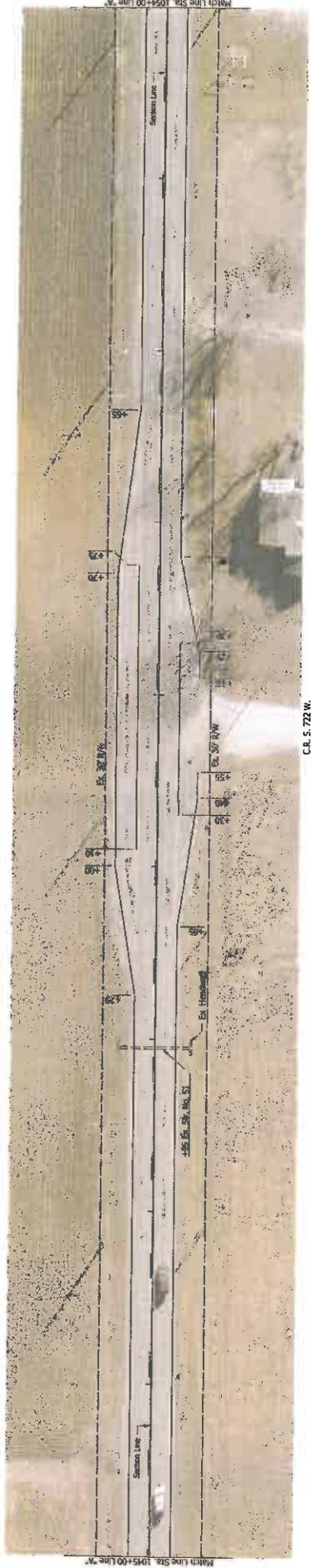
1040

1045

2

1050

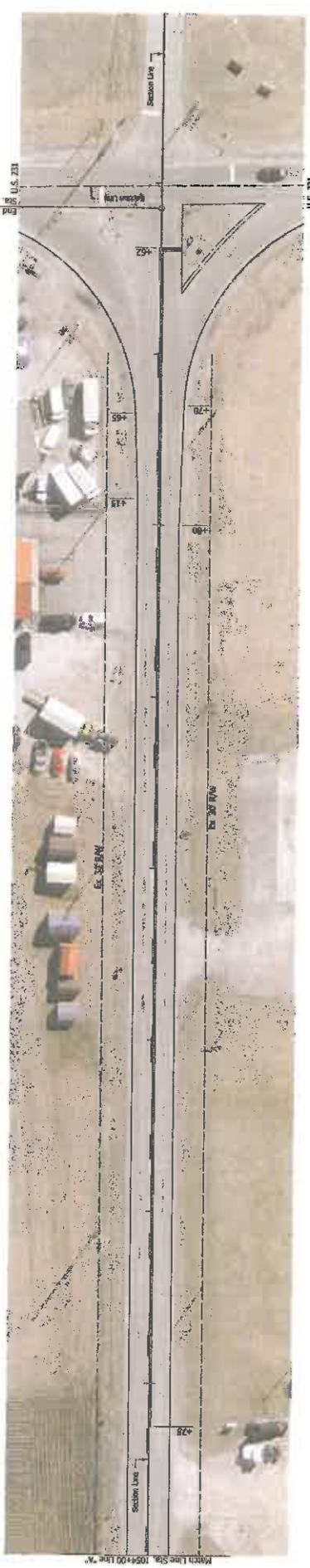
Sec. 22, T. 53N, R. 7W
Boone Twp.
Porter County



2

1060

Sec. 21, T. 53N, R. 7W
Boone Twp.
Porter County

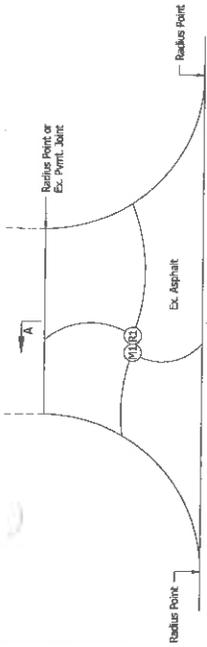


2

Sec. 21, T. 53N, R. 7W
Boone Twp.
Porter County

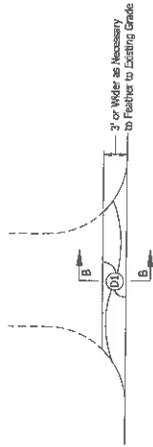
NOT FOR
CONSTRUCTION

RECOMMENDED FOR APPROVAL	DESIGN ENGINEER	DATE	INDIANA DEPARTMENT OF TRANSPORTATION	SCALE 1" = 30'	SHEET NO. 18	SHEETS 23	PROJECT 125575
DESIGNED: JEM	DRAWN: JES						
CHECKED: JSD	INCHARGE: JEM		PLAN - LINE "A" STA. 1045+00 TO STA. 1063+00	CONTRACT R373300			



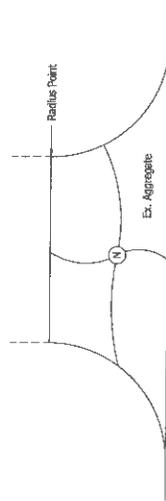
PUBLIC ROAD APPROACH WITH EXISTING ASPHALT DETAIL

Gay St. (North and South)
Union St. (North and South)
Warwick Rd. (North)
County Line Rd. (North)
S 722 W (South)



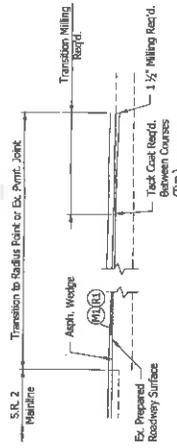
ASPHALT DRIVE HMA FOR APPROACHES WEDGE DETAIL

Scale: None

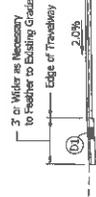


PUBLIC ROAD APPROACH WITH EXISTING AGGREGATE DETAIL

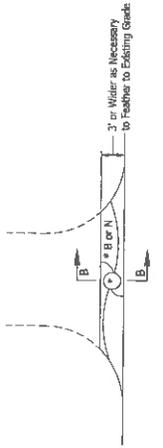
Grand Blvd. (North)



SECTION A-A
Scale: 3/4" = 1'-0"

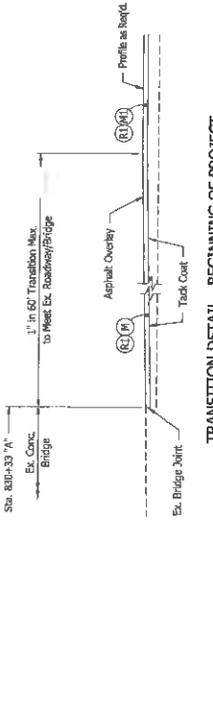


SECTION B-B
Scale: 3/4" = 1'-0"

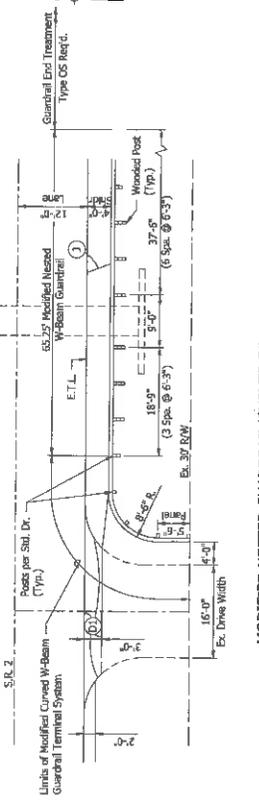


UNIMPROVED EXISTING PRIVATE APPROACHES DETAIL

Scale: None

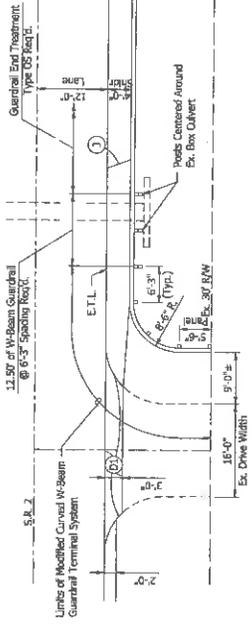


TRANSITION DETAIL - BEGINNING OF PROJECT PROFILE SECTION
Not to Scale



MODIFIED NESTED GUARDRAIL/CURVED TERMINAL SYSTEM DETAIL

Sta. 883+09
Scale: 3/4" = 1'-0"



MODIFIED W-BEAM GUARDRAIL/CURVED TERMINAL SYSTEM DETAIL

Sta. 902+70
Scale: 3/4" = 1'-0"

NOTE TO REVIEWER:
Modified Guardrail to be Discussed With District at Final Field Check.

LEGEND:

- (B) Bottom, 2"
- (B1) 165#/ys HMA, Type B, Surface, on
- (B2) 275#/ys HMA, Type B, Intermediate
- (1) 165 #/ys CC/CH-HMA, 2, 64, Surface, 9.5 mm on
- (2) 385 #/ys CC/CH-HMA, 2, 64, Intermediate, 15.0 mm on
- (N) 4" Compacted Aggregate, No. 73 Base
- (M) Milling, Asphalt, Variable Depth (2" Min to 4" Max)
- (M1) Milling, Asphalt, 2"
- (N) Compacted Aggregate, No. 73, 2"
- (R1) 165#/ys CC/CH-HMA, 4, 20, Surface, 9.5 mm on
- (R2) 275#/ys CC/CH-HMA, 4, 20, Intermediate, 15.0 mm on

NOT FOR CONSTRUCTION	RECOMMENDED FOR APPROVAL	DESIGN ENGINEER	DATE	INDIANA	BRIDGE FILE
	DESIGNED, PER	DRAWN, BY	CHECKED, BY	DEPARTMENT OF TRANSPORTATION	AS NOTED
	REQUIRED, DGD	CHECKED, RHM		CONSTRUCTION DETAILS	DESIGN NO. 1256675
					SURVEY BOOK 15473
					CONTRACT 15 44 30
					PROJECT 1256675
					REVISION

PUBLIC ROAD APPROACH SUMMARY TABLE

Station	Side	Road Name	Existing Road Condition	Type	Width at		Depth		Notes	Transition
					Travel Lane	ROW Line	Travel Lane to ROW Line	(ft)		
850+36	LT	Clay St	Improved	Funct.	61	24	24	113 yd ²		113 yd ²
850+36	RT	Clay St	Improved	Funct.	75	23	35	133 yd ²		133 yd ²
902+02	LT	Grand Blvd	Unimprov.	Funct.	39	19	18	58 yd ²	Ex. Gravel	
961+33	LT	Union St	Improved	Funct.	71	28	21	119 yd ²		119 yd ²
981+37	RT	Union St	Improved	Funct.	71	24	24	127 yd ²		127 yd ²
998+17	LT	Warrick Rd	Improved	Funct.	80	31	18	111 yd ²		111 yd ²
1007+72	LT	County Line Rd	Improved	Funct.	89	27	44	284 yd ²		284 yd ²
1049+82	RT	5722 W	Improved	Funct.	70	41	7	43 yd ²		43 yd ²
TOTAL										996 yd²

QUANTITY SUMMARY

80 ton	165 lb/yd ³ CC/CC-HMA, 4, 70, Surface, 5.5 mm
128 ton	275 lb/yd ³ CC/CC-HMA, 4, 70, Intermediate, 13.0 mm
0.52 ton	Asphalt for Tack Coat
10.00 yd ³	Milling, Approach

Notes to Reviewer:
 All Tables are a Work in Progress and are Subject to Change. Data Entry to be further reviewed and approved by the Designer and Final Field Check is Conducted.

SCALE	BRIDGE FILE
DESIGNATION	DESIGNATION
SHEET NO.	SHEET NO.
PROJECT NO.	PROJECT NO.
CONTRACT NO.	CONTRACT NO.
DATE	DATE

INDIANA
 DEPARTMENT OF TRANSPORTATION
 PUBLIC ROAD APPROACH SUMMARY TABLE

DESIGNED FOR APPROVAL	DESIGN ENGINEER	DATE
DRAWN: RSM	CHECKED: RSM	
CREATED: DBD	CHECKED: RSM	

NOT FOR CONSTRUCTION

RESURFACING, MILLING & COMPACTED AGGREGATE SUMMARY TABLE

Station	L'	Widths (feet)		Type of Treat.	Mainline HMA, Agg.	Area (sq) * Area of Shoulder HMA, Agg.	Comp. Agg. No. 55 Base	Subgrade Milling (sq) * Treatment, Asphalt 2.0 in. Type II	Joint Adhesive Lq. Asphalt Intermitt. Sealant (ft)	Description	Remarks
		Mainline	Shoulder								
831+33.74'	2.0	24.0	5.0	Funcd.	659	494	1153	741	741	741	
832+80.74'	2.0	24.0	4.8	Funcd.	160	106	266	180	180	180	
833+40.74'	2.0	24.0	4.8	Funcd.	107	51	157	120	120	120	
834+40.74'	2.0	24.0	2.0	Funcd.	160	50	210	120	120	120	
835+25.74'	2.0	24.0	2.0	Funcd.	277	47	274	85	85	85	
841+40.74'	2.0	24.0	2.0	Funcd.	1640	273	1913	1845	1845	1845	
845+40.74'	2.0	24.0	2.0	Funcd.	1200	160	1360	1080	1080	1080	
846+40.74'	2.0	24.0	2.0	Funcd.	467	44	511	300	300	300	
849+40.74'	2.0	24.0	2.0	Funcd.	2080	173	2253	1170	1170	1170	
853+70.74'	2.0	24.0	2.0	Funcd.	327	31	358	210	210	210	
856+102.74'	2.0	24.0	2.0	Funcd.	1695	277	2221	1020	1020	1020	
856+102.74'	2.0	24.0	2.0	Funcd.	121	14	135	64	64	64	
856+43.74'	2.0	24.0	4.0	Funcd.	284	54	325	325	325	325	
858+43.74'	2.0	24.0	4.0	Funcd.	255	72	327	163	163	163	
857+45.74'	2.0	24.0	4.0	Funcd.	300	300	600	300	300	300	
857+45.74'	2.0	24.0	2.0	Funcd.	255	72	327	163	163	163	
858+30.74'	2.0	24.0	2.0	Funcd.	184	44	213	131	131	131	
859+40.74'	2.0	24.0	2.0	Funcd.	26	6	30	10	10	10	
859+40.74'	2.0	24.0	2.0	Funcd.	632	1059	7410	2382	2382	2382	
862+22.74'	2.0	24.0	2.0	Funcd.	121	30	142	46	46	46	
862+22.74'	2.0	24.0	2.0	Funcd.	121	30	142	46	46	46	
863+45.74'	2.0	24.0	4.0	Funcd.	324	108	432	122	122	122	
864+45.74'	2.0	24.0	4.0	Funcd.	288	72	359	108	108	108	
865+45.74'	2.0	24.0	2.0	Funcd.	392	99	491	222	222	222	
867+19.74'	2.0	24.0	4.0	Funcd.	183	46	214	69	69	69	
867+47.74'	2.0	24.0	4.0	Funcd.	183	46	214	69	69	69	
868+50.74'	2.0	24.0	4.0	Funcd.	167	56	195	63	63	63	
869+50.74'	2.0	24.0	2.0	Funcd.	233	58	272	87	87	87	
869+57.74'	2.0	24.0	2.0	Funcd.	687	1494	10461	3363	3363	3363	
873+40.74'	2.0	24.0	2.0	Funcd.	23012	3635	26847	8623	8623	8623	
1021+25.74'	2.0	24.0	2.0	Funcd.	20	5	24	6	6	6	
1021+37.74'	2.0	24.0	2.0	Funcd.	196	65	229	74	74	74	
1022+11.74'	2.0	24.0	4.0	Funcd.	183	46	214	69	69	69	
1022+79.74'	2.0	24.0	2.0	Funcd.	7928	2546	7928	2546	2546	2546	
1022+79.74'	2.0	24.0	2.0	Funcd.	146	105	146	105	105	105	
1046+25.74'	2.0	24.0	2.0	Funcd.	53	16	146	105	105	105	
1046+45.74'	2.0	24.0	2.0	Funcd.	107	30	136	80	80	80	
1049+40.74'	2.0	24.0	2.0	Funcd.	97	88	195	120	120	120	
1050+40.74'	2.0	24.0	2.0	Funcd.	107	88	195	120	120	120	
1050+40.74'	2.0	24.0	2.0	Funcd.	120	94	214	135	135	135	
1050+70.74'	2.0	24.0	3.5	Funcd.	27	16	42	20	20	20	
1054+40.74'	2.0	24.0	2.0	Funcd.	227	80	307	170	170	170	
1051+45.74'	2.0	24.0	2.0	Funcd.	269	99	368	170	170	170	
1060+40.74'	2.0	24.0	2.0	Funcd.	275	61	336	250	250	250	
1066+15.74'	2.0	24.0	2.0	Funcd.	275	61	336	250	250	250	
1061+45.74'	2.0	24.0	2.0	Funcd.	453	170	453	170	170	170	
Totals					61458	11058	9210	4805	28791	28791	

QUANTITY SUMMARY		Milling		Subgrade Treatment		Comp. Agg. Base		Asphalt for Tack Coat		Shoulder		Joint Adhesive		Liquid Asphalt Sealant		Milled HMA Compaction	
Surface	Intermitt. Surface	Surface	Intermitt. Surface	Surface	Intermitt. Surface	Surface	Intermitt. Surface	Surface	Intermitt. Surface	Surface	Intermitt. Surface	Surface	Intermitt. Surface	Surface	Intermitt. Surface	Surface	Intermitt. Surface
(sq)	(sq)	(sq)	(sq)	(sq)	(sq)	(sq)	(sq)	(sq)	(sq)	(sq)	(sq)	(sq)	(sq)	(sq)	(sq)	(sq)	(sq)
165	275	275	165	165	275	275	165	275	275	165	275	275	165	275	275	165	275
5123	8537	922	1536	38.5	1040	1090	4805	72255	28791	28791	28791	28791	28791	28791	28791	28791	55041

* Widths are approximate and shall be field verified.
 ** Areas are calculated by using station area widths in current row and the row above.

INDIANA
 DEPARTMENT OF TRANSPORTATION
 RESURFACING, MILLING & COMPACTED
 AGGREGATE SUMMARY TABLE

DESIGN ENGINEER: DATE: _____
 DRAWN: BS
 CHECKED: RW

RECOMMENDED FOR APPROVAL: _____
 DESIGNED: RW
 CHECKED: RW

SCALE: _____
 BRIDGE FILE: _____
 CONTRACT: RS-3540
 PROJECT: 21
 SHEET: 14 OF 21
 DATE: 12/26/05

NOT FOR CONSTRUCTION

MINOR ROAD APPROACH SUMMARY TABLE					
Minor Approach Type	Quantity (each)	Area, Area		Total Area	
		Unimproved (sqft)	Each Appr. (sqft)	Improved (sqft)	Unimproved (sqft)
Driveways					
Residential	26	10	15	408	145
Commercial	4	1	28	92	48
Industrial					
Field Entrance	5	7	10	60	65
Mailbox					
Stand-Alone	5	12	17	67	238
Combo (before drive)	1	1	16	13	18
Combo (after drive)	3	5	20	37	122
Total					626

QUANTITY SUMMARY	
0.35 tons Asphalt for Truck Curb	
655 sqft Paving, Approach	
157 tons HMA for Approaches, Type B	High Approach 3' Wedge
3 cys. Borrow	Earth Approach 3' Wedge
72 tons Compacted Agg. No. 73	Aggregate Approach 3' Wedge

NOT FOR CONSTRUCTION

RECOMMENDED FOR APPROVAL	DATE
DESIGN ENGINEER	
DRAWN BY	
CHECKED BY	

INDIANA DEPARTMENT OF TRANSPORTATION	
MINOR ROAD APPROACH SUMMARY TABLE	

SCALE	PROJECT
DESCRIPTION	PROJECT
SHEET NO.	PROJECT
SHEET TOTAL	PROJECT
CONTRACT	PROJECT
RS-380D	1286675

GUARDRAIL SUMMARY TABLE

Begin Station	End Station	Side	Guardrail Removal	Guardrail End Treatment, Remove	Guardrail Terminal S, W-beam, Curved, 3'	Guardrail End Treatment, OS	Guardrail W-beam, Nested	Modified Posts, Nested	Guardrail	Hand Dig Guardrail Post Holes	Guardrail, Adjust Height	Guardrail, W-beam, 6'-3" Spacing	Guardrail, W-beam, Double Spacing	Remarks
			(ft)	(sq)	(sq)	(sq)	(sq)	(sq)	(sq)	(sq)	(ft)	(ft)	(ft)	
856+40	857+27	RT	2									87.5		
857+21	858+10	LT	2									81.25		
882+59	884+59	LT	2				1					100.0		
882+06	883+51	RT	1					1						
887+56	888+31	RT	1											
888+25	889+00	LT	2									75.0		Modified Terminal System
1021+61	1021+73	RT	2									12.5		Modified Terminal System
1021+67	1022+42	LT	2									75.0		
			Totals	276	4	5	13	1	1	1		506		

NOT FOR CONSTRUCTION

RECOMMENDED FOR APPROVAL	DESIGN ENGINEER	DATE	BRIDGE FILE
DESIGNED BY	DRAWN BY	CHECKED BY	DESCRIPTION
CHECKED	DATE	PROJECT	SURVEY BOOK
CONTRACT	PROJECT	PROJECT	PROJECT
CONTRACT	PROJECT	PROJECT	PROJECT

INDIANA DEPARTMENT OF TRANSPORTATION

GUARDRAIL SUMMARY TABLE

PAVEMENT MARKINGS SUMMARY TABLE

Start Station	End Station	Edge Line	Lane Lines	Centerline	Lane Lines	RT		LT		Lanes & Striping		SRPMs			
						Edge Line	Lane Lines	Edge Line	Lane Lines	Solid Yellow, 4 in (ft)	Broken Yellow, 4 in (ft)		Solid White, 4 in (ft)	Broken White, 4 in (ft)	Solid White, 8 in (ft)
832+30 "A"	841+40 "A"	Yes		Passing Both		Yes				220	1700	11			
841+40 "A"	846+00 "A"	Yes		Core Area		Yes				920					
846+00 "A"	850+00 "A"	Yes		No Passing Both		Yes				600	1600				
850+00 "A"	854+70 "A"	Yes	LT Turn	No Passing Both		Yes				600	1200				
854+70 "A"	858+30 "A"	Yes		Core Area		Yes				720	720				
858+30 "A"	868+15 "A"	Yes		Passing Both		Yes				750	570	38			
868+15 "A"	877+80 "A"	Yes		Passing WB		Yes				250	1930	25			
877+80 "A"	901+65 "A"	Yes		No Passing Both		Yes				770	770	10			
901+65 "A"	908+45 "A"	Yes		Passing EB		Yes				680	1360	17			
908+45 "A"	923+00 "A"	Yes		Passing Both		Yes				370	2510	19			
923+00 "A"	935+00 "A"	Yes		Passing Both		Yes				1150	9170	58			
935+00 "A"	938+85 "A"	Yes		Passing Both		Yes				40					
938+85 "A"	941+05 "A"	No		Passing Both		Yes				5					
941+05 "A"	941+65 "A"	Yes		Passing Both		No				10	10	1			
941+65 "A"	947+65 "A"	Yes		Passing Both		Yes				400	3200	20			
947+65 "A"	957+75 "A"	Yes		Passing Both		Yes				20	20				
957+75 "A"	968+50 "A"	No		Passing Both		Yes				75					
968+50 "A"	998+60 "A"	No		Passing Both		Yes				10	10	1			
998+60 "A"	1007+20 "A"	Yes		Passing Both		Yes				220	1720	11			
1007+20 "A"	1007+30 "A"	Yes		Passing Both		Yes				20	20				
1007+30 "A"	1038+30 "A"	No		Passing Both		Yes				100	100				
1038+30 "A"	1038+40 "A"	Yes		Passing Both		Yes				20	20				
1038+40 "A"	1049+10 "A"	Yes		Passing Both		Yes				1000	8140	51			
1049+10 "A"	1049+30 "A"	Yes	Passing Blatlar	Passing Both		Yes				10	60	2			
1049+30 "A"	1049+55 "A"	Yes	Passing Blatlar	Passing Both		Yes				10	100	3			
1049+55 "A"	1050+10 "A"	Yes	Passing Blatlar	Passing Both		No				20	165	5			
1050+10 "A"	1050+30 "A"	Yes	Passing Blatlar	Passing Both		Yes				10	60	3			
1050+30 "A"	1050+75 "A"	Yes	Passing Blatlar	Passing Both		Yes				20	135	3			
1050+75 "A"	1054+75 "A"	Yes		Passing Both		Yes				100	800	5			
1054+75 "A"	1061+35 "A"	Yes		Passing WB		Yes				660	170	17			
1061+35 "A"	1061+62 "A"	Yes	LT & RT Turn	Passing WB		Yes				27	10	5			
1061+62 "A"	1061+85 "A"	Yes	LT & RT Turn	Passing WB		Yes				182	182	4			
Totals											5236	4920	45138	1640	516

NOT FOR CONSTRUCTION

RECOMMENDED FOR APPROVAL	DESIGN ENGINEER	DATE
DESIGNED BY	DRAWN BY	
CHECKED BY	CHECKED BY	
PROJECT NO.	PROJECT	
CONTRACT NO.	CONTRACT	
DATE	DATE	
SCALE	SCALE	
BRIDGE FILE	BRIDGE FILE	
DESCRIPTION	DESCRIPTION	
SHEET NO.	SHEET NO.	
TOTAL SHEETS	TOTAL SHEETS	
PROJECT NO.	PROJECT	
CONTRACT NO.	CONTRACT	
DATE	DATE	

INDIANA DEPARTMENT OF TRANSPORTATION
PAVEMENT MARKINGS SUMMARY TABLE

PAVEMENT MARKINGS SUMMARY TABLE
 Signs & Pavement Message Markings

Start Station	End Station	Transverse Ms.			Longitudinal Ms.			Word (ONLY)	Word (RR)	Remarks
		Stop Line, 24 in. (ft)	Crosswalk Line, 6 in. (ft)	Solid Yellow, Center Line, 12 in. (ft)	Solid, White, Center Line, 12 in. (ft)	Lane Indication Arrow (ft)	Word (ce)			
841+40 "A"	846+00 "A"			102			2			
846+75 "A"	846+75 "A"						2			
848+15 "A"	848+15 "A"						2			
848+55 "A"	848+55 "A"						2			
849+50 "A"	849+50 "A"						2			
849+80 "A"	849+80 "A"						2			
850+24 "A"	850+24 "A"	12								
850+36 "A"	850+36 "A"	12								
850+80 "A"	850+80 "A"						1			
851+20 "A"	851+20 "A"						1			
852+00 "A"	852+00 "A"						1			
852+40 "A"	852+40 "A"						1			
853+85 "A"	853+85 "A"						1			
854+70 "A"	854+70 "A"			85						
1061+61 "A"	1061+61 "A"	12								
Totals		36		107			9	6		

NOT FOR CONSTRUCTION

RECOMMENDED FOR APPROVAL	DESIGN ENGINEER	DATE	
DESIGNED: PBL	DRAWN: EIS		
CHECKED: DFG	CHECKED: FRM		

INDIANA
DEPARTMENT OF TRANSPORTATION
PAVEMENT MARKINGS SUMMARY TABLE

SCALE	BRIDGE FILE	CONSTRUCTION	1286025
SURVEY BOOK	SHEETS	PROJECT	1286025
CONTRACT	28	OF	32
REVISED			

PTP MATERIAL SUMMARY TABLE

Section No.

107	109	43	107	109	43
3	1	3	3	1	3
15	15	15	15	15	15
15	15	15	15	15	15
Pipe Type / Shape					
Smooth Pipe Size					
Corrugated Pipe Size					
RCP/RCP/EP (S)					
Class					
D.O.M. Rating					
Non-Reinforced Concrete Pipe, Class 3 (S)					
Compacted PE Pipe, Type 3 (S)*					
Ribbed PE Pipe (S)*					
Smooth Wall PE Pipe (S)* / Medium DR					
Profile Wall PVC Pipe (S)					
Smooth Wall PVC Pipe (S)*					
Worked Clay Pipe, Extra Strength (S)					
Fully Br. Paved & Lined (S)					
Corr. Profile Thickness					
Corr. Profile Thickness					
Zinc Coated (C)					
Zinc Coated w/ BPI (C)					
Corr. Profile Thickness					
Alum. Coated Type 2 (C)					
Corr. Profile Thickness					
Alum. Coated Type 2 w/ BPI (C)					
Corr. Profile Thickness					
Polymer Protected Galvanized (C)					
Thickness					
Polymer Protected Galvanized w/ BPI (C)					
Corr. Profile Thickness					
Polymer Protected Galvanized w/ BPI (C)					
Corr. Profile Thickness					
Fiber Reinforced Bimimous Coated w/ BPI (C)					
Corr. Profile Thickness					
Corrugated Alum. Alloy Pipe (C)					
Corr. Profile Thickness					
Corrugated Alum. Alloy Pipe w/ BPI (C)					
Corr. Profile Thickness					
Str. Plate Aluminum Alloy Pipe (C)					
Corr. Profile Thickness					
Str. Plate Aluminum Alloy Plate w/ GFP (C)					
Corr. Profile Thickness					
Str. Plate Steel Pipe (C)					
Corr. Profile Thickness**					
Str. Plate Steel Pipe w/ GFP (C)					
Corr. Profile Thickness**					

Corrugated Steel Pipe / Pipe-Arch

NOT FOR CONSTRUCTION

RECOMMENDED FOR APPROVAL	DESIGN ENGINEER	DATE
DESIGNED: FRM	DRAWN: JDS	
CHECKED: DGD	CHECKED: JPH	

INDIANA
DEPARTMENT OF TRANSPORTATION
PIPE MATERIAL SUMMARY TABLE

SCALE

BRIDGE FILE

DESCRIPTION

DESIGN NO.

SHEET NO.

PROJECT

CONTRACT

15-236-00

125675

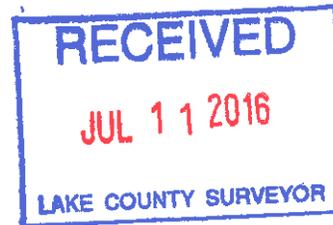
5-C-4
7-20-16



Civil & Environmental Consultants, Inc.

July 06, 2016

Mr. Gerry Scheub
Lake County Board of Commissioners – District 2
Building 'A', 3rd Floor
2293 N. Main Street
Crown Point, IN 46307



Dear Mr. Scheub:

Subject: Findings and determinations of Area of Potential Effect,
Eligibility, and Effect
Proposed SR 2 Bridge (#002-45-00802C [NBI#580])
over MJ Brown Ditch in Eagle Creek Township,
Lake County, Indiana
(Des. No. 0500028, DHPA#19111)
CEC Project 153-396

INDOT has reviewed and approved the findings and determinations of Area of Potential Effect, Eligibility, and Effect along with the supporting documentation as required in 36 CFR 800.11(d) for the above referenced project.

In an effort to conserve resources, the findings and determinations of Area of Potential Effect, Eligibility, and Effect along with the supporting documentation, prepared by Civil & Environmental Consultants, Inc., can be viewed electronically by the consulting parties by accessing INDOT's Section 106 document posting website IN SCOPE at <http://erms.indot.in.gov/Section106Documents/>. Please use the project identification details provided in the subject heading to search for the documents. INDOT will provide a hard copy of the materials to any invited consulting party who makes such a request within seven (7) days of receipt of this notification.

You are invited to review the findings and documentation and provide your comments within 30 days of the date of this letter. Please provide your comments to Samuel P. Snell, MS, RPA, or Luella Beth Hillen, Civil & Environmental Consultants, Inc., 530 East Ohio Street, Suite G, Indianapolis, Indiana 46204 or to ssnell@cecinc.com or bhillen@cecinc.com.

Thank you for your attention to this request.

CIVIL & ENVIRONMENTAL CONSULTANTS

Luella Beth Hillen
Principal

cc: Mary Kennedy, INDOT-CRS

L 153-396 2015 07-06 SR2 Bridge



Office of the Lake County Surveyor

Lake County Government Center • 2293 North Main Street • Crown Point, Indiana 46307
Phone: (219) 755-3745 • Fax: (219) 755-3750

5-C-5
7-20-16

Bill Emerson, Jr.
County Surveyor

July 14, 2016

Bill Emerson, Jr
Lake County Surveyor
2293 North Main Street
Crown Point, Indiana 46307

RE: Monthly Report on Clearing and Snagging Crew
Kankakee River Watershed

Dear Mr. Emerson,

Following are the sites addressed by the crew since mid-June

June 8th – July 8th

Cedar Creek	Removed Beaver Dam
Cedar Creek	Fallen Trees and Debris
Cedar Creek	Fallen Trees and Debris

In addition, crew maintained/cleared easements along Hayden Ditch, removed beaver dams and fallen trees at West Creek, also maintained/ inspected various culvert crossings countywide.

Respectfully,

Thomas Regalado
Assistant Drainage Administrator

Cc: Daniel V. Gossman, Drainage Administrator
Lake County Drainage Board and Advisory Committee

Cedar Creek South of 171st

Cedar Creek Twp.



Before

Prepared by the Lake County Surveyor's Office
Bill Emerson, Jr Lake County Surveyor

Cedar Creek South of 171st

Cedar Creek Twp.



After

Prepared by the Lake County Surveyor's Office
Bill Emerson, Jr Lake County Surveyor

Cedar Creek South of 171st

Cedar Creek Twp.



Before

Prepared by the Lake County Surveyor's Office
Bill Emerson, Jr Lake County Surveyor

Cedar Creek South of 171st

Cedar Creek Twp.



After

Prepared by the Lake County Surveyor's Office
Bill Emerson, Jr Lake County Surveyor

Cedar Creek South of 171st

Cedar Creek Twp.



Before

Prepared by the Lake County Surveyor's Office
Bill Emerson, Jr Lake County Surveyor

Cedar Creek South of 171st

Cedar Creek Twp.



After

Prepared by the Lake County Surveyor's Office
Bill Emerson, Jr Lake County Surveyor

5-C-6
7-20-16



AMERICAN
STRUCTUREPOINT
INC.

7260 Shadeland Station, Indianapolis, Indiana 46256
TEL 317.547.5580 FAX 317.543.0270

www.structurepoint.com

M E M O R A N D U M

DATE: July 18, 2016
TO: Bill Emerson, Jr., Lake County Surveyor
FROM: Brian Ralstin, Project Engineer
RE: NIPSCO Cedar Lake Circuit Rebuild 12-08 Utility Replacement Project
CC: Dan Gossman, Jeremy Schmitt, Brian Payne, Jordan McCormack

As requested by the Lake County Surveyor's Office, American Structurepoint, Inc. has reviewed NIPSCO's letter regarding the Cedar Lake Circuit Rebuild. The application was submitted by Joesph Smierciak of Enercon for the proposed circuit rebuild project of a transmission line in Cedar Lake, Indiana. Review comments are included in this memo. The proposed project is described as follows:

Owner/Developer: NIPSCO

Project Name: NIPSCO Cedar Lake Circuit Rebuild 12-08 Utility Replacement Project

Project Location: 3.42 miles of overhead electrical transmission line in Cedar Lake, Indiana.

Description: Generally the work will consist of new poles being placed within 2 feet of the existing poles and the utility lines transferred from old poles to new poles.

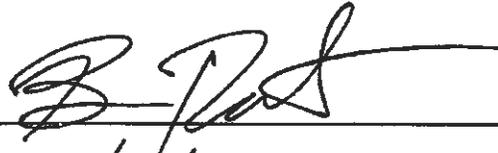
**Submittal
Information
Received:**

- Cover Letter from Joseph Smierciak dated March 31, 2016 and delivered to the Lake County Surveyor's Office.

Recommendation:

This application was received from Enercon Services, Inc. Based on the description of work, specifically that the applicant proposes to locate new utility poles directly adjacent to existing poles, we would anticipate minimal hydrologic disturbance and recommend approval contingent on NIPSCO's agreement that all disturbed areas are appropriately remediated.

Reviewed by: _____



Date: _____

7/18/2016

March 31, 2016
JMS-016-0004

via e-mail: browncp@lakecountyin.org

Mr. Chris Brown
Building 'A', 3rd Floor
2293 North Main Street
Crown Point, IN 46307

**Re: Cedar Lake Circuit Rebuild 12-08 Utility Replacement Project
Lake County Drainage Board Easement Permit Assessment**

Dear Mr. Brown:

Enercon Services, Inc. (ENERCON) is providing consulting services for the Cedar Lake Circuit Rebuild 12-08 Utility Replacement Project on behalf of NiSource, Inc. The project will consist of rebuilding approximately 3.42 miles of overhead electrical transmission line in Cedar Lake, Indiana. The typical pole replacement will be conducted with support vehicles that will be located on public roadways and within in the utility Right of Way (ROW). To the extent possible, the work will be performed from the roadway adjacent to the utility pole locations. Generally, the new poles will be placed within 2 feet of the existing poles and the utility lines will be transferred to the new pole. The work is scheduled to be completed in 2018; however, in the event the utility crews become available, the work will be conducted sooner.

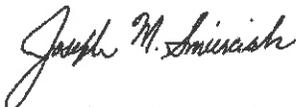
The limits of the utility pole replacements associated with the project are shown on **Figure 1**. Of particular interest is an area near Cedar Creek located along Morse Street (**Figure 2**). The utility pole replacement project may result in encroachment of the 75' easement of a regulated drain near Cedar Creek.

Based on preliminary discussions between John McCreight (ENERCON) and Chris Brown (Lake County Drainage Board), an easement permit application will not be necessary for the project. However, the Lake County Drainage Board wanted to further assess the potential impact before making the final determination that an easement application was not required.

Can you please review the information presented for the project and make a final determination regarding the need for an easement application.

Thank you for your review and assistance with this matter. If you have any questions, please call me at (724) 733-8711, extension 245.

Sincerely,



Joseph M. Smierciak
Senior Project Manager

Cc: Michael G. Haluska, P.E. (ENERCON)
John P. McCreight (ENERCON)

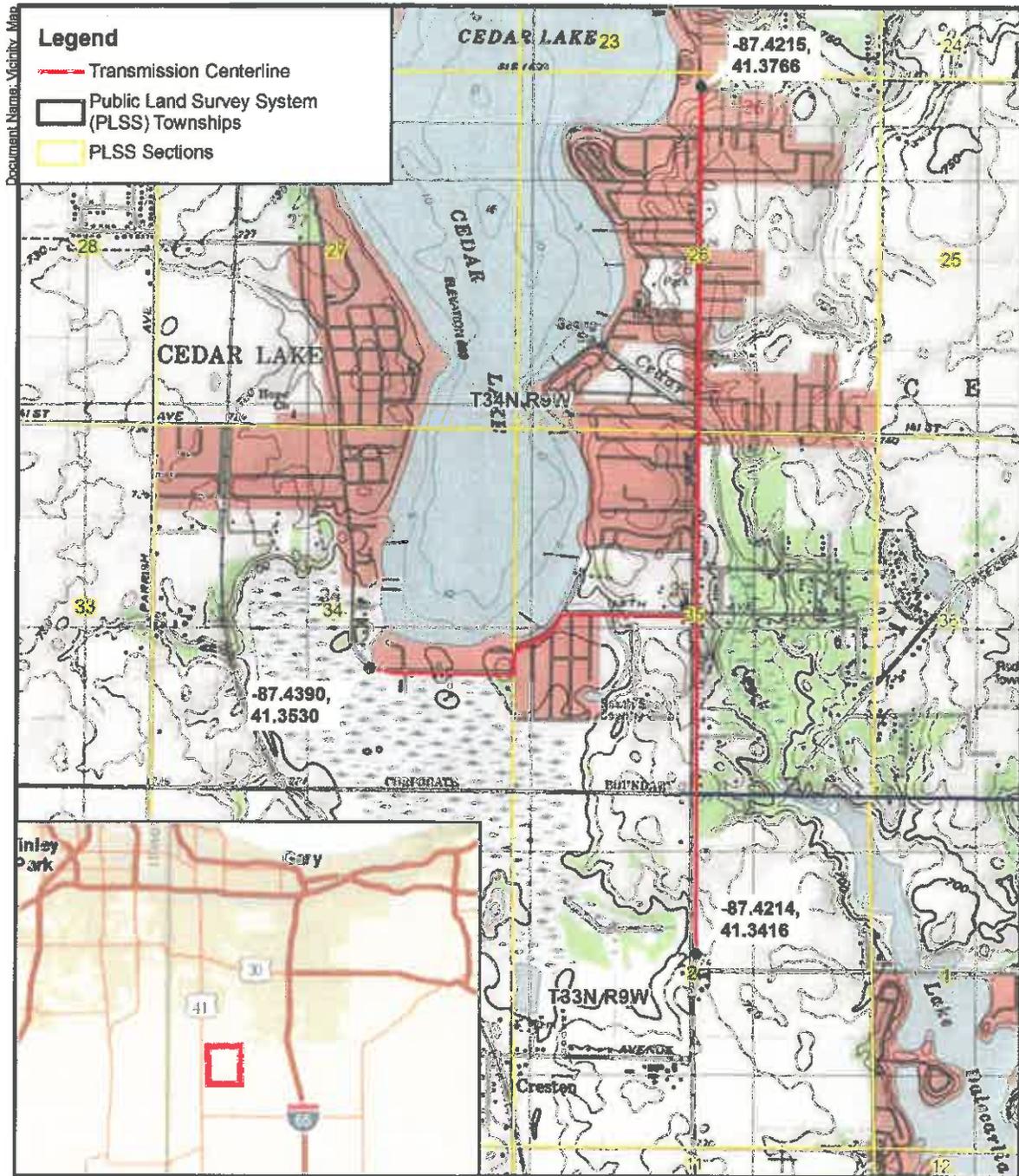
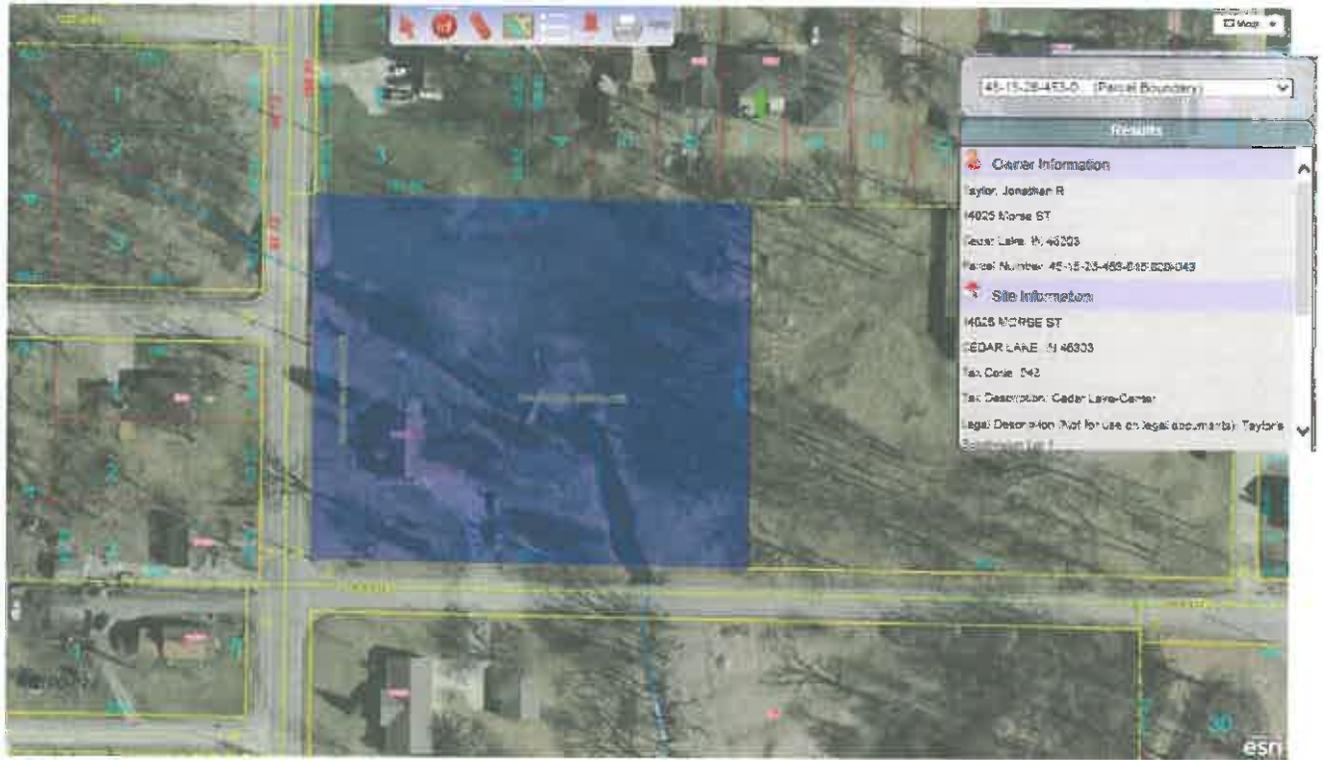


Figure 1: Limits of the Cedar Lake Circuit Rebuild 12-08 Utility Replacement Project



Screenshot from <http://lakeinsurveyor.mygisonline.com/>

Figure 2: Cedar Creek Area Possibly Subject to the 75' Easement of a Regulated Drain

Casboni Bros.
P.O. Box 88
Schererville, In. 46375

Handwritten
507

July 18, 2016

Office of the Lake County Surveyor
Lake County Government Center
2293 North Main Street
Crown Point, In. 46307

Dear Mr. Daniel V. Gossman,

I hope that you had a enjoyable vacation. We discussed the Preserves July 5, 2016. You had stated that you were not aware that this project had been started. You were going to talk to Greg at Dyer Construction about this project. It is July 18, 2016 and no word from you but this project is moving along. I cannot make the July 20, 2016 Drainage Board Meetings. I will be back in the hospital for some more tests. Please call me at (219)-808-5028 with reply. Stay Healthy.

Sincerely,
Vince Casboni

CC: Tom Regalado, Asst, Drainage Board Administrator
Cliff Duggan, Legal Ad visor
Jean Shepard, St. John Township Advisory Committee Representative



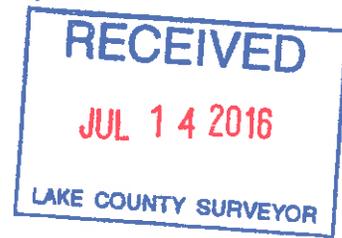
5-D-1
7-20-16

Christopher B. Burke Engineering, LLC

One Professional Center Suite 314 Crown Point, IN 46307 219.663.3410 cbbel-in.com

July 14, 2016

Lake County Surveyor's Office
Lake County Government Center
2293 North Main Street
Crown Point, Indiana 46307



Attention: Bill Emerson Jr., Lake County Surveyor

Subject: Hart Ditch – US 30 to State Line
Invoice Review #2
(CBBEL Project No. 930169)

Dear Mr. Emerson:

As requested, Christopher B. Burke Engineering, LLC staff (CBBEL) reviewed Invoice #153101 dated July 8, 2016, from KDM Services, LLC (KDM) for the Hart Ditch–US 30 to State Line Project. CBBEL inspected the work completed by KDM on July 13, 2016. The work completion observations correspond with the Pay Items and Project Stationing identified in KDM's Invoice. CBBEL offers the following information on areas identified where improvements have occurred and have been field verified:

Item: Channel Bank Excavation

Work completed for this Invoice:

Sta. 19+46 to 19+86 =	55.34 CY	
Sta. 22+00 to 25+50 =	488.70 CY	
Sta. 25+73 to 25+98 =	34.59 CY	
	<u>578.63 CY</u>	Total this Invoice
Unit Cost @ \$10/CY x 578.63 CYS =	\$5,786.30	

Item: Filter Fabric

Work completed for this Invoice:

Sta. 19+46 to 19+86 =	203.91 SY	
Sta. 22+00 to 25+50 =	3,014.89 SY	
Sta. 25+73 to 25+98 =	127.44 SY	
	<u>3,346.24</u>	Total this Invoice
Unit Cost @ \$3/SY x 3,346.24 SYS =	\$10,038.72	

Item: Rip Rap

Work completed for this Invoice:

Sta. 19+46 to 19+86 =	106.77 TONS	
Sta. 22+00 to 25+50 =	873.20 TONS	
Sta. 25+73 to 25+98 =	66.73 TONS	
	<u>1,046.70</u>	Total this Invoice
Unit Cost @ \$58/TON x 1,046.70 TONS =	\$60,708.60	

Item: Rip Rap Installation at Berens Monaldi Storm Sewer Outfall Channel Bottom

Work completed for this Invoice:

Unit Cost @ \$58/TON x 20 TONS = **\$1,160.00**

Item: Geotextile Fabric Installation at Berens Monaldi Storm Sewer Outfall Channel Bottom

Work completed for this Invoice:

Unit Cost @ \$3/SY x 40 SYS = **\$120.00**

Summary of Pay Items for this Invoice:

Channel Bank Excavation:	\$5,786.30
Filter Fabric:	\$10,038.72
Rip Rap:	\$60,708.60
Rip Rap at Outfall:	\$1,160.00
Geotextile Fabric at Outfall:	\$120.00
Value of Work Completed This Invoice:	<u>\$77,813.62</u>

CBBEL's recommendation for payment:

Total Improvements:	This Invoice	To Date
Value of Work Completed:	\$ 77,813.62	\$ 123,127.22
Less Retainage (15%):	\$ (11,672.04)	\$ (13,937.72)
Balance:	\$ 66,141.58	\$ 109,189.50
Less Previous Payments:	n/a	\$ (43,047.92)
Subtotal:	\$ 66,141.58	\$ 66,141.58
Amount Due This Payment:	\$ 66,141.58	\$ 66,141.58

With a contract value of \$174,888.00 the value of completed work to date of \$123,127.22 represents an overall project completion status of 70% complete. If you have any questions, please do not hesitate to call.

Sincerely,


Alan J. Walus, Senior Project Manager

Attached: KDM Services, LLC Invoice #153101 dated July 8, 2016

cc: Daniel V. Gossman, Lake County Surveyor's Office
Thomas T. Burke, Jr., CBBEL

L93016902015-PH59 Hart Ditch US 30 to State Line Invoice Review 2 071416



11703 West 173rd Avenue
 Lowell, IN 46356
 Phone: (219) 690-1234
 Fax: (219) 690-1234

RECEIVED
 JUL 08 2016
 LAKE COUNTY SURVEYOR

INVOICE

Date	Order No.
07/08/2016	153101
Bill To:	
Lake County Surveyor's Office 2293 N Main Crown Point, IN 46307	
Hart Ditch Project	

Description	Quantity	Unit Price	Total
Channel bank excavation		\$10.00/CY	
STA 19+46 to 19+86 40 LFT	55.34 CY		\$553.40
STA 22+00 to 25+50 350 LFT	488.70 CY		\$4,887.00
STA 25+73 to 25+98 25 LFT	34.59 CY		\$345.90
Filter fabric		\$3.00/SY	
STA 19+46 to 19+86 40 LFT	203.91 SY		\$611.73
STA 22+00 to 25+50 350 LFT	3014.89 SY		\$9044.67
STA 25+73 to 25+98 25 LFT	127.44 SY		\$382.32
Rip rap		\$58.00/TON	
STA 19+46 to 19+86 40 LFT	106.77 TONS		\$6192.66
STA 22+00 to 25+50 350 LFT	873.20 TONS		\$50645.60
STA 25+73 to 25+98 25 LFT	66.73 TONS		\$3,870.34
Rip Rap installation at Berens Monaldi storm sewer outfall channel bottom	20 TONS	\$58.00/TON	\$1,160.00
Geotextile fabric for Berens Monaldi channel	40 SY	\$3.00/SY	\$120.00

Notes:
 Thank you for your business!

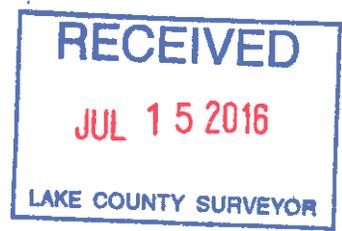
Subtotal	\$77,813.62
Less 15% Retainage	(\$11,672.04)
Grand Total	\$66,141.58

5-D-3
7-20-16



July 15, 2016

Lake County Surveyor's Office
Lake County Government Center
2293 North Main Street
Crown Point, Indiana 46307



Attention: Bill Emerson Jr., Lake County Surveyor
Subject: Cady Marsh Ditch – 2015 (Highland)
Review of Invoice #8 – Partial Release of Retainage

Dear Mr. Emerson:

The approval for payment of Invoice #153096 from KDM Services, LLC (KDM) at the June Drainage Board Meeting represented payment for all work items completed on the Cady Marsh Ditch Project (Highland). Over the course of the project and the review/approval of progress payments, retainage was withheld from all payments in the amount of 15% of the approved invoice amount. For the project, a total of \$60,407.98 in retainage funds have been withheld for the project.

A review of the completed project was conducted between CBBEL (represented by Al Walus) and KDM (represented by Kyle Madison) on July 13, 2016. The project work was observed to remain in satisfactory condition, with the exception of portions of the seeding work, and a reduction in the amount of retainage being withheld is recommended.

For the seeding portion of the work, the INDOT inspection criteria of achieving site stabilization with a minimum of 70% uniform density of permanent vegetation was utilized. Based on this criteria, approximately 1.49 acres (69%) of the seeded acreage met the uniform density criteria and 0.67 acres (31%) of the seeded acreage did not (see attached spreadsheet for the detailed inspection results). For the 0.67 acres of the seeded area that did not meet the criteria, uneven vegetation growth was observed and the lack of uniform growth appears to be a function of dry weather/lack of rain once these final areas were seeded. Attached are photos of seeded areas that meet the 70% uniform density criteria and areas that have not yet met the criteria.

Using the Contract's Unit Cost of \$1,125.00 per acre for seeding, the value of the 0.67 acres that fell short of the uniform density criteria would calculate to be \$754.00. Thus, continuing to withhold retainage in the amount of \$754.00 would be appropriate. All other work items, outside of the 0.67 acres of seeding, have previously been verified as having been installed properly and are functioning properly. CBBEL's recommendation for partial release of retainage is summarized as follows:

CBBEL's recommendation for payment:

Project Retainage Withheld to Date:	\$ 60,407.98
Less Retainage to Continue Withholding for Seeding:	\$ (754.00)
Balance Due This Payment:	\$ 59,653.98

The release of the final retainage will be contingent upon meeting the 70% uniform density criteria for the remaining 0.67 acres of seeded areas and the submittal of a final waiver of lien. If you have any questions, please do not hesitate to call.

Sincerely,



Alan J. Walus, Senior Project Manager

Attached: KDM Services, LLC Invoice #153102 dated July 15, 2016

cc: Daniel V. Gossman, Lake County Surveyor's Office
Thomas T. Burke, Jr., CBBEL

L9301690001 Cady Marsh Invoice 8 Review 071516

Lake county Surveyor's Office
 CADY MARSH DITCH -- Highland
 Quantity Complete Summary: Seeding

Item No.	Item Description	Unit	Original Plan Quantity	Quantity Verified at minimum Uniform Density of Permanent Vegetation (INDOT Standard)	Quantity Pending Future Inspection	Unit Price	Value of "Verified" Seeding	Value of "Pending" Seeding
7	Mulched Seeding	AC						
	<i>Spoil Piles</i>							
7A	STA 30+25 to 42+50 = .37 AC	AC	0.37		0.37	\$1,125.00	\$0.00	\$416.25
7B	STA 57+00 to 74+00 = .51 AC	AC	0.51	0.41	0.10	\$1,125.00	\$461.25	\$112.50
7C	STA 100+50 to 110+00 = .29 AC	AC	0.29	0.29		\$1,125.00	\$326.25	\$0.00
7D	STA 110+50 to 117+00 = .19 AC	AC	0.19	0.19		\$1,125.00	\$213.75	\$0.00
7E	STA 121+00 to 123+30 = .10 AC	AC	0.10	0.10		\$1,125.00	\$112.50	\$0.00
7F	STA 123+80 to 130+50 = .20 AC	AC	0.20	0.10	0.10	\$1,125.00	\$112.50	\$112.50
	<i>Bank Slope Repair/Bare Soil Piles</i>							
7G	STA 0+25 to 0+75 (Right Bank) = .10 AC	AC	0.10	0.10		\$1,125.00	\$112.50	\$0.00
7H	STA 15+00 to 17+00 (Left Bank) = .10 AC	AC	0.10	0.10		\$1,125.00	\$112.50	\$0.00
7I	STA 37+50 to 39+50 (Right Bank) = .10 AC	AC	0.10	0.10		\$1,125.00	\$112.50	\$0.00
7J	STA 44+00 to 45+00 (Right Bank) = .10 AC	AC	0.10		0.10	\$1,125.00	\$0.00	\$112.50
7K	STA 52+00 to 54+00 (Left Bank) = .10 AC	AC	0.10	0.10		\$1,125.00	\$112.50	\$0.00

Total (in ACRES): 2.16
 Total (in Percentages): 1.49 69%
 0.67 31%
 \$1,676.25
 \$753.75

Withhold retainage in the amount of \$754 pending future inspection:

Cady Marsh Ditch – Highland: Seeding Inspection Photos (Page 1 of 2)



Bank Slope Repair at Sta. 0+25: Meets 70% Minimum Uniform Density



Spoil Pile Seeding at Sta. 110+00: Meets 70% Minimum Uniform Density

Cady Marsh Ditch – Highland: Seeding Inspection Photos (Page 2 of 2)



Bank Slope Repair at Sta. 45+00: Pending Future Inspection



Spoil Pile Seeding at Sta. 128+00: Pending Future Inspection

5-D-4
7-20-16



Office of the Lake County Surveyor

Lake County Government Center • 2293 North Main Street • Crown Point, Indiana 46307
Phone: (219) 755-3745 • Fax: (219) 755-3750

Bill Emerson, Jr.
County Surveyor

NOTICE TO PROCEED

June 16, 2016

Austgen Equipment
11309 Broadway
Crown Point, Indiana 46307

Contract No. 2016-LC-4; Contract Amount: \$45,984.00
Project: 2016 Turkey Creek Lateral No. 13 Maintenance
Von Tobel, Schererville, St John Township

The Lake County Surveyor's Office on behalf of the Lake County Drainage Board, in accordance with the provisions of the contracts general conditions, you are hereby notified to commence work on the subject contract on or before June 20, 2016 and are to fully complete the work within 180 consecutive calendar days in accordance with your contract completion date of December 17, 2016.

A pre-construction meeting is scheduled for Friday June 17, 2016 at 10:00am in the Lake County Surveyor's office. Please be prepared to submit a construction schedule on or before this meeting. One copy of the executed contract is enclosed for your files.

As stated in the contract documents for this project, no extra work or change order is to be started without written authorization from the Lake County Surveyor's Office.

Sincerely,


Daniel V. Gossman
Drainage Administrator

Cc: Bill Emerson, Jr., Lake County Surveyor
Cliff Duggan, Legal Advisor
Tom Regalado, Asst Drainage Admn
Mary Ellen Kupsik, Drainage Board Secretary
Jean Shepherd, St John Township Advisory Committee Representative
Lake County Drainage Board & Advisory Committee



Office of the Lake County Surveyor

Lake County Government Center • 2293 North Main Street • Crown Point, Indiana 46307
Phone: (219) 755-3745 • Fax: (219) 755-3750

5-E-4
7-20-16

Bill Emerson, Jr.
County Surveyor

NOTICE OF AWARD

June 17, 2016

Delta III, Inc.
2063 W. 1250 S.
Hanna, Indiana 46340

Contract No. 2016-K-4; Contract Amount: \$ 46,021.50
Project: 2016 Stoney Run Ditch Middle Branch Lateral No. 4 – Maintenance
145th Avenue, Leroy – Winfield Township

The Lake County Surveyor's Office on behalf of the Lake County Drainage Board, in accordance with the provisions of the contracts general conditions, you are hereby notified of the 2016 Stoney Run Ditch Middle Branch Lateral No. 4 – Maintenance 145th Avenue, Leroy, Winfield Township, contract to Delta III Inc.

Please contact our office to schedule a time during the week of June 27 through July 1, 2016 to sign the contract. As per Indiana Code 36-9-27-78 "Upon execution of the contract, the successful bidder shall give to the board a bond payable to the board, in an amount fixed by the board but not less than the amount of the bid, and with a corporate surety licensed to do business in Indiana. The bond must be conditioned on the faithful performance of the contract and the payment of all expenses and damages incurred under the contract, including payment of all suppliers, laborers, and subcontractors. However, in lieu of a corporate surety bond, the board may accept:

- (1) a cash bond;
- (2) a property bond; or
- (3) a bond from a sufficiently financed private bonding company".

A notice to proceed along with a pre-construction meeting will be scheduled as soon as the contract is signed and the bond is posted.

Sincerely,

Daniel V. Gossman
Drainage Administrator

Cc: Bill Emerson, Jr., Lake County Surveyor
Cliff Duggan, Legal Advisor
Peter Katic, Drainage Board Attorney
Tom Regalado, Asst Drainage Admn
Larry Cope, Winfield Township Advisory Committee Representative
Lake County Drainage Board & Advisory Committee

5-E-4
7-20-16



Document A312™ – 2010

Conforms with The American Institute of Architects AIA Document 312

Performance Bond

601106791

CONTRACTOR:

(Name, legal status and address)

DELTA III, INC.
2063 W 1250 S
HANNA, IN 46340

SURETY:

(Name, legal status and principal place of business)

The Ohio Casualty Insurance Company
62 Maple Avenue
Keene, NH 03431

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

OWNER:

(Name, legal status and address)

LAKE COUNTY DRAINAGE BOARD
LAKE COUNTY, IN

Mailing Address for Notices

The Ohio Casualty Insurance Company
Attention: Surety Claims Department
1001 4th Avenue, Suite 1700
Seattle, WA 98154

Any singular reference to Contractor, Surety, Owner or other party shall be considered plural where applicable.

CONSTRUCTION CONTRACT

Date: 6/15/2016

Amount: \$46,021.50

Description:

(Name and location)

CONTRACT NO. 2016-K-4; CONTRACT AMOUNT: \$46,021.50; PROJECT: 2016 STONEY RUN DITCH MIDDLE BRANCH LATERAL NO. 4 - MAINTENANCE; 145TH AVENUE, LEROY - WINFIELD TOWNSHIP, LAKE COUNTY, INDIANA

BOND

Date: 6/20/2016

(Not earlier than Construction Contract Date)

Amount: \$46,021.50

Modifications to this Bond:

None

See Section 16

CONTRACTOR AS PRINCIPAL

Company:
DELTA III, INC.

(Corporate Seal)

SURETY

Company:
The Ohio Casualty Insurance Company

(Corporate Seal)

Signature:

Name
and Title:

Michael Eaton
President

Signature:

Name
and Title:

DEBORAH E. BELL, ATTORNEY-IN-FACT

(Any additional signatures appear on the last page of this Performance Bond.)

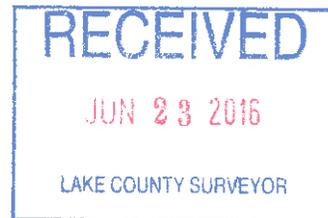
(FOR INFORMATION ONLY — Name, address and telephone)

AGENT or BROKER:

GENERAL INSURANCE SERVICES, INC.
421 FRANKLIN STREET
MICHIGAN CITY, IN 46360

OWNER'S REPRESENTATIVE:

(Architect, Engineer or other party:)



5-E-4
7-20-16



Document A312™ – 2010

Conforms with The American Institute of Architects AIA Document 312

Payment Bond

601106791

CONTRACTOR:

(Name, legal status and address)
DELTA III, INC.
2063 W 1250 S
HANNA, IN 46340

SURETY:

(Name, legal status and principal place of business)
The Ohio Casualty Insurance Company
62 Maple Avenue
Keene, NH 03431

OWNER:

(Name, legal status and address)
LAKE COUNTY DRAINAGE BOARD
LAKE COUNTY, IN

Mailing Address for Notices

The Ohio Casualty Insurance Company
Attention: Surety Claims Department
1001 4th Avenue, Suite 1700
Seattle, WA 98154

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

Any singular reference to Contractor, Surety, Owner or other party shall be considered plural where applicable.

CONSTRUCTION CONTRACT

Date: 6/15/2016

Amount: \$46,021.50

Description:

(Name and location)

CONTRACT NO. 2016-K-4; CONTRACT AMOUNT: \$46,021.50; PROJECT: 2016 STONEY RUN DITCH MIDDLE BRANCH LATERAL NO. 4 - MAINTENANCE; 145TH AVENUE, LEROY - WINFIELD TOWNSHIP, LAKE COUNTY, INDIANA

COPY

BOND

Date: 6/20/2016

(Not earlier than Construction Contract Date)

Amount: \$46,021.50

Modifications to this Bond:

None

See Section 18

CONTRACTOR AS PRINCIPAL

Company: *(Corporate Seal)*
DELTA III, INC.

SURETY

Company: *(Corporate Seal)*
The Ohio Casualty Insurance Company

Signature:

Michael Eaton

Name and Title: Michael Eaton
President

Signature:

Deborah E Bell

Name and Title: DEBORAH E. BELL, ATTORNEY-IN-FACT

(Any additional signatures appear on the last page of this Payment Bond.)

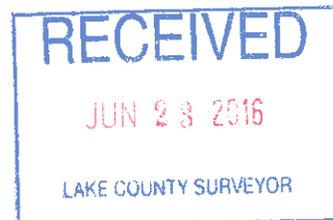
(FOR INFORMATION ONLY — Name, address and telephone)

AGENT or BROKER:

GENERAL INSURANCE SERVICES, INC.
421 FRANKLIN STREET
MICHIGAN CITY, IN 46360

OWNER'S REPRESENTATIVE:

(Architect, Engineer or other party:)





Office of the Lake County Surveyor

Lake County Government Center • 2293 North Main Street • Crown Point, Indiana 46307
Phone: (219) 755-3745 • Fax: (219) 755-3750

5-E-4
7-20-16

Bill Emerson, Jr.
County Surveyor

NOTICE TO PROCEED

June 27, 2016

Delta III, Inc.
2063 W. 1250 S.
Hanna, Indiana 46340

Contract No. 2016-K-4; Contract Amount: \$ 46,021.50
Project: 2016 Stoney Run Ditch Middle Branch Lateral No. 4 – Maintenance
145th Avenue, Leroy – Winfield Township

The Lake County Surveyor's Office on behalf of the Lake County Drainage Board, in accordance with the provisions of the contracts general conditions, you are hereby notified to commence work on the subject contract on or before July 11, 2016 and are to fully complete the work within 180 consecutive calendar days in accordance with your contract completion date of January 7, 2017.

A pre-construction meeting is scheduled for Monday July 18, 2016 at 9:00am in the Lake County Surveyor's office. Please be prepared to submit a construction schedule on or before this meeting. One copy of the executed contract is enclosed for your files.

As stated in the contract documents for this project, no extra work or change order is to be started without written authorization from the Lake County Surveyor's Office.

Sincerely,

Daniel V. Gossman
Drainage Administrator

Cc: Bill Emerson, Jr., Lake County Surveyor
Cliff Duggan, Legal Advisor
Peter Katic, Drainage Board Attorney
Tom Regalado, Asst Drainage Admn
Larry Cope, Winfield Township Advisory Committee Representative
Lake County Drainage Board & Advisory Committee



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Bill Emerson, Jr.
County Surveyor

6-A

NOTICE OF ACTION Application No. 298-6-16-I-III

July 20, 2016

Brad Hensley, PE
LANDMARK ENGINEERING, LLC
7808 West 103rd Street
Palos Hills, IL 60465

DEAR PETITIONER:

THIS NOTICE IS TO INFORM YOU THAT YOUR PETITION OR REQUEST FOR

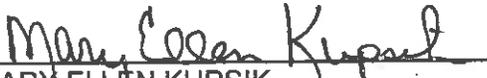
Bull Run Ditch, St John Twp.

Applicant: James & Janice Nichols Agent: Landmark Engineering Ltd
Application to "Perform Work", and "Place Temporary/Permanent Structure" within
regulated drain for the purpose of installing culvert crossing for development of Windy
Knoll Estates.

WAS CONSIDERED BY THE DRAINAGE BOARD AT A MEETING ON THE 20th DAY OF July,
2016 WITH THE FOLLOWING ACTION:

- APPROVED PETITION OR REQUEST.
- APPROVED PETITION OR REQUEST SUBJECT TO CONDITIONS LISTED ON ATTACHMENT #1.
- CONTINUED PETITION OR REQUEST TO **AUGUST 17, 2016** MEETING.
- DENIED PETITION OR REQUEST.
- REMOVED FROM THE AGENDA. IF YOU WOULD LIKE TO REAPPLY TO THE DRAINAGE BOARD A NEW APPLICATION WILL NEED TO BE SUBMITTED, 14 DAYS PRIOR TO THAT MONTH'S MEETING.
- PETITION NOT RELEASED DUE TO NON-PAYMENT OF APPLICATION FEE(S).

IF YOU HAVE ANY FURTHER QUESTIONS, PLEASE CONTACT BILL EMERSON, JR. OR DAN GOSSMAN AT (219) 755-3745.


MARY ELLEN KUPSIK
Lake County Drainage Board Secretary

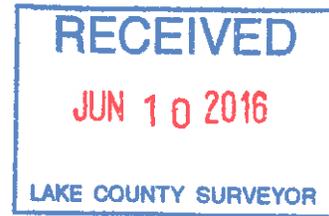
Cc: James & Janice Nichols



6-A
6-15-16

June 10, 2016

Landmark Engineering, LLC
7808 W. 103rd Street
Palos Hills, IL 60465



Attention: Brad Hensley, PE
Vice President

Subject: **Windy Knoll Estates**
Watercourse: Bull Run
Applicant: James & Janice Nichols
Engineer: Landmark Engineering, LLC
(CBBEL Project No. 93-169)

Dear Mr. Hensley:

At the request of the Lake County Surveyor's Office (LCSO), Christopher B. Burke Engineering, LLC (CBBEL) has performed a review of the material submitted for the subject project by Landmark Engineering, LLC. (Landmark). The project consists of the construction of a 3-lot residential subdivision east of Sheffield Avenue, approximately 1000 ft. north of 101st Avenue in Unincorporated Lake County, Indiana. A crossing of Bull Run is required to access the eastern lots of the subdivision. Bull Run does not contain mapped floodplain or floodway according to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) for Lake County, Indiana and Incorporated Areas, Panels 210 of 480, dated January 18, 2012. The crossing location of Bull Run contains less than one square mile of drainage area; therefore, no permit from the Indiana Department of Natural Resources – Division of Water is required. The purpose of the CBBEL review was to comment on compliance with the Lake County, Indiana Stormwater Management Ordinance (Ordinance) and standard engineering methods. It is our understanding that DLZ completed a review on behalf of the LCSO for the Lake County Plan Commission regarding stormwater quantity and quality of the development. This review will consider the crossing of Bull Run and any other encroachments within the Lake County Drainage Board 75-ft. drainage easement.

CBBEL received the following items for review:

- Transmittal Letter, prepared by Landmark, dated May 26, 2016.
- Lake County Drainage Board Permit Application
- Stormwater Management Report, prepared by Landmark, dated March 15, 2016.
- "Primary Plat for Windy Knoll Estates" Plan Set, prepared by Landmark, dated March 15, 2016.

CBBEL staff has reviewed the supplied information and provides the following comments:

1. The proposed crossing only shows 1 ft. of cover over the twin 36-inch HDPE crossing. We recommend that a minimum of 2 ft. of cover be provided in accordance with the Ordinance.
2. Bedding details should be provided for the HDPE pipe in accordance within flexible pipe standards and manufacturer recommendations.
3. Proposed transitional grading should be provided at the crossing to reflect the top of roadway elevations and estimated limits of fill within the drainage easement. All areas outside of the gravel driveway should be properly stabilized and vegetated to reflect existing conditions.
4. TR-55 is not an acceptable hydrologic model to determine the peak flowrate of Bull Run. A public domain hydrologic model capable of producing hydrographs should be used (i.e. – TR-20, HEC-1, HEC-HMS, etc.) to determine the peak flowrate at the proposed crossing. This entails completing a critical duration analysis using Huff rainfall distributions for the watershed.
5. Back-up calculations should be provided to justify the use of a 65 runoff curve number assuming the entire watershed is wood/grass hydrologic soil (HSG) B land use. Utilizing the USDA NRCS soil survey map, it appears that all upstream area contains either C or D HSGs and contains several residential developments. The calculations should be revised accordingly.
6. An exhibit showing the tributary area should be provided to verify the value used in the submitted hydrologic modeling of Bull Run. Based on a preliminary calculation, we estimate that the tributary area may be twice as large as noted in the stormwater report.
7. The proposed crossing should be sized using HY-8 or similar and assume the proposed culverts will convey the 100-year peak flowrate below the top of bank (+/- 678 ft.).

If you have any questions please do not hesitate to call (847) 823-0500.

Sincerely,



Thomas T. Burke, Jr, PhD, PE
Vice President
Head, Water Resources Department

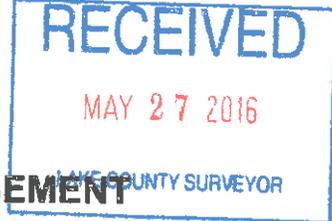
CC: Bill Emerson, Jr. – Lake County Surveyor
Dan Gossman – LCSO
Mary Ellen Kupsik – LCSO

DCO\
N:\INDIANA\93169\2016\Reviews\L_Windy Knoll Estates 061016.docx

6-A
6-15-16

APPLICATION NO. 298-6-16-I-III

APPLICATION FOR PERMISSION TO PERFORM THE FOLLOWING TASK(S) WITHIN A
REGULATED DRAIN
[PLEASE CHECK THE APPROPRIATE BOX]



- I. **WORK WITHIN A REGULATED DRAIN**
- II. **CONNECT/DISCHARGE INTO THE DRAIN/EASEMENT**
- III. **PLACE TEMPORARY/PERMANENT STRUCTURE IN THE DRAIN/EASEMENT**
- IV. **REDUCE EASEMENT FROM SEVENTY-FIVE (75) FEET**

TO THE LAKE COUNTY DRAINAGE BOARD, LAKE COUNTY, INDIANA;

(Name) LANDMARK ENGINEERING LLC

HEREINAFTER CALLED APPLICANT, HEREBY MAKES APPLICATION TO THE LAKE COUNTY DRAINAGE BOARD TO PERFORM THE ABOVE DESCRIBED ACTIVITY WITHIN A REGULATED DRAIN AND/OR THE EASEMENT FOR A REGULATED DRAIN WHICH IS PART OF THE DRAINAGE SYSTEM FOR LAKE COUNTY, INDIANA.

THE LOCATION IS AS FOLLOWS:

NAME OF WATERWAY: BULL RUN

SECTION(s): 36 TOWNSHIP: 35 RANGE: 10

ADDRESS OR DESCRIPTION OF LOCATION: 9449 SHEFFIELD - Dyer

THE REQUEST IS TO CONSIST OF THE FOLLOWING ACTIVITIES:

Placement of a culvert crossing

THE PURPOSE OF THE REQUEST IS TO:

Allow property owner to access the easterly portion of his property and develop two additional residential lots.

1. THE APPLICANT HEREBY AGREES TO RESTORE THE LAND, DRAINAGE DITCHES AND ALL OTHER SURFACES AND/OR STRUCTURES WITHIN THE DITCH AND REGULATED DRAIN EASEMENT TO A CONDITION AS GOOD OR BETTER THAN THEY WERE PRIOR TO THE COMMENCEMENT OF THE WORK.
2. THE APPLICANT SHALL AND WILL INDEMNIFY AND HOLD HARMLESS ANY AND ALL COUNTY ENTITIES, INCLUDING BUT NOT LIMITED TO THE COUNTY OF LAKE, BOARD OF COMMISSIONERS OF THE COUNTY OF LAKE, THE LAKE COUNTY DRAINAGE BOARD, LAKE COUNTY SURVEYOR, ITS ELECTED OFFICIALS, ITS APPOINTED OFFICIALS, ITS OFFICERS, ITS EMPLOYEES, ITS DEPARTMENTS, ITS BOARDS AND/OR AGENTS FROM AND AGAINST ANY AND ALL DAMAGES, INJURIES, LOSSES, DEMANDS, OR COSTS PROXIMATELY CAUSED BY THE FAULT, CULPABILITY OR NEGLIGENCE OF THE APPLICANT IN THE PERFORMANCE OF THE PERMITTED WORK OVER AND ACROSS THE DRAINS OR DRAINAGE RIGHTS-OF-WAY UNDER THE JURISDICTION OF THE LAKE COUNTY DRAINAGE BOARD.
3. **IMPORTANT CLAUSE IN THIS PERMIT APPLICATION:** THE APPLICANT FURTHER AGREES TO NOTIFY THE LAKE COUNTY DRAINAGE BOARD OR THE LAKE COUNTY SURVEYOR IN WRITING AT LEAST FIVE (5) DAYS IN ADVANCE OF THE COMMENCEMENT OF THE WORK DESCRIBED IN THIS APPLICATION, AND WILL ALSO GIVE NOTICE TO THE LAKE COUNTY DRAINAGE BOARD OR THE LAKE COUNTY SURVEYOR THE DAY PRECEDING THE COMPLETION OF THE WORK. FAILURE TO PROVIDE SUCH NOTICE MAY CAUSE REVOCATION OF THE PERMIT(S) AND APPLICANT MAY INCUR PENALTIES. PLEASE SEND NOTICES TO: **LAKE COUNTY DRAINAGE BOARD, ATTN: LAKE COUNTY DRAINAGE BOARD SECRETARY, 2293 N. MAIN STREET, CROWN POINT, IN 46307**
- 4(a). THE APPLICANT AGREES TO AVOID CAUSING DAMAGE TO THE ESTABLISHED REGULATED DRAIN OR TO LANDOWNERS AFFECTED BY THE DRAIN, PURSUANT TO I.C.36-9-27-72(D).
- 4(b). FOR APPLICATIONS REGARDING THE PLACEMENT OF TEMPORARY STRUCTURES IN THE DRAIN'S EASEMENT (BOX III, PAGE 1), SUCH AS FENCES, TREES, GARDENS, SHEDS, ETC., THE APPLICANT UNDERSTANDS THAT, IF THE DRAINAGE BOARD GRANTS PERMISSION TO PLACE SAID TEMPORARY STRUCTURES WITHIN THE DRAINAGE EASEMENT, SAID PLACEMENT IS AT THE OWNER'S RISK. SHOULD THE COUNTY SURVEYOR/DRAINAGE BOARD, THEIR AGENTS, REPRESENTATIVES, CONTRACTORS OR OTHERS AT THE DIRECTION OF SAID COUNTY SURVEYOR/DRAINAGE BOARD, NEED ACCESS TO THE DRAIN OR EASEMENT AND THE STRUCTURE REQUIRES REMOVAL, THE OWNER SHALL REMOVE SAME AT THE OWNER'S EXPENSE. SHOULD THE OWNER FAIL TO REMOVE SAME IN A TIMELY FASHION, THEN THE COUNTY SURVEYOR/DRAINAGE BOARD SHALL CAUSE SAME TO BE REMOVED AND THE OWNER SHALL HAVE NO RECOURSE. AFTER COMPLETION OF THE COUNTY SURVEYOR'S/DRAINAGE BOARD'S ACTIVITY, THE OWNER SHALL HAVE THE RIGHT TO REINSTALL THE TEMPORARY STRUCTURE IN COMPLIANCE WITH THE COUNTY SURVEYOR'S/DRAINAGE BOARD'S REQUIREMENTS. THE COUNTY SURVEYOR/DRAINAGE BOARD MAY REQUIRE PAYMENT FROM THE OWNER FOR THE COST OF THE REMOVAL OR REPLACEMENT FOR ANY OF SAID ITEMS, PURSUANT TO STATUTE.
5. THE APPLICANT SHALL HAVE WORKMAN'S COMPENSATION INSURANCE AS REQUIRED BY STATE LAW.
6. THE APPLICANT SHALL PAY THE LAKE COUNTY SURVEYOR'S OFFICE AN APPLICATION FEE(S) PRIOR TO THE APPLICATION BEING CONSIDERED AT THE NEXT MONTHLY LAKE COUNTY DRAINAGE BOARD MEETING.
7. THE APPLICANT SHALL CARRY PUBLIC LIABILITY INSURANCE MEETING THE MAXIMUM DOLLAR LIMITS AS SPECIFIED IN I.C. 34-13-3-1 ET SEQ. OR ANY SUBSEQUENTLY ENACTED APPLICABLE STATUTES, AND SHALL LIST THE COUNTY OF LAKE, THE BOARD OF COMMISSIONERS OF THE COUNTY OF LAKE, THE LAKE COUNTY DRAINAGE BOARD, LAKE COUNTY SURVEYOR, ITS ELECTED OFFICIALS, ITS APPOINTED OFFICIALS, ITS OFFICERS, ITS EMPLOYEES, ITS DEPARTMENTS, ITS BOARDS AND AGENTS AS OTHER INSURED.
8. **THIS PERMIT DOES NOT OBTAIN THE NEED TO OBTAIN ANY OTHER FEDERAL, STATE AND/OR LOCAL AUTHORIZATION, IF REQUIRED.**

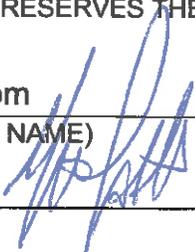
9 BY SUBMITTING THIS APPLICATION, THE APPLICANT HEREBY STATES THE FOLLOWING:

- A. THE PROPOSED WORK MEETS ALL HYDRAULIC REQUIREMENTS THAT WILL PERMIT THE DRAIN TO FUNCTION PROPERLY. (I.C. 36-9-37-72 (C)).
- B. THE REGULATED DRAIN IS ADEQUATE TO HANDLE THE ADDITIONAL FLOW OF WATER, IF ANY
- C. NO HARMFUL POLLUTION IS LIKELY TO RESULT. (I.C. 36-9-27-17(C)).

10. ENGINEERING PLANS, WHICH SUBSTANTIATE THE ABOVE STATEMENTS, MUST ACCOMPANY THIS APPLICATION. THESE PLANS MUST INCLUDE SUFFICIENT DETAIL TO ALLOW VERIFICATION OF THE ABOVE STATEMENTS. (THESE PLANS SHOULD GENERALLY INCLUDE DIMENSIONS, ELEVATIONS, CALCULATIONS, DESCRIPTIONS OR THE QUANTITIES AND TYPES OF MATERIAL TO BE USED, DISCHARGE CALCULATIONS AND OTHER RELEVANT INFORMATION.)

11. UPON COMPLETION OF THE WORK, "AS BUILT PLANS", SIGNED AND SEALED BY AN INDIANA REGISTERED PROFESSIONAL ENGINEER, SHALL BE FORWARDED TO THE LAKE COUNTY DRAINAGE BOARD WITHIN 30 DAYS.

12. THE DRAINAGE BOARD RESERVES THE RIGHT TO WAIVE ANY OF THE REQUIREMENTS STATED HEREON.

SUBMITTED: Mark Landstrom DATE: 3/23/16
 (PRINT OR TYPE NAME)

 (SIGNATURE)

SUBMITTED FOR: James & Janice Nichols

ADDRESS: 9449 Sheffield Avenue
Dyer, IN 46311

PHONE#: (219) 365-3742

(THIS SECTION FOR DRAINAGE BOARD USE ONLY)

LAKE COUNTY DRAINAGE BOARD

DATE: _____ APPROVED: _____ DENIED: _____

SHOULD ANY APPLICATIONS BE SUBMITTED BY AN AGENT, CONSULTANT, ENGINEER, REPRESENTATIVE OR OTHERS PURPORTING TO ACT AS THE OWNER, THEN A POWER OF ATTORNEY SHALL BE DULY EXECUTED AND ATTACHED TO THESE APPLICATIONS. [SEE ATTACHMENT I]

APPROVAL SHALL BE VALID FOR A PERIOD OF TWO YEARS FROM THE DATE OF APPROVAL. SHOULD THE WORK AND ALL RELATED ACTIVITIES NOT BE COMPLETED BY THAT TIME, PETITIONER IS REQUIRED TO REAPPLY. SHOULD THE SCOPE OF WORK, PLANS AND SPECIFICATIONS, OR ACTIVITIES LISTED HEREIN BE MODIFIED, PETITIONER MUST NOTIFY THE LAKE COUNTY SURVEYOR AND THE DRAINAGE BOARD OF THESE MODIFICATIONS FOR REVIEW AND/OR APPROVAL/DENIAL BY THE COUNTY SURVEYOR/DRAINAGE BOARD.

"ATTACHMENT I"

IN THE MATTER OF: BULL RUN
(Name of Regulated Drain)

9449 SHEFFIELD - Dyer S1/2 SE1/4 SECTION 36-35-10
(Location)

POWER OF ATTORNEY
(If Applicable)

That I, JAMES & JANICE NICHOLS, born 1-27-47 - 11-12-47, of

DYER, Indiana, do hereby make, constitute and appoint MARK LANDSTROM
LANDMARK ENGINEERING LLC, born JULY 6, 1955, of PALOS HILLS, IL, ~~whereas~~ my true and

lawful attorney-in-fact, for me and in my name, place and stead to exercise the following:

To represent me in all matters pertaining to the attached Application/Petition, before the
Lake County Drainage Board;

To execute instruments required for said Application/Petition;

To do and perform each and every act and thing whatsoever requisite and necessary or proper to
be done in all matters affecting said Application/Petition, and with the same force and effect as though I
were personally present and acting for myself;

I do hereby ratify and confirm all that my attorney shall do or cause to be done, by virtue of this
power of attorney.

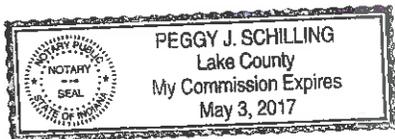
James & Janice Nichols

STATE OF INDIANA)
)
COUNTY OF LAKE)

Subscribed and sworn to before me a Notary Public in and for _____ said County
and State came _____ and acknowledged
the foregoing instrument this _____ day of _____, 200__.

Peggy J. Schilling

Commission Expires: May 3 2017
Lake County Resident: Lake





Office of the Lake County Surveyor

Lake County Government Center • 2293 North Main Street • Crown Point, Indiana 46307
Phone: (219) 755-3745 • Fax: (219) 755-3750



6-B

NOTICE OF ACTION

Application No. 300-7-16-I-II-III

July 20, 2016

Bill Emerson, Jr.
County Surveyor

Mr. Jack Slager
Preserve, S.J. LLC
8900 Wicker Avenue
St. John, IN 46373

DEAR PETITIONER:

THIS NOTICE IS TO INFORM YOU THAT YOUR PETITION OR REQUEST FOR

Bull Run Ditch, St. John Twp.

Applicant: Perserve, S.J., LLC

Application to "Perform Work", "Connect/Discharge" and "Place Temporary/Permanent Structure" within regulated drain for the purpose of a subdivision development.

WAS CONSIDERED BY THE DRAINAGE BOARD AT A MEETING ON THE 20th DAY OF July, 2016 WITH THE FOLLOWING ACTION:

_____ APPROVED PETITION OR REQUEST.

_____ APPROVED PETITION OR REQUEST SUBJECT TO CONDITIONS LISTED ON ATTACHMENT #1.

X CONTINUED PETITION OR REQUEST TO **AUGUST 17, 2016** MEETING.

_____ DENIED PETITION OR REQUEST.

_____ REMOVED FROM THE AGENDA. IF YOU WOULD LIKE TO REAPPLY TO THE DRAINAGE BOARD A NEW APPLICATION WILL NEED TO BE SUBMITTED, 14 DAYS PRIOR TO THAT MONTH'S MEETING.

_____ PETITION NOT RELEASED DUE TO NON-PAYMENT OF APPLICATION FEE(S).

IF YOU HAVE ANY FURTHER QUESTIONS, PLEASE CONTACT BILL EMERSON, JR. OR DAN GOSSMAN AT (219) 755-3745.


MARY ELLEN KUPSIK
Lake County Drainage Board Secretary

APPLICATION NO. 300-7-16a-I-II-III

APPLICATION FOR PERMISSION TO PERFORM THE FOLLOWING TASK(S) WITHIN A
REGULATED DRAIN
[PLEASE CHECK THE APPROPRIATE BOX]

- I. **WORK WITHIN A REGULATED DRAIN**
- II. **CONNECT/DISCHARGE INTO THE DRAIN/EASEMENT**
- III. **PLACE TEMPORARY/PERMANENT STRUCTURE IN THE DRAIN/EASEMENT**
- IV. **REDUCE EASEMENT FROM SEVENTY-FIVE (75) FEET**

TO THE LAKE COUNTY DRAINAGE BOARD, LAKE COUNTY, INDIANA;

(Name) Preserve, S.J., LLC, 8900 Wicker Ave, St. John IN 46373
Contact: Jack Slager, (219) 365-6000

HEREINAFTER CALLED APPLICANT, HEREBY MAKES APPLICATION TO THE LAKE COUNTY DRAINAGE BOARD TO PERFORM THE ABOVE DESCRIBED ACTIVITY WITHIN A REGULATED DRAIN AND/OR THE EASEMENT FOR A REGULATED DRAIN WHICH IS PART OF THE DRAINAGE SYSTEM FOR LAKE COUNTY, INDIANA.

THE LOCATION IS AS FOLLOWS:

NAME OF WATERWAY: Bull Run Creek

SECTION(s): 30,31 TOWNSHIP: 35N RANGE: 9W

ADDRESS OR DESCRIPTION OF LOCATION _____

Northwest Corner of 101st Avenue and White Oak Avenue, St. John, Indiana

THE REQUEST IS TO CONSIST OF THE FOLLOWING ACTIVITIES:

- Grading for detention basins in the floodplain/floodway for The Preserve Subdivision
- Installation of restrictor structures and storm sewer to outlet into Bull Run Creek

THE PURPOSE OF THE REQUEST IS TO:

- Approval of the stormwater management aspects of The Preserve Subdivision

1. THE APPLICANT HEREBY AGREES TO RESTORE THE LAND, DRAINAGE DITCHES AND ALL OTHER SURFACES AND/OR STRUCTURES WITHIN THE DITCH AND REGULATED DRAIN EASEMENT TO A CONDITION AS GOOD OR BETTER THAN THEY WERE PRIOR TO THE COMMENCEMENT OF THE WORK.

2. THE APPLICANT SHALL AND WILL INDEMNIFY AND HOLD HARMLESS ANY AND ALL COUNTY ENTITIES, INCLUDING BUT NOT LIMITED TO THE COUNTY OF LAKE, BOARD OF COMMISSIONERS OF THE COUNTY OF LAKE, THE LAKE COUNTY DRAINAGE BOARD, LAKE COUNTY SURVEYOR, ITS ELECTED OFFICIALS, ITS APPOINTED OFFICIALS, ITS OFFICERS, ITS EMPLOYEES, ITS DEPARTMENTS, ITS BOARDS AND/OR AGENTS FROM AND AGAINST ANY AND ALL DAMAGES, INJURIES, LOSSES, DEMANDS, OR COSTS PROXIMATELY CAUSED BY THE FAULT, CULPABILITY OR NEGLIGENCE OF THE APPLICANT IN THE PERFORMANCE OF OR IN ANY WAY RELATED TO OR RESULTING FROM THE PERMITTED WORK OVER AND ACROSS THE DRAINS OR DRAINAGE RIGHTS-OF-WAY UNDER THE JURISDICTION OF THE LAKE COUNTY DRAINAGE BOARD.

3. **IMPORTANT CLAUSE IN THIS PERMIT APPLICATION:** THE APPLICANT FURTHER AGREES TO NOTIFY THE LAKE COUNTY DRAINAGE BOARD OR THE LAKE COUNTY SURVEYOR IN WRITING AT LEAST FIVE (5) DAYS IN ADVANCE OF THE COMMENCEMENT OF THE WORK DESCRIBED IN THIS APPLICATION, AND WILL ALSO GIVE NOTICE TO THE LAKE COUNTY DRAINAGE BOARD OR THE LAKE COUNTY SURVEYOR THE DAY PRECEDING THE COMPLETION OF THE WORK. FAILURE TO PROVIDE SUCH NOTICE MAY CAUSE REVOCATION OF THE PERMIT(S) AND APPLICANT MAY INCUR PENALTIES. PLEASE SEND NOTICES TO: **LAKE COUNTY DRAINAGE BOARD, ATTN: LAKE COUNTY DRAINAGE BOARD SECRETARY, 2293 N. MAIN STREET, CROWN POINT, IN 46307**

4(a). THE APPLICANT AGREES TO AVOID CAUSING DAMAGE TO THE ESTABLISHED REGULATED DRAIN OR TO LANDOWNERS AFFECTED BY THE DRAIN, PURSUANT TO I.C.36-9-27-72(D).

4(b). FOR APPLICATIONS REGARDING THE PLACEMENT OF TEMPORARY STRUCTURES IN THE DRAIN'S EASEMENT (BOX III, PAGE 1), SUCH AS FENCES, TREES, GARDENS, SHEDS, ETC., THE APPLICANT UNDERSTANDS THAT, IF THE DRAINAGE BOARD GRANTS PERMISSION TO PLACE SAID TEMPORARY STRUCTURES WITHIN THE DRAINAGE EASEMENT, SAID PLACEMENT IS AT THE OWNER'S RISK. SHOULD THE COUNTY SURVEYOR/DRAINAGE BOARD, THEIR AGENTS, REPRESENTATIVES, CONTRACTORS OR OTHERS AT THE DIRECTION OF SAID COUNTY SURVEYOR/DRAINAGE BOARD, NEED ACCESS TO THE DRAIN OR EASEMENT AND THE STRUCTURE REQUIRES REMOVAL, THE OWNER SHALL REMOVE SAME AT THE OWNER'S EXPENSE. SHOULD THE OWNER FAIL TO REMOVE SAME IN A TIMELY FASHION, THEN THE COUNTY SURVEYOR/DRAINAGE BOARD SHALL CAUSE SAME TO BE REMOVED AND THE OWNER SHALL HAVE NO RECOURSE. AFTER COMPLETION OF THE COUNTY SURVEYOR'S/DRAINAGE BOARD'S ACTIVITY, THE OWNER SHALL HAVE THE RIGHT TO REINSTALL THE TEMPORARY STRUCTURE IN COMPLIANCE WITH THE COUNTY SURVEYOR'S/DRAINAGE BOARD'S REQUIREMENTS. THE COUNTY SURVEYOR/DRAINAGE BOARD MAY REQUIRE PAYMENT FROM THE OWNER FOR THE COST OF THE REMOVAL OR REPLACEMENT FOR ANY OF SAID ITEMS, PURSUANT TO STATUTE.

5. THE APPLICANT SHALL HAVE WORKMAN'S COMPENSATION INSURANCE AS REQUIRED BY STATE LAW.

6. THE APPLICANT SHALL PAY THE LAKE COUNTY SURVEYOR'S OFFICE AN APPLICATION FEE(S) PRIOR TO THE APPLICATION BEING CONSIDERED AT THE NEXT MONTHLY LAKE COUNTY DRAINAGE BOARD MEETING.

7. THE APPLICANT SHALL CARRY PUBLIC LIABILITY INSURANCE MEETING THE MAXIMUM DOLLAR LIMITS AS SPECIFIED IN I.C. 34-13-3-1 ET SEQ. OR ANY SUBSEQUENTLY ENACTED APPLICABLE STATUTES, AND SHALL LIST THE COUNTY OF LAKE, THE BOARD OF COMMISSIONERS OF THE COUNTY OF LAKE, THE LAKE COUNTY DRAINAGE BOARD, LAKE COUNTY SURVEYOR, ITS ELECTED OFFICIALS, ITS APPOINTED OFFICIALS, ITS OFFICERS, ITS EMPLOYEES, ITS DEPARTMENTS, ITS BOARDS AND AGENTS AS OTHER INSUREDS.

8. **THIS PERMIT DOES NOT OBIVATE THE NEED TO OBTAIN ANY OTHER FEDERAL, STATE AND/OR LOCAL AUTHORIZATION, IF REQUIRED.**

9 BY SUBMITTING THIS APPLICATION, THE APPLICANT HEREBY STATES THE FOLLOWING:

- A. THE PROPOSED WORK MEETS ALL HYDRAULIC REQUIREMENTS THAT WILL PERMIT THE DRAIN TO FUNCTION PROPERLY. (I.C. 36-9-37-72 (C)).
- B. THE REGULATED DRAIN IS ADEQUATE TO HANDLE THE ADDITIONAL FLOW OF WATER, IF ANY
- C. NO HARMFUL POLLUTION IS LIKELY TO RESULT. (I.C. 36-9-27-17(C)).

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11. UPON COMPLETION OF THE WORK, "AS BUILT PLANS", SIGNED AND SEALED BY AN INDIANA REGISTERED PROFESSIONAL ENGINEER, SHALL BE FORWARDED TO THE LAKE COUNTY DRAINAGE BOARD WITHIN 30 DAYS.

12. THE DRAINAGE BOARD RESERVES THE RIGHT TO WAIVE ANY OF THE REQUIREMENTS STATED HEREON.

SUBMITTED: JACK A. SLAER DATE: 7/15/16
(PRINT OR TYPE NAME)

[Signature]
(SIGNATURE)

SUBMITTED FOR: PRESERVE, S.D., LLC

ADDRESS P.O. Box 677

ST JOHN, IN 46373

PHONE#: (219) 365-6000

(THIS SECTION FOR DRAINAGE BOARD USE ONLY)

LAKE COUNTY DRAINAGE BOARD

DATE: _____ APPROVED: _____ DENIED: _____

SHOULD ANY APPLICATIONS BE SUBMITTED BY AN AGENT, CONSULTANT, ENGINEER, REPRESENTATIVE OR OTHERS PURPORTING TO ACT AS THE OWNER, THEN A POWER OF ATTORNEY SHALL BE DULY EXECUTED AND ATTACHED TO THESE APPLICATIONS. [SEE ATTACHMENT I]

APPROVAL SHALL BE VALID FOR A PERIOD OF TWO YEARS FROM THE DATE OF APPROVAL. SHOULD THE WORK AND ALL RELATED ACTIVITIES NOT BE COMPLETED BY THAT TIME, PETITIONER IS REQUIRED TO REAPPLY. SHOULD THE SCOPE OF WORK, PLANS AND SPECIFICATIONS, OR ACTIVITIES LISTED HEREIN BE MODIFIED, PETITIONER MUST NOTIFY THE LAKE COUNTY SURVEYOR AND THE DRAINAGE BOARD OF THESE MODIFICATIONS FOR REVIEW AND/OR APPROVAL/DENIAL BY THE COUNTY SURVEYOR/DRAINAGE BOARD.

Project Overview

The Preserve Subdivision is located at the northwest corner of 101st Avenue and White Oak Avenue in the Town of St. John, Lake County, Indiana. A site location map can be found on the cover of the plan set. The project site to be developed is approximately 234 acres, and is adjacent to Bull Run Creek. The proposed site will be developed with 432 single family residential lots, public roadways, watermain, sanitary sewer extensions, and on-site detention basins with associated storm sewers. The on-site detention basins are designed to provide stormwater detention for the proposed on-site conditions and the emergency overflow weirs can safely pass the existing tributary areas per St. John standards. The proposed detention basins B, C, D, and existing basin H discharge directly to Bull Run Creek. Detention Basins E and F discharge to Basin G which outlets to a 12" culvert beneath White Oak Avenue and connects to an existing 10" PVC pipe that passes through Rosewood Estates prior to discharging to Bull Run Creek. Basin A discharges to a 24" culvert beneath White Oak Avenue. The proposed detention basins were analyzed using PondPack (TR55). 100 Year rainfall data from Table 3-5 of the Lake County, Indiana Stormwater Technical Standards Manual was used in the site's stormwater calculations.

Existing Drainage Characteristics

The existing site is a farmed area with some wooded areas with a drainage divide through the center of the property which divides drainage to the east and west. The northwest portion of the site (Area 4) slopes toward the existing detention basin (Basin H). The surrounding properties to the north and east are residential developments. The existing Basin H serves the 111 acre development to the north while also accepting 11 acres from the east. The area to the west and south of the site are bounded by Bull Run Creek. Please see the Existing Conditions Drainage Exhibit in this report.

The US EPA Watershed Map indicates that the site lies within the Bull Run Creek watershed (12 digit Hydrologic Unit Code 071200011308). Lake County topography indicates a major ridge in the center of the site that splits the drainage to the east and west, and the southern portion of the site drains south into Bull Run Creek. The area of the site that drains west flows into a series of depressions that ultimately discharges to a small channel at the southeast portion of the site. The small channel outlets to a 24" culvert beneath White Oak Avenue that daylights on the east side of the road where the flow travels overland for approximately 600 feet before entering Bull Run Creek. The existing drainage patterns are maintained under proposed conditions.

The USFWS National Wetland Inventory Map indicates the presence of wetlands on the site. Wetland Consultants are in the process of preparing a formal wetland delineation report for the area. Please see the National Wetlands Inventory Map Exhibit in this report.

The Custom Soil Survey Report for the Town of St. John, Lake County, Indiana, generated by the USDA, indicates that the soils likely to be found on the site are Blount silt loam, Del Rey silt loam, Pewamo silty clay loam, Elliott silt

loam, Markham silt loam, Milford silt loam, Morley silty clay loam, and Morley silt loam, all classified as Group-C or C/D soils. Please see the Hydrologic Soil Group Exhibit in this report for more information.

The FEMA Flood Insurance Rate Map (FIRM) Panel numbers for the site are Map Numbers 18089C0228E, 18089C0210E, 18089C0220E, 18089C0236E effective January 18, 2012. The panels indicate the majority of the site is within a Zone X designation. However, there is also Numbered Zone A Floodplain and Floodway associated with Bull Run Creek located on the site. Please see the FEMA FIRM Map Exhibit in this report.

The existing conditions currently drain into the Bull Run Creek watershed at multiple discharge points. The Existing Conditions Drainage Exhibit shows the site divided into 18 tributary areas. Area 4 drains to the existing detention basin. Areas 5, 6, 7, 8, 9, 10, 11, 12, and 13 discharge directly into Bull Run Creek. Areas 1, 2, 15, and 18 discharge into existing storm sewer along White Oak Avenue and 93rd Avenue which routes through the residential development to the north before ultimately discharging to the existing detention basin. Areas 3, 17, and 16 have depressions that overflow to the area 14 depression which ultimately discharges to the 24" Culvert beneath White Oak Avenue. The existing conditions were modeled using PondPack (TR-55) assuming surface coverage of straight row crops in good hydrologic condition (CN=85, 89) and woods in good hydrologic condition (CN=72, 79), and a critical duration analysis was prepared. Please see the attached Pond Pack analysis for more information.

Local drainage ordinances require that the allowable release rate be determined as the lesser of the calculated existing 2 year frequency discharge rate, and 0.2 cfs/acre of development. As shown in Table 1, for the 2 year frequency, the critical duration is 1 hour with a flow of 96.23 cfs. Using the 0.2 cfs/acre of development yields a release rate of 46.8 cfs for the 234 acres to be disturbed. Therefore, the gross allowable release rate is governed by 0.2 cfs/acre and is 46.8 cfs.

Proposed Conditions

The proposed site will consist of 432 single family residential lots, public roadways, watermain, sanitary sewer extensions, and on-site detention basins with associated storm sewers. The on-site detention basins are designed to provide stormwater detention for the proposed on-site conditions and the emergency overflow weir can safely pass the existing tributary areas per St. John standards. The subdivision will be constructed with seven (7) proposed detention basins located onsite along with one (1) existing basin that was sized with the intention of providing storage for the proposed development. Proposed basins A, D, E, F and G will be dry bottom ponds, compensatory storage basins B and C will be wet bottom with native plantings to promote water quality.

The system was modeled and designed using PondPack, which is able to analyze multiple interconnected ponds. Connections between ponds were modeled as culverts where standard pipe sizes are proposed. Where nonstandard sizes are needed, an orifice plate will be provided, and has been modeled accordingly. The hydrologic modeling used rainfall data from the Lake County, Indiana Stormwater Technical Standards Manual to analyze the

required detention for the 100 year, 24 hour event. Please see the PondPack Model included in this report for more information.

The proposed development area is approximately 234 acres, and the unrestricted area accounts for 17.99 acres of the disturbed area. The average lot area was calculated to be 1/3 acre with a corresponding CN = 81, 86 for hydrologic soil groups C and D, respectively. The basins were assumed to have a CN = 98 at the normal water elevation. The peak unrestricted release rate is 9.56 cfs, and the net allowable release rate is **37.24 cfs** (the gross allowable of 46.8 cfs minus the unrestricted release rate of 9.56 cfs).

Although the amount of floodplain/floodway impact is minimized, there is impact to the floodplain and floodway of Bull Run Creek as a result of the proposed development. An analysis of these impacts is currently underway and will be submitted under separate cover. It is anticipated that a LOMR will be required to redelineate the floodway in areas where impact is unavoidable.

The proposed system discharges at six (6) locations. The proposed tributary areas and their respective curve numbers can be found on the Proposed Curve Number Exhibit in this report. Storage tables for the existing and proposed basins can be found in the PondPack analysis of this report.

Basin H currently serves 111 acres of residential area north of the proposed development and approximately 11 acres from the east. An additional 62.34 acres from the proposed development is routed to Basin H. It should be noted that the 11 acres from the east has also been routed to Basin H, stored, and released at a controlled rate. The outfall from the basin is below the 100 year BFE and was designed assuming a zero release. The peak release rate based on analyzing the basin as a free outfall is 20.39 cfs. **2.49 cfs** of this outflow is attributed to the proposed project site, and the remainder is attributed to the areas originally tributary to the existing pond.

Basin B serves 52.83 acres of the proposed development and provides 10-100 year compensatory storage for fill in the floodplain. The basin provides adequate storage for onsite detention as well as a surplus of compensatory storage. Basin B also has been sized for zero release due to the release being below the 100 Year BFE. The peak release rate based on analyzing the basin as a free outfall is **0.86 cfs**.

Basin C serves 11.77 acres of the proposed development and provides 0-10 year compensatory storage. The basin allows inflow from Bull Run Creek via an 18" pipe with a tide flex backflow preventer. The water stored is then released via a 4" restrictor back into Bull Run Creek at a peak rate of **0.89 cfs**. Because the pond outlets directly to Bull Run Creek below the 100 year BFE, the proposed pond was sized assuming a zero release rate, and provides this required amount of storage, plus the 0-10 year compensatory storage.

Basin D serves 12.44 acres of the proposed development. The peak release rate from the basin into Bull Run Creek is **1.01 cfs**.

Basin A serves 31.6 acres of the development. The peak release rate from the basin is 3.22 cfs. It discharges into an existing channel that drains to a proposed 24" flared end section with a capacity of 31.99 cfs.

Basin E releases to the proposed Basin F at a peak rate of 0.20 cfs, and Basin F discharges to Basin G at a peak rate of 2.44 cfs. Basin G has a maximum release rate of 1.51 cfs. The release from Basin G is governed by the 2.47 cfs capacity of the 10" PVC pipe east of White Oak Avenue with existing tributary flows east of White Oak Avenue combined with unrestricted release flows from the west ROW of White Oak Avenue (0.94 cfs).

The total combined peak discharge from the proposed basins during the 100 year 24 hour event is 11.67 cfs which is significantly lower than the allowable release rate of 37.24 cfs.

All proposed detention facilities have been provided with an emergency overflow weir sized to pass the peak 50 year flow tributary to each pond. From North to South, Detention Basin H will overflow directly into Bull Run Creek. Pond E will overflow into Pond F, which then overflows to Pond G. The overflow of Pond G will be routed onto the proposed roadway and into Pond A. Pond A will overflow to the east across the roadway and into a tributary to Bull Run Creek. Ponds D, B, and C will all overflow directly into Bull Run Creek. The overflow weirs for the proposed basins maintain the existing discharge points. The peak 50 year flow was calculated using PondPack. Please see the Overflow Weir Design Calculations for more information.

Storm Sewer

The majority of the proposed on-site storm sewer systems are designed to convey runoff from storms up to and including the 5-year event per the Town of St. John Standards. Per the St. John ordinance, a minimum time of concentration of 10 minutes is used for inlet times, and runoff coefficients are 0.40 for single family. The grading design includes overland flow routes that ultimately drain to the proposed stormwater detention basins when storms exceed the required storm sewer capacity. The storm sewer along eastern and northern property lines that discharges to Detention Basin H has been designed to convey the 100 year storm from the "East Offsite Area", rather than having the route travel over land for that area. See the storm sewer calculations and General Layout Plan for more information. In other locations where an overland flow route was impossible, the storm sewer was sized to convey the 100 year storm.

Stormwater Pollution Prevention Measures

During construction, silt fence will be installed along the perimeter of proposed grading operations for the project where applicable. The storm water pollution prevention measures are indicated on the Erosion and Sedimentation Control Plans and Details. A complete Storm Water Pollution Prevention Plan (SWPPP) has been completed and

is included with this submittal. Erosion control measures put in place to prevent stormwater pollution include silt fence, erosion control blanket, rip rap, and inlet filter baskets. All of these measures will be completed, inspected, and maintained as detailed in the SWPPP and the Soil Erosion and Sediment Control Plan & Details.

Conclusion

The proposed The Preserve Subdivision improvements provide stormwater management consistent with the requirements of the Town of St. John standards. In addition, best management practices will be provided throughout the entire construction process to ensure that stormwater runoff is improved to the extent possible before being released. Should you have any questions, comment or concerns regarding the content of this report, please do not hesitate to contact Brad Moore.



Brad Moore
Project Manager

7-A-4
7-20-16



INNOVATIVE IDEAS
EXCEPTIONAL DESIGN
UNMATCHED CLIENT SERVICE

July 14, 2016

Mr. Bill Emerson, Jr., Lake County Surveyor
Office of the Lake County Surveyor
2293 North Main Street
Crown point, Indiana 46307

RE: Willowdale Subdivision Sanitary Sewer Project, Phase 2 and 3

Dear Mr. Emerson;

DLZ Indiana, LLC (DLZ) has received copies of Revised Change Requests 203 and 205 from Gough, Inc. (Gough). The current requests are for the amount of \$3,525.00 with no additional retainage. The revised change orders are shown below. DLZ assumes the work addressed in the Change Requests has been inspected by the Town of Crown Point and is to the satisfaction of both the Town and Lake County.

DLZ recommends payment be considered to Gough for the amount of \$3,525.00 as requested. A current payment and retainage summary table is provided below.

Item	Amount
Total Work Amount Completed to Date	\$521,525.79
Retainage (15%)	-\$78,228.91
Total Completed less Retainage	\$443,296.88
Payment #1	\$86,427.99
Payment #2	\$128,708.03
Payment #3	\$134,311.38
Payment #4	\$71,183.15
Payment #5	\$22,667.66
Total Requests for Payment	\$443,298.21
Original Contract Amount	\$542,831.80
Change Order 201.2	\$7,425.00
Change Order 202.2	\$9,360.00
Change Order 203	\$2,010.00
Change Order 205	\$1,515.00
Total Contract Amount (Original Contract + Change Orders)	\$563,141.80
Total Remaining to Bill (Total Contract - Payments)	\$99,533.59
Total Remaining Less Retainage	\$21,304.68

Sincerely,

Frank D. Stewart, P.E.
Civil Engineer

CC: File

LAKE COUNTY DRAINAGE BOARD

20th DAY OF JULY 20 16



INNOVATIVE IDEAS
EXCEPTIONAL DESIGN
UNMATCHED CLIENT SERVICE

7-A-4
7-20-16

July 1, 2016

Mr. Bill Emerson, Jr., Lake County Surveyor
Office of the Lake County Surveyor
2293 North Main Street
Crown point, Indiana 46307

RE: Willowdale Subdivision Sanitary Sewer Project, Phase 2 and 3

Dear Mr. Emerson;

DLZ Indiana, LLC (DLZ) has received a copies of a Change Requests 201.2, 202.2, 203 and 205 from Gough, Inc. (Gough). The current request is for the amount of \$16,785.00 with no additional retainage. The change orders are shown below. DLZ assumes the work addressed in the Change Requests has been inspected by the Town of Crown Point and is to the satisfaction of both the Town and Lake County.

DLZ recommends payment be considered to Gough for the amount of \$16,785.00 as requested. A current payment and retainage summary table is provided below.

Item	Amount
Total Work Amount Completed to Date	\$521,525.79
Retainage (15%)	-\$78,228.91
Total Completed less Retainage	\$443,296.88
Payment #1	\$86,427.99
Payment #2	\$128,708.03
Payment #3	\$134,311.38
Payment #4	\$71,183.15
Payment #5	\$22,667.66
Total Requests for Payment	\$443,298.21
Original Contract Amount	\$542,831.80
<i>Approved Change Orders</i>	
Change Order 201.2	\$7,425.00
Change Order 202.2	\$9,360.00
Change Order 203	\$0.00
Change Order 205	\$0.00
Total Contract Amount (Original Contract + Change Orders)	\$559,616.80
Total Remaining to Bill (Total Contract - Payments)	\$99,533.59
Total Remaining Less Retainage	\$21,304.68

Sincerely,

Frank D. Stewart, P.E.
Civil Engineer

CC: File

LAKE COUNTY DRAINAGE BOARD

APPROVED THIS 20 DAY OF JULY 20 16

7-A-4
7-20-16



INNOVATIVE IDEAS
EXCEPTIONAL DESIGN
UNMATCHED CLIENT SERVICE

July 14, 2016

Mr. Bill Emerson, Jr., Lake County Surveyor
Office of the Lake County Surveyor
2293 North Main Street
Crown point, Indiana 46307

RE: Willowdale Subdivision Sanitary Sewer Project, Phase 2 and 3

Dear Mr. Emerson;

DLZ Indiana, LLC (DLZ) has received copies of Revised Change Requests 203 and 205 from Gough, Inc. (Gough). The current requests are for the amount of \$3,525.00 with no additional retainage. The revised change orders are shown below. DLZ assumes the work addressed in the Change Requests has been inspected by the Town of Crown Point and is to the satisfaction of both the Town and Lake County.

DLZ recommends payment be considered to Gough for the amount of \$3,525.00 as requested. A current payment and retainage summary table is provided below.

Item	Amount
Total Work Amount Completed to Date	\$521,525.79
Retainage (15%)	-\$78,228.91
Total Completed less Retainage	\$443,296.88
Payment #1	\$86,427.99
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Change Order 201.2	\$7,425.00
Change Order 202.2	\$9,360.00
Change Order 203	\$2,010.00
Change Order 205	\$1,515.00
Total Contract Amount (Original Contract + Change Orders)	\$563,141.80
Total Remaining to Bill (Total Contract - Payments)	\$99,533.59
Total Remaining Less Retainage	\$21,304.68

Sincerely,

Frank D. Stewart, P.E.
Civil Engineer

LAKE COUNTY DRAINAGE BOARD

CC: File

THIS 20 DAY OF July 20 16

PLANS & SPECIFICATIONS FOR
**MAIN BEAVER DAM DITCH BANK STABILIZATION --
1423 EDGEWATER ROAD-- 2016**

ROSS TOWNSHIP
LITTLE CALUMET RIVER WATERSHED

PREPARED FOR
LAKE COUNTY DRAINAGE BOARD



LAKE COUNTY SURVEYOR -- BILL EMERSON, JR.

Main Beaver Dam Ditch Bank Stabilization at 1423 Edgewater Road



CHRISTOPHER B. BURKE ENGINEERING, LLC
One Professional Center, Suite 314 Crown Point, Indiana 46307 Tel (219) 663-3410 Fax (219) 663-3450

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MAIN BEAVER DAM DITCH BANK STABILIZATION – 1423 EDGEWATER – 2016

MAINTENANCE PROJECT

SPECIAL INSTRUCTIONS TO BIDDERS

A. GENERAL INFORMATION

1. It is the intention of the Lake County Drainage Board, hereinafter referred to as the Board, to secure bids for maintenance work to be performed on MAIN BEAVER DAM DITCH hereinafter referred to as the Project, as identified and described herein and in the plans and specifications prepared by Christopher B. Burke Engineering, LLC, hereinafter referred to as the Engineer.
2. All bids for the proposed work shall be submitted on a unit price or lump sum basis, as applicable, and as set forth on the bid proposal form attached herein, all in accordance with the project documents.
3. The Board intends to review all bids for the project and upon final review and determination, award the bid to the successful bidder. Among other considerations, the successful bidder will be determined by the lowest overall total bid as provided in the bid proposal form attached herein. The total quantity of work to be awarded by the Board will be based on the total dollars available at the time of contract award and the respective applicable unit prices and/or lump sums of the successful bidder.
4. The bid proposal form to the Board consisting of 2 pages, as set out hereinafter, shall be attached and submitted with Bid Form 96 and Form 95.

B. BIDDERS INFORMATION

1. It is the responsibility of all project bidders to review all bid documents to ascertain their effect on each bid.
2. It is the responsibility of all project bidders to carefully examine the project site and fully inform himself/herself with the limitations and conditions related to the work covered by his/her bid, and shall include in his/her bid a sum to cover the cost of all such items. It is the purpose and intent of the contract documents that a fully complete job be accomplished. It is the responsibility of each bidder to include all costs necessary to provide all labor, materials and equipment for the portion of

the work bid upon, including incidentals, whether or not specifically called for in the project plans and specifications. Each bidder by making his/her bid represents that he/she has read and understands the bid documents and represents that he/she has visited the site and has familiarized himself/herself with all the conditions under which the work is to be performed.

3. It is the responsibility of all bidders to contact all utility companies and public and/or private agencies to become familiar with the specific locations of all existing utilities and systems that will affect the work. The successful bidder shall protect all such systems and utilities, including all other improvements which may exist within or adjacent to the work area during the prosecution of the work. All existing improvements, utilities and systems that may be damaged during construction shall be repaired and/or replaced to a condition at least equal to that prior to such damage at no additional expense to the Board. All such companies shall be notified prior to commencement of the work in order that all such lines be located and identified by the affected companies.
4. All inquiries as to the documents, interpretations, substitutions, conflicts, discrepancies, omissions and questions shall be referred to the Engineer, representative of the Board, who in turn will refer same to the Board.
5. All bidders in doubt as to the true meaning of any part of the project documents shall submit to the Engineer, not less than seven (7) days before the bid deadline, a written request for interpretation and clarification.
6. Bidders are responsible for acquiring any and all issued addenda in time to incorporate them into their bid. Each bidder shall enumerate all addenda he/she has received in his/her bid.
7. All bidders and their sub-contractors, if any, shall furnish proof, satisfactory to the Board that they are in good standing and are authorized to do business in the State of Indiana and that they are licensed to perform the work within the County of Lake. All bidders shall hold a General Contractor License from the County of Lake. All bidders shall furnish a list of their sub-contractors, if any, including name, address and telephone numbers.
8. The County's affirmative action program as adopted by the County of Lake, dated May 31, 1977, a copy of which is on file in the Lake County Auditor's office and the office of the Board of Commissioners of the County of Lake, is a condition of the project documents. The bidder shall submit, together with his/her bid, in writing, his/her affidavit, that he/she will comply with the County's affirmative action program.

9. It is recommended that all bidders attend any and all pre-bid conferences that may be scheduled by the Board.
10. The Lake County Surveyor and the Engineer, or their designated agents, will perform project supervision and periodic inspections to determine compliance with all project documents, percentages or inspections will include measurements and elevations of the completed work for compliance with the plans and specifications prior to payment recommendations to the Board.
11. The Contractor shall be permitted to submit claims for payment on a monthly basis as the work progresses, subject to a fifteen percent (15%) retainage, all as approved by the Lake County Surveyor. Fifteen percent (15%) of the completed value of the work shall be withheld by the Board for a period of sixty (60) days after the completion of the work and its acceptance by the Lake County Surveyor for the purpose of securing payment of suppliers, laborers and subcontractors, if any.

The Contractor shall be required to furnish a sworn statement of all indebtedness for labor and materials furnished, used or extended for said construction, the amount of due and to become due to each subcontractor and material supplier before issuance of any payment, and final waiver of lien and an affidavit showing all bills, on the issuance of the final payment.

Upon certifications by the Lake County Surveyor, the Board shall pay to the Contractor, on account of the contract, the value of labor and materials incorporated into the work.

12. A bid security in the form of a certified check/cashier's check or a bid bond from an acceptable surety made payable to the Board shall accompany each bid. The bid security shall be in the penal amount of five percent (5%) of the total bid. Bid security shall be forfeited if the bid is withdrawn after closing time on the date for receiving bids. Out of state bidders must submit a certified check of ten percent (10%) of the total bid made payable to the Board.

Upon execution of the contract, the successful bidder shall give to the Board a bond payable to the Board, in an amount fixed by the Board but not less than the amount of the bid, and with a corporate surety licensed to do business in Indiana. The bond must be conditioned on the faithful performance of the contract and the payment of all expenses and damages incurred under the contract, including payment of all suppliers, laborers, and subcontractors. However, in lieu of a corporate surety bond, the Board may accept:

- (1) a cash bond;
- (2) a property bond; or
- (3) a bond from a sufficiently financed private bonding company.

13. All Contractors, including sub-contractors, shall carry full insurance coverage and certificates of insurance shall be delivered to the Board, upon signing of the contract.
- a. Workmen's Compensation, as required by applicable Federal and State laws.
 - b. Contractor's Liability, including contractual liability, form of insurance shall be comprehensive general liability and comprehensive automobile liability \$500,000 CSL; for bodily injury, property damage and personal injury, including complete operations broad form; bodily injury and property damage, automobile liability, owned, non-owned and hired.
 - c. In addition to the above, the Contractor shall provide operations and products liability, XCU coverage and \$1,000,000 umbrella liability.
 - d. At all times during the progress of the work, the Contractor shall maintain such insurance as will protect and save harmless the Board, and its agents, from claims under the Workmen's Compensation Act, from any and all other claims for damages for property damage, personal injury and/or death and patent infringement, which may arise from operation under the contract documents, whether such act or omission be by itself or by an employee or sub-contractor or anyone directly or indirectly employed by either of them; and certificates of such insurance as required by the project documents shall be filed with the Board.
 - e. Should the Board suffer any damage, cost or expense, including attorney's fees, in any manner, because of any wrongful act or negligence of the Contractor, or anyone employed by it or a sub-contractor or the assertion of any claim of whatever nature which arises from operation under the contract documents, then the Contractor shall reimburse the Board for any such damage and all reasonable attorney fees and expenses related to such claim and/or reimbursement thereto, all without relief from validation and appraisal laws.

C. RIGHT OF THE BOARD

1. The Board reserves the right to issue addenda changing, altering or supplementing the contract documents, at any time prior to the bid deadline.
2. The Board reserves the right to reject any or all bids and to waive any information or irregularity in any bid accepted.
3. The Board reserves the right to approve or reject any sub-contractor submitted by the bidders.
4. The Board reserves the right to award all or individual projects within the scope of work to comply with available funds.

APPROVED THIS 20 DAY OF July 2016.

LAKE COUNTY DRAINAGE BOARD



GERRY L. SCHEUB, CHAIRMAN



KYLE ALLEN, SR., MEMBER

MICHAEL REPAY, MEMBER

GENERAL INFORMATION

A. INDR, COE AND STATE PERMITS

The Board will procure all necessary permits from the Indiana Department of Natural Resources, the Army Corps of Engineers and the Indiana Stream Pollution Control Board for the performance of the work. All such permits are considered part of the project documents and all work shall be performed in strict compliance with all provisions and conditions therein. In the event discrepancies exist between the project documents and the provisions and conditions of such permits, the Contractor shall immediately notify the Lake County Surveyor and the Engineer to resolve any such discrepancy.

B. CONSTRUCTION METHODS AND STANDARDS

All construction methods, standards and specifications, as adopted by the Board shall govern the performance of the work unless otherwise specified in the project documents.

C. WORK WITHIN EASEMENTS

All work shall be performed within the limits of the existing regulated drain easement for MAIN BEAVER DAM DITCH and within other access and work easements acquired by the Board as otherwise specified herein.

D. MAINTENANCE OF DRAINWAYS

All construction shall be performed in such a manner that will not interfere with existing drainage of the areas adjacent to the project. All work shall be performed in such a manner that will ensure proper drainage.

E. AUTHORIZATION TO PROCEED

No work shall be performed prior to receipt of "Authorization to Proceed" notification from the Lake County Surveyor.

F. CONTRACTOR'S SCHEDULE

The Contractor will be requested to attend a pre-construction conference to be scheduled by the Lake County Surveyor at which time the Contractor will be required to submit a construction schedule to the Lake County Surveyor prior to commencement of the work.

ATTACHMENT A

TECHNICAL SPECIFICATIONS

FOR

MAIN BEAVER DAM DITCH BANK STABILIZATION –
1423 EDGEWATER ROAD – 2016

LAKE COUNTY, INDIANA

LAKE COUNTY DRAINAGE BOARD

GERRY L. SCHEUB, CHAIRMAN
KYLE ALLEN, SR., MEMBER
MICHAEL REPAY, MEMBER

LOGJAM REMOVAL (CLEARING AND SNAGGING)

General Requirements: This work shall be performed as described in detail in the Indiana Drainage Handbook (Section 5.4, Practices 401 and 402). A copy of the latest version of the Handbook is available online through the IDNR at <http://www.in.gov/dnr/water/4893.htm>.

Description: This work shall include the removal of brush, trees, stumps and other debris that has fallen into the ditch and on the slopes to be dressed with riprap and fabric wraps on the south side of the bank. The material removed shall be disposed of by a method approved by the Lake County Surveyor's Office. All work shall be performed within the existing 75-foot Drainage Board easement.

Access: Access to and within the work site shall be within the 75' drainage easement. Care shall be taken to limit tree removal (for the purpose of gaining access to the work site) to an absolute minimum. Access shall not cross a waterway or traverse a wetland as indicated on the jurisdictional wetland map, unless pads are used as specified in Practice 103.

Equipment: Hand-operated equipment, such as axes, chain saws, and portable winches shall be used for removal of obstructions, unless determined impracticable. Where heavy equipment is necessary for removal of obstructions, only suitable equipment not equipped for excavation such as small tractors, backhoe equipped with a hydraulic thumb, bulldozer with its blade up, or a log skidder shall be used.

Removal of Trees, Tree Parts, and Foreign Material: The Contractor shall cut, relocate and remove from the ditch edge and eroded banks where work will take place, any free logs or affixed logs, including foreign material, that are crossway in the channel. Isolated or single logs that are embedded, lodged, or rooted in the channel, and which do not span the channel or cause flow problems, shall not be removed, unless they are associated with or in close proximity to larger obstructions, or they pose a hazard to navigation. Severely damaged, dead, leaning or other trees, which are in immediate danger of falling into the waterway, shall be cut and removed. It shall be the contractor's responsibility to walk the site and estimate the size and number of these trees to be removed. Cut stumps that are left in place, shall be treated with herbicide as soon as possible after cutting, preferably less than 2 hours. Stumps should be saturated, especially in the cambial area. Cut stumps shall be treated with a dye colored Garlon 3A or approved equal.

Removed Tree and Tree Parts: All trees, logs and other tree parts cut, broken, and/or removed by the contractor shall be disposed of off-site unless other written arrangements have been made with the adjacent landowner and approved by the Lake County Surveyor.

Measurement and Payment: This work shall be paid for at the contract unit price per foot for LOGJAM REMOVAL (CLEARING AND SNAGGING) which price shall include all cutting and removing of trees, tree parts and foreign material, including disposal and all other items necessary to complete the work to the satisfaction of the Lake County Surveyor.

TREE PRESERVATION AND PROTECTION

General Requirements: This work shall be performed as described in detail in the Indiana Drainage Handbook (Section 5.1, Practice 102). A copy of the latest version of the Handbook is available online through the IDNR at <http://www.in.gov/dnr/water/4893.htm>.

Description: This work shall consist of placing a barrier around desirable existing trees to protect from damage during the construction process.

Location: Protection shall encompass 2 large existing trees, one located at the east side (pine) and one located at the west side (mulberry) of the property. Exact trees will be specified at the pre-construction meeting.

Materials/Installation: Standard steel posts or wood posts shall have a minimum cross sectional area of 3.0 SQ.IN. 40" high snow fence or 40" high plastic web fencing shall be used. As necessary to indicate tree preservation areas, signage indicating "Tree Preservation Area, Do Not Enter." shall be placed to be clearly seen by all personnel within the project limits. The Contractor is to place barrier around protected and preserved areas to prevent the approach of equipment at the drip line of trees to be retained. No tree roots shall be cut inside the tree drip line. Contractor shall not place equipment, construction materials, topsoil, or fill dirt within the limit of the drip line of the trees to be saved. Contractor shall remove protective barriers during final site clean-up. Tree protection fencing shall be installed prior to implementing construction activities and all work and materials shall meet the satisfaction of the Lake County Surveyor. Tree protection fencing shall be continuously monitored and any necessary maintenance repairs shall be made immediately.

Payment: This work shall be paid for at the contract unit price per foot for TREE PRESERVATION AND PROTECTION which price shall be for constructing and removing this item as specified, including all materials, labor and equipment necessary to perform this work. Removal of barrier is required when the project is complete and will be considered incidental to the cost of the item.

CHANNEL BANK FILL (SLOPE REPAIR)

Description: This work shall consist of regrading and backfilling eroded slopes, as specified, to allow the construction of the riprap and vegetated fabric wraps within the regulated drain to the required dimensions in reasonably close conformance with the lines and grades shown on the plans. All work shall be performed within the existing 75-foot Drainage Board easement.

Backfilling: The Contractor shall regrade and backfill the eroded bank sections as shown on the typical section. Slope repair areas shall include the cutting back and regrading of steep slopes to a minimum 2:1 above the normal water elevation and backfill if needed with new material to match typical sections. The LCSO and/or Engineer have the right to reject any material, based on visual inspection that does not meet the requirements as set forth in the contract documents.

Fill Material: Fill material for the embankment shall consist of cohesive soil types with less than 10% sand and gravel. These materials will be practically impervious. The material for the embankment fill shall be free from gravel, roots, organic material, and any other objectionable material. Clean, compactable fill material shall also be used to fill the fabric wraps.

Measurement and Payment: This work shall be paid for at the contract unit price per cubic yard for CHANNEL BANK FILL (SLOPE REPAIR) which price shall include all regrading, backfilling, compacting, and all other items necessary to complete the work to the satisfaction of the Lake County Surveyor. The measurement for payment shall be based on the quantity of bank fill actually needed, to repair transitional areas, to the lines, grades and typical cross-sections specified. All other items necessary to complete the work to the satisfaction of the Lake County Surveyor will not be measured for payment but shall be considered as included in the pay item for CHANNEL BANK FILL (SLOPE REPAIR) per cubic yard as specified.

**VEGETATIVE STABILIZATION
(SLOPE MIX)**

General Requirements: This work shall be performed as described in detail in the Indiana Drainage Handbook (Section 5.11, Practice 1102). A copy of the latest version of the Handbook is available online through the IDNR at <http://www.in.gov/dnr/water/4893.htm>.

Description: This work shall consist of the application of seeding, plant residues or other suitable material to disturbed soil and fabric wrap surface areas.

Location: Exposed faces of fabric wrap, and disturbed slopes. All other areas disturbed above the bank shall be seeded with residential grass seed and will not be paid for but will be considered to be included in other pay items.

Materials/Installation: This work shall be in accordance with Section 621 of the Indiana Department of Transportation Standard Specifications, latest edition, except the seed mixture.

Seed mixtures shall be as follows:

<u>Common Name</u>	<u>Botanic Name</u>	<u>Seeding Rate</u>
<u>Banks and Slopes (Stabilizing Matrix Species)</u>		
Big Bluestem	Andropogon gerardii	5 lb/ac
Brown Fox Sedge	Carex vulpinoidea	0.25 lb/ac
Canada Wild Rye	Elymus canadensis	5 lb/ac
Streambank Rye	Elymus riparius	1 lb/ac
Silky Wild Rye	Elymus vilosus	1 lb/ac
Virginia Wild Rye	Elymus virginicus	3 lb/ac
Torrey's Rush	Juncus torreyi	0.01 lb/ac
Evening Primrose	Oenothera biennis	0.25 lb/ac
Switch Grass	Panicum virgatum	1 lb/ac
Indian Grass	Sorghastrum natans	5 lb/ac
Prairie Cord Grass	Spartina pectinata	0.01 lb/ac
Blue Vervain	Verbena hastate	1 lb/ac

Payment: This work shall be paid for at the contract unit price per acre for VEGETATIVE STABILIZATION which price shall be payment in full for constructing this item as specified, including all materials, labor, and equipment.

SOD RESTORATION

General Requirements: This work shall be in accordance with Section 621 of the Indiana Department of Transportation Standard Specifications, latest edition, except the except for the following requirements.

Description: This work shall consist of the application of sod, within the construction limits where construction has disturbed the soil.

Location: All areas disturbed above the bank shall be sodded within the reasonable widths of the construction limits. Locations include potential disturbance within the 30' construction limits on each side of the Reyes property as well as any disturbance to the adjacent landowners property when securing access to the work site. Sod placed during the months of June, July, and August shall be subject to the following conditions. (a) sod shall be in good, live, growing condition; and (b) sod shall be placed within 36 hours after cutting and protected from damage during that period.

Materials/Installation: Preparation of Ground Before Sodding The area to be sodded shall be smooth, uniform, and shall be in accordance with the required cross section. Surfaces prepared for sod shall be of sufficient depth below unseated areas that newly laid sod shall be in accordance with the surrounding surface. After the area has been prepared for sod, fertilizer shall be applied at the rate of 400 lb/ac. The surface shall be loosened to a depth of 1 to 2 in. and then raked before the sod is placed. All clods, lumps, boulders, or waste material shall be removed satisfactorily. **Laying Sod** Sod strips shall be laid in the designated direction. The sod shall be fitted to the surrounding grade and fixed objects. The sod strips shall be butted together closely to avoid open joints. Overlapping of sod will not be allowed. After laying and initial watering, the sod shall be tamped or rolled as directed to ensure contact with the soil underneath and shall be in accordance with the surrounding surface. After compaction, the sod shall present a smooth even surface free from lumps and depressions. On slopes of 3:1 or flatter, the use of broken sod strips will be allowed. Where broken pieces are laid, no overlaps will be allowed. **Watering Sod** Sod shall be watered immediately after laying. The amount of watering shall be sufficient to saturate the sod and the upper few inches of the underlying soil. The sod shall be watered once every day of the first week, once every second day of the second week, once every third day of the third week, and once a week thereafter. Sod shall be maintained for a minimum of four weeks from the time it is laid before being accepted. During periods of ample rainfall, watering may be modified to simulate the above schedule. All fertilizer ground preparation, installation of sod and watering's shall be included in the cost of the sod pricing and will be subject to the approval of the Lake County Surveyor's Office

Payment: This work shall be paid for at the contract unit price per square yard for SOD RESTORATION which price shall be payment in full for constructing this item as specified, including all materials, labor, and equipment. The measurement for payment shall be based on the quantity actually needed, to repair access areas and above bank disturbance, to the lines and grades to match existing conditions.

RIPRAP BANK PROTECTION

General Requirements: This work shall be performed as described in detail in the Indiana Drainage Handbook (Section 5.5, Practice 510 and Section 5.10, Practice 1002). A copy of the latest version of the Handbook is available online through the IDNR at <http://www.in.gov/dnr/water/4893.htm>.

Description: This work shall consist of the covering of a portion of channel bank with a layer of stone at locations shown on the plans to protect the streambank from erosion. When completed, the worked section shall approximate the natural slope of the channel bank. All work shall be performed within the existing 75-foot Drainage Board easement.

Access: Access to and within the work site shall be within the 75' drainage easement and/or within the public right-of-way. Care shall be taken to limit tree removal (for the purpose of gaining access to the work site) to an absolute minimum. Access shall not cross a waterway or traverse a wetland as indicated on the jurisdictional wetland map, unless pads are used as specified in Practice 103, Temporary Wetland Crossing.

Materials: Materials shall consist of INDOT Class 1 riprap, preferably from local sources. Geotextile fabric should be used for stabilization under all permanent riprap installations.

Site Preparation: This work shall include the removal of brush, trees, stumps and other debris on the slope to be dressed. The material removed shall be disposed of by a method approved by the Lake County Surveyor's Office.

Excavation and Slope Compaction: This work shall include excavation, grading/flattening of the slope and compacting the slope. Excavation shall be deep enough to accommodate the depth of filter and riprap. Slopes steeper than 2:1 (1V: 2H) shall be flattened so stone material will not become displaced. Contractor shall cut a keyway at base of slope to reinforce the toe; keyway depth should be 1.5 times the design thickness of the riprap and extend a horizontal distance equal to the design thickness (see Typical Section). Foundation toe must be properly reinforced to prevent undercutting or slumping. The excavated/prepared slope as well as any fill material shall be compacted to density of surrounding natural soil before the filter and the riprap are placed.

Placement of Riprap: This work shall include the placement of filter fabric and the riprap on the prepared bank slope. Contractor shall first place geotextile fabric on the slope in accordance with manufacturer's guidelines. The contractor shall spread the well-graded aggregate in a uniform layer at 18 inches in depth.

Riprap shall be placed to full thickness in 1 operation. Smaller rock shall be placed in voids to form a dense, uniform, well-graded mass. Some hand placement of material will most likely be necessary. The contractor shall blend the riprap surface smoothly with the surrounding area to eliminate protrusions or overfalls. Riprap may be either hand-placed or dumped. Riprap used must be of sized according to INDOT standard specifications and extend at least 12 inches below normal water level to provide habitat for aquatic organisms

in the voids.

Measurement and Payment: This work shall be paid for at the contract unit price per ton for RIPRAP BANK PROTECTION which price shall include all materials including geotextile fabric, shaping, grading, compacting, use of machinery, labor and all other items necessary to complete the work to the satisfaction of the Lake County Surveyor.

CHANNEL BANK STABILIZATION (FABRIC WRAPS)

General Requirements: This work shall be performed as described in detail in the Indiana Drainage Handbook (Section 5.11, Practice 1104). A copy of the latest version of the Handbook is available online through the IDNR at <http://www.in.gov/dnr/water/4893.htm>.

Description: This work shall consist of covering a portion of the southern channel bank above the installed riprap with soil filled fabric wraps at locations shown on the plans to protect streambank from erosion. When completed, the worked section shall approximate the natural slope of the channel bank. All work shall be performed within the existing 75-foot Drainage Board easement.

Access: Access to and within the work site shall be within the 75' drainage easement and/or within the public right-of-way. Care shall be taken to limit tree removal (for the purpose of gaining access to the work site) to an absolute minimum. Access shall not cross a waterway or traverse a wetland as indicated on the jurisdictional wetland map, unless pads are used as specified in Practice 103, Temporary Wetland Crossing.

Materials: RoLanka BioD – Mat 90 or approved equal blanket shall be used to encapsulate 1' soil lifts.

Site Preparation: This work shall include the removal of brush, trees, stumps and other debris on the slope to be dressed. The material removed shall be disposed of by a method approved by the Lake County Surveyor's Office.

Excavation and Slope Compaction: This work shall include excavation, grading/flattening of the slope and compacting the slope. Excavation shall be deep enough to accommodate the depth of fabric wrap and soil. Slopes steeper than 2:1 (1V: 2H) shall be flattened so material will not become displaced.

Vegetated Fabric Wrap – RoLanka BioD – Mat 90 or approved equal blanket shall be used to encapsulate 1' soil lifts. Contractor should grade the top of the riprapped area to create a level and compact soil surface. Unroll fabric parallel to the ditch bank or face of the slope as the case may be. Keep a minimum embedment fabric length of 3' for each lift. There should also be a minimum of 2' of fabric overlap where two pieces of fabric come together. The Contractor should next anchor the fabric using 2" wedge stakes at 3' spacing along the inside edge of the fabric layer. Then compact the soil to create a 1' total soil lift inside the fabric layer. Soil should be fertile and free of wood or stones. Seed the face and top of compacted soil. Stretch fabric over the compacted soil lift and extend towards the slope. Anchor fabric using 2" wedge stakes as before. Repeat the same procedure for each additional upper lift to reach the top of bank. Spread seed on the outside portion of the lifts that will be exposed to sunlight.

Measurement for vegetated fabric wraps will not be made by the amount of lifts needed to tie into the top of bank but only the lineal footage parallel to the ditch. Since the top of

bank height varies, the lift height will vary as well, the Contractor is advised to visit site and measure the amount of material vertically that he will need for each lineal foot, horizontally, constructed.

Measurement and Payment: This work shall be paid for at the contract unit price per foot for CHANNEL BANK STABILIZATION (FABRIC WRAPS) which price shall include all materials including vegetated fabric wraps, topsoil, shaping, grading, compacting, use of machinery, labor and all other items necessary to complete the work to the satisfaction of the Lake County Surveyor. Seeding will be paid for as a separate line item.

SILT FENCING

General Requirements: This work shall be performed as described in detail in the Indiana Drainage Handbook (Section 5.1, Practice 105). A copy of the latest version of the Handbook is available online through the IDNR at <http://www.in.gov/dnr/water/4893.htm>.

Description: Temporary barrier of entrenched geotextile fabric stretched across and attached to supporting post used to intercept sediment - laden runoff from drainage areas of disturbed soil.

Location: Along construction limits, 30' south of top of bank.

Materials/Installation: This work shall be in accordance with Practice 105 as referenced above and with Section 205 of the Indiana Department of Transportation Standard Specifications, current edition.

Measurement and Payment: This work shall be paid for at the contract unit price per foot for SILT FENCE which price shall be for constructing and removing this item as specified, including all materials, labor and equipment necessary to perform this work. Removal of silt fence is required when the project is complete and the disturbed areas have been stabilized, and will be considered incidental to the cost of the item.

SUPPLEMENTAL BID PROPOSAL FORM (TO BE ATTACHED AND MADE PART OF FORM 96)

PROJECT: Main Beaver Dam Ditch Bank Stabilization – 1423 Edgewater Road – 2016

The undersigned, having familiarized himself/herself/themselves with local contract documents, comprised of the following:

1. Project documents for the project known as MAIN BEAVER DAM DITCH DITCH BANK STABILIZATION – 1423 EDGEWATER ROAD – 2016, Little Calumet River Watershed, Lake County, Indiana.

The undersigned has carefully inspected the site of the proposed work and can perform the various items of work for the unit prices/lump sums stipulated. All prices listed include any incidental work that may be necessary to complete the project in accordance with the provisions of the plans and specifications, as may be amended. The awarded Contractor will be responsible for all site safety, including both working and non-working hours to protect the public, throughout the duration of the contract.

Coordination will need to be established between the adjacent residents, the awarded Contractor and the Lake County Surveyors office regarding notifications, parking arrangements and safety, during both the pre-construction and construction phases of the project.

Item No.	Description And Calculation	Unit	Quantity	Unit Price	Total
Main Beaver Dam Ditch Bank Stabilization – 1423 Edgewater Road – 2016					
1	Logjam Removal (Clearing & Snagging) STA 0+00 to 1+29 = 129 LF (south bank)	LFT	129		
2	Tree Preservation and Protection STA 0+25 (south bank) = 65 LF STA 1+02 (south bank) = 35 LF	LFT	100		
3	Channel Bank Fill (Slope Repair) STA 0+00 to 1+29 = 129 LF (south bank)	CYS	10		
4	Vegetative Stabilization (Slope Mix) STA 0+00 to 1+29 = 129 LF (vegetated fabric wraps and disturbed areas) 129 LF x 30 FT = 3,870 SF/43,560 = .1 AC	AC	.1		

SUPPLEMENTAL BID PROPOSAL FORM (TO BE ATTACHED AND MADE PART OF FORM 96)
 PROJECT: Main Beaver Dam Ditch Bank Stabilization – 1423 Edgewater Road – 2016

Item No.	Description And Calculation	Unit	Quantity	Unit Price	Total
5	Sod Restoration As needed	SYS	225		
6	Riprap Bank Repair STA 0+00 to 1+29 = 129 LF (south bank) 129 LF x 10.0 FT (avg) x 1.5 FT = 130 TON	TON	130		
7	Channel Bank Stabilization (Fabric Wraps) STA 0+00 to 1+29= 129 LF (south bank)	LFT	129		
8	Silt Fence STA 0+00 to 1+29= 129 LF (south)	LFT	129		

TOTAL BID PRICE

\$

BIDDERS PROPOSAL FOR MAKING ENTIRE IMPROVEMENT – MAIN BEAVER DAM DITCH BANK STABILIZATION – 1423 EDGEWATER ROAD – 2016

\$ _____
(WORDS)

This proposal submitted this _____ day of _____, 2016.

Corporate Name: _____

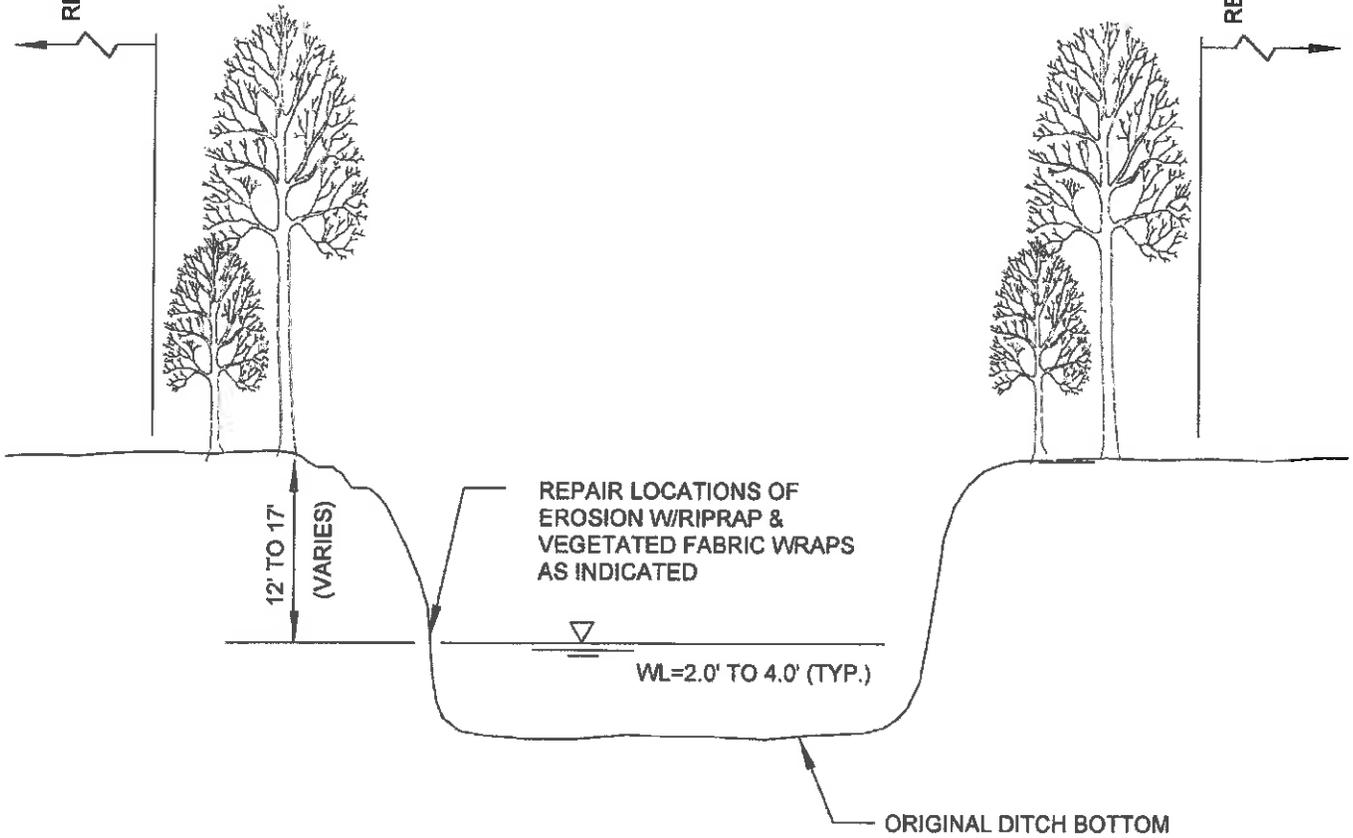
Address: _____

By: _____

Title: _____

RESIDENTIAL PROPERTIES

RESIDENTIAL PROPERTIES



**CROSS SECTION
 MAIN BEAVER DAM DITCH
 SOUTH BANK - LOOKING DOWNSTREAM
 STA. 0+00 - 1+29**

NOT TO SCALE

EXISTING



CHRISTOPHER B. BURKE ENGINEERING, LLC
 One Professional Center, Suite 314
 Crown Point, Indiana 46307
 (219) 663-3410 FAX: (219) 663-3450

PROJECT:

LAKE COUNTY DRAINAGE BOARD

**MAIN BEAVER DAM DITCH BANK STABILIZATION
 1423 EDGEWATER ROAD - 2016**

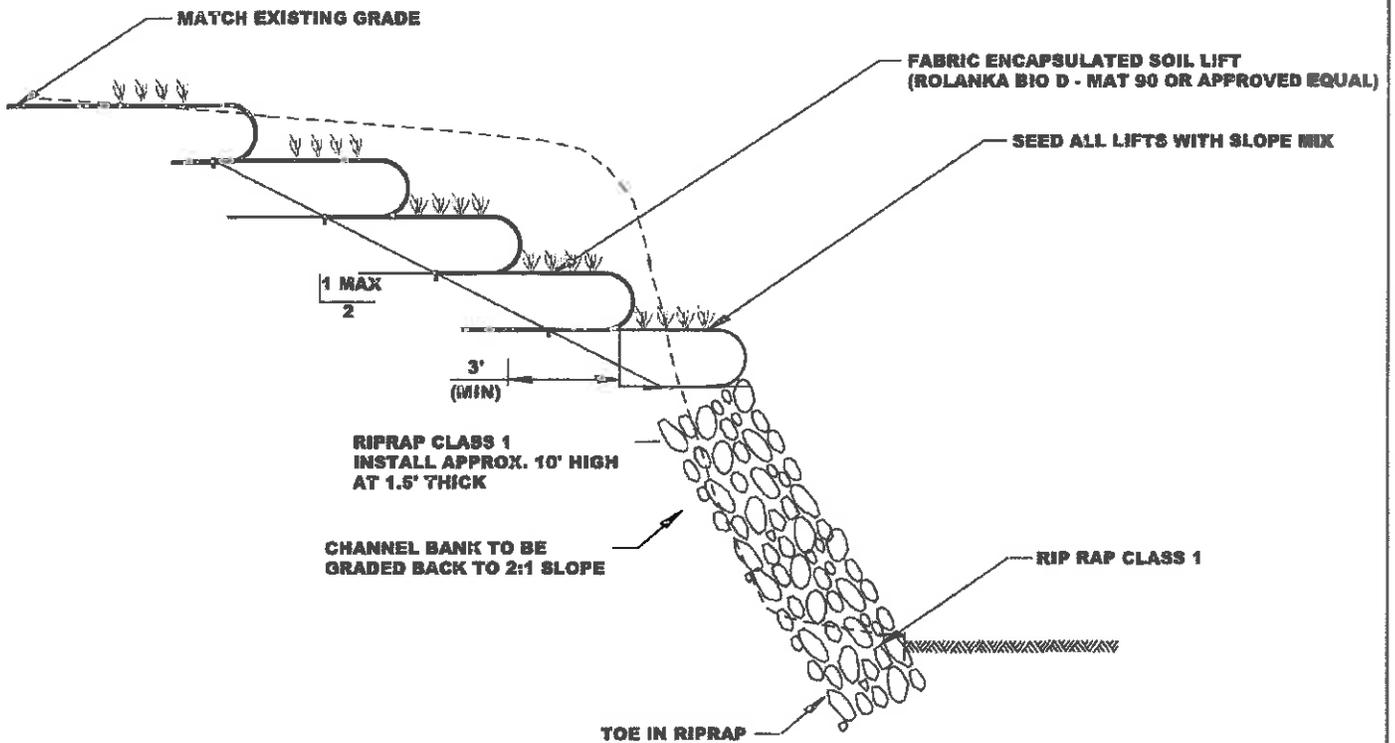
PROJECT NO.

93-189

SHEET 1 OF 2

DRAWING NO.

1



**TYPICAL SECTION RIPRAP WITH VEGETATED FABRIC WRAPS
SOUTH BANK LOOKING DOWNSTREAM
STATION 0+00 TO 1+29**

N.T.S.



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PROJECT:

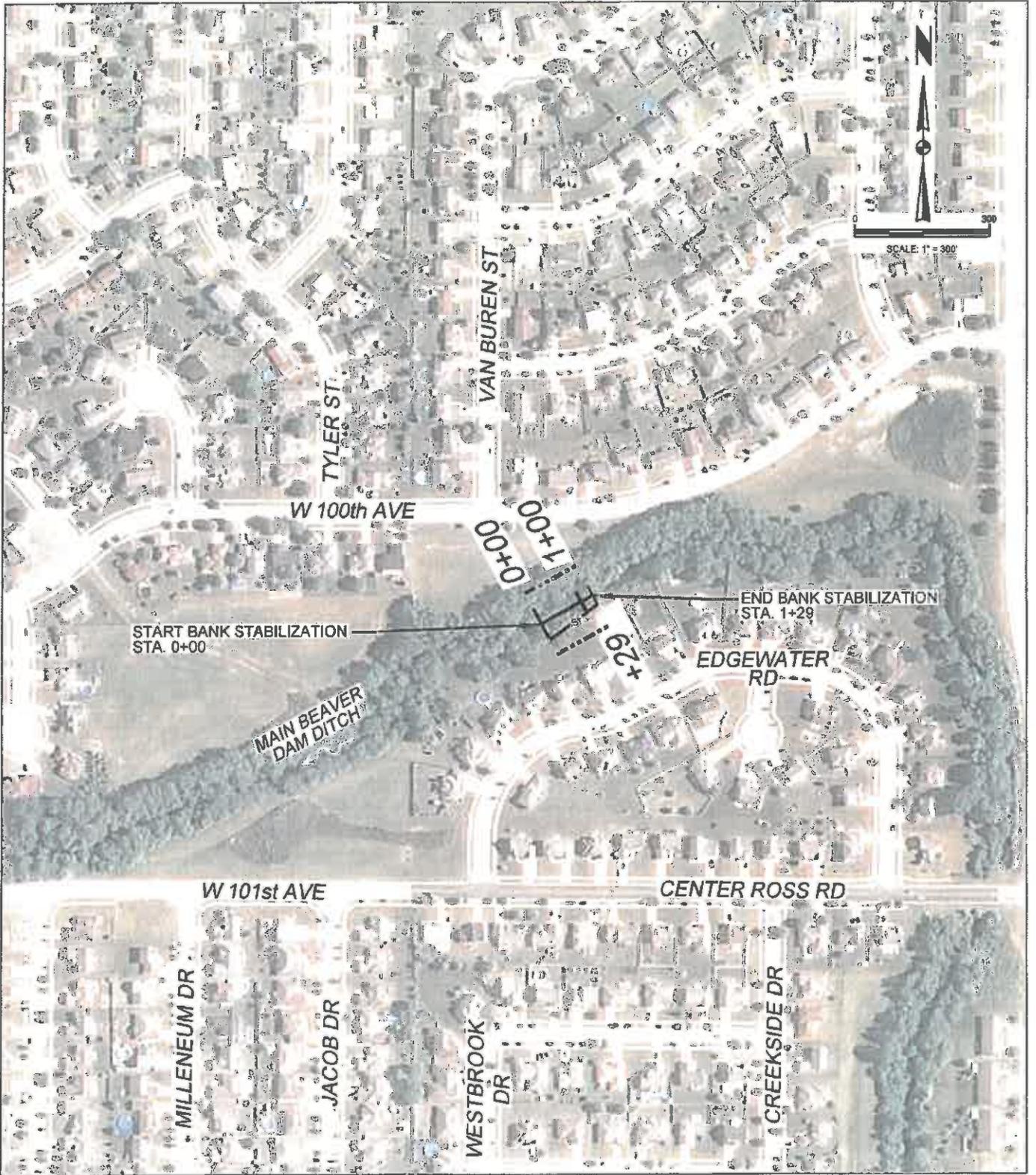
LAKE COUNTY DRAINAGE BOARD

**MAIN BEAVER DAM DITCH BANK STABILIZATION
1423 EDGEWATER ROAD - 2016**

PROJECT NO.
93-100

SHEET
2 OF 2

DRAWING NO.
2



LEGEND

- 50+00 DITCH ALIGNMENT W/STATIONING
- WETLAND AREA
- ISOLATED AREA OF EROSION
- LEGAL DRAIN EASEMENT
- SF SILT FENCE

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PROJECT:

LAKE COUNTY DRAINAGE BOARD

**MAIN BEAVER DAM DITCH
 BANK STABILIZATION
 1423 EDGEWATER ROAD - 2016**

PROJECT NO.

R:0030169.02016

SHEET

OF

3

DRAWING NO.

1



LEGEND

50+00	DITCH ALIGNMENT W/STATIONING
	WETLAND AREA
	ISOLATED AREA OF EROSION
	LEGAL DRAIN EASEMENT
	SILT FENCE

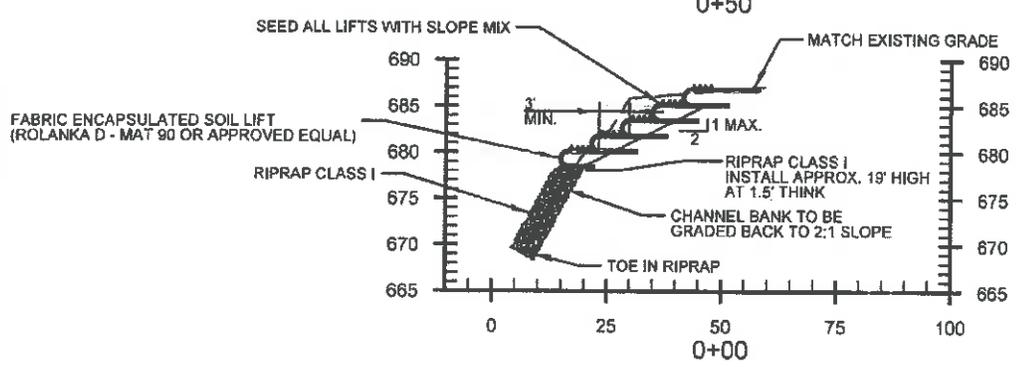
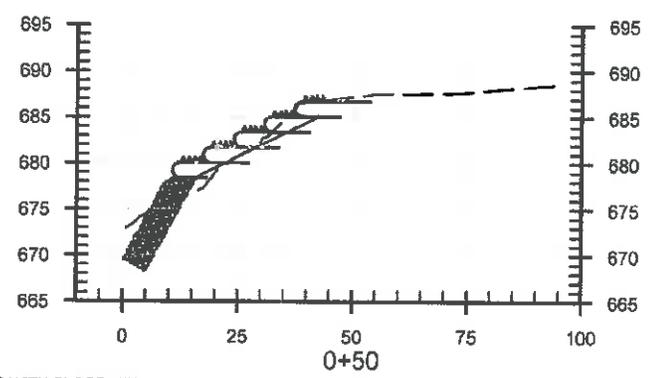
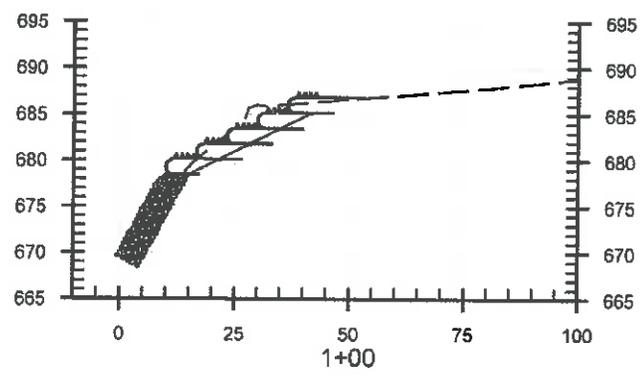
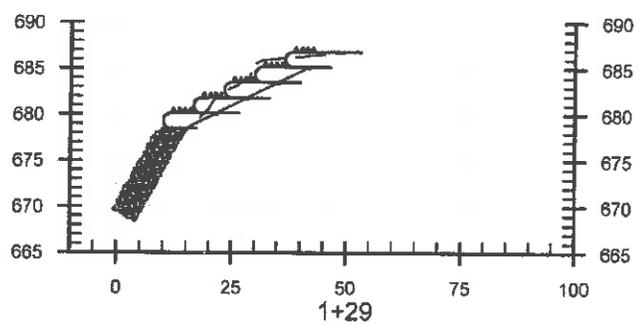
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PROJECT: **LAKE COUNTY DRAINAGE BOARD**
MAIN BEAVER DAM DITCH
BANK STABILIZATION
 1423 EDGEWATER ROAD - 2016

PROJECT NO.	R.0030189.02015
SHEET	2 OF 3
DRAWING NO.	2



LEGEND

	50+00 DITCH ALIGNMENT W/STATIONING
	WETLAND AREA
	ISOLATED AREA OF EROSION
	LEGAL DRAIN EASEMENT
	SF SILTY FENCE

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PROJECT: **LAKE COUNTY DRAINAGE BOARD**
MAIN BEAVER DAM DITCH
BANK STABILIZATION
 1423 EDGEWATER ROAD - 2016

PROJECT NO. R.0830169.02016
 SHEET 3 OF 3
 DRAWING NO. 3



*



11-B-1, 2 & 3
7-20-16



AMERICAN
STRUCTUREPOINT
INC.

June 17, 2016

Mr. Bill Emerson
Lake County Surveyor's Office
Building A, 3rd Floor
2293 North Main Street
Crown Point, Indiana 46307

Re: 2016 Ditch Maintenance Projects
Bid Summaries

Dear Mr. Emerson:

Three ditch maintenance projects were publicly bid starting in May 2016: Cedar Creek, McConnell Ditch, and Singleton Ditch Phase III. The projects consisted of sediment removal from the ditch channels and tree removal along the ditch channels for maintenance access. In addition, McConnell ditch required reconstruction of approximately 2,013 feet of drainage ditch.

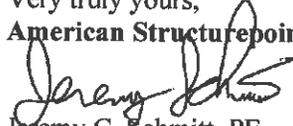
Bids were received by the Lake County Drainage Board at their meeting on June 15, 2016 and read aloud. The bid tabulations for each ditch project were prepared by American Structurepoint and are enclosed. A summary of the results is provided below:

Bid Summary

BIDDER	CEDAR CREEK BID	MCCONNELL DITCH BID	SINGLETON DITCH BID
Austgen Equipment, Inc.	\$ 132,072.10	\$ 430,311.85	
Delta III, Inc.	\$ 123,075.00		\$ 209,099.00
R.A. Oros, Inc.			\$ 250,762.00

The lowest bid for Cedar Creek was from Delta III, Inc., the lowest (and only) bid for McConnell Ditch was from Austgen Equipment, Inc., and the lowest bid for Singleton Ditch Phase III was from Delta III, Inc. Bids were only evaluated on cost; no irregularities were noted while preparing the tabulations.

Very truly yours,
American Structurepoint, Inc.


Jeremy C. Schmitt, PE
Project Manager

BCP:slg
Enclosure

Cc: Brian Ralstin, American Structurepoint

BID TABULATION

Project:	McConnell Ditch and Lateral A Maintenance
Area:	Kankakee Watershed
Client:	Office of the Lake County Surveyor
Date:	15-Jun-16
Engineer:	American Structurepoint

Item No.	Item	Quantity		Unit	ENGINEER'S ESTIMATE		AUSTGEN EQUIPMENT, INC.			
		Unit Price	Total		Unit Price	Total				
1	Channel Excavation and Bottom Dipping									
	From Station	To Station	Distance (FT)	Avg. Depth (FT)	Avg. Width (FT)	Volume (CY)				
	0+00	5+00	500	2.0	35	1,300				
	5+00	10+00	500	2.0	25	1,000				
	10+00	15+00	500	2.0	20	800				
	15+00	20+00	500	2.5	25	1,200				
	20+00	25+75	575	3.0	20	1,300				
	25+75	30+00	270	3.0	20	600				
	30+00	35+00	500	2.5	15	700				
	35+00	40+00	500	2.0	15	600				
	40+00	45+00	500	1.0	25	500				
	<i>Non channel excavation - Tripartite channel per Proposed Detail, assumed 1' deep:</i>									
	25+75	47+30	2,013	4.0	32	9,600				
	Silk Fence									
	From Station	To Station	Distance (FT)							
45+00	65+00	2,000								
Mulched Seedline										
From Station	To Station	Distance (FT)	Width (FT)	Area (AC)						
45+00	65+00	2,000	25.0	1.15						
Erosion Control Blanket and Seedline										
From Station	To Station	Distance (FT)	Width (FT)	Area (SY)						
20+00	25+75	575	19.0	1,214						
25+75	47+30	2,155	25.2	6,054						
47+30	50+00	270	19.0	570						
Tree and Debris Removal										
				1.15						
				Total Bid Price	\$	230,000.00	\$	84,987.00		
				Total	\$	481,275.00	\$	430,311.85		
2			2,000 LF		\$	4,600.00	\$	1.80	\$	3,600.00
3			1.15 AC		\$	6,900.00	\$	4,639.00	\$	5,394.85
4			7,900.00 SY		\$	4.60	\$	36,340.00	\$	13,430.00
5			1.15		\$	230,000.00	\$	84,987.00	\$	84,987.00

BID TABULATION

Project: Singleton Ditch Phase III Maintenance
Area: Kankakee Watershed
Client: Office of the Lake County Surveyor
Date: 15-Jun-16
Engineer: American Structurepoint

Item No.	ENGINEER'S ESTIMATE										DELTA III, INC.		R.A. OROS, INC.	
	Quantity	Unit	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
1	Channel Bottom Dipping (Sediment Removal by Dragline Excavation)													
	From Station	To Station	Distance	Depth	Width	Volume								
	251+71	323+00	7,229	1.0	30	8,200								
	323+00	350+00	2,500	1.5	30	4,200								
	350+00	400+00	5,000	2.0	30	14,200								
	400+00	415+40	1,500	1.5	30	2,500								
	415+40	448+29	3,329	2.0	30	7,400								
	From Station	To Station	Distance											
	251+71	448+29	19,658											
	3	Mulched Seeding												
From Station	To Station	Distance	Width	Area										
281+71	448+29	19,658	30	13,54										
Channel Bank Excavation (Slope Repair)														
From Station	To Station	Distance												
251+85	253+45	60												
256+00	256+25	25												
270+30	271+25	95												
273+00	273+20	20												
274+00	274+35	35												
275+20	275+55	35												
276+50	281+85	555												
283+75	285+00	125												
313+00	333+35	35												
339+80	340+00	20												
421+70	422+20	50												
421+70	423+35	65												
424+25	424+55	30												
4	Erosion Control Blanket and Seeding													
From Station	To Station	Distance	Width	Area										
254+85	255+45	60	10	67										
256+00	256+25	25	10	28										
270+30	271+25	95	10	106										
273+00	273+20	20	10	22										
274+00	274+35	35	10	39										
275+20	275+55	35	10	39										
283+75	285+00	125	10	139										
313+00	333+35	35	10	39										
339+80	340+00	20	10	22										
421+70	422+20	50	10	56										
421+70	423+35	65	10	74										
424+25	424+55	30	10	33										
5	Tree and Debris Removal													
Quantity	Unit	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	
1,326	SY	\$ 4.40	\$ 5,834.40	\$ 6.00	\$ 7,956.00	\$ 6.00	\$ 7,956.00	\$ 6.00	\$ 7,956.00	\$ 6.00	\$ 7,956.00	\$ 6.00	\$ 7,956.00	
1	LS	\$ 44,000.00	\$ 44,000.00	\$ 28,000.00	\$ 28,000.00	\$ 28,000.00	\$ 28,000.00	\$ 28,000.00	\$ 28,000.00	\$ 28,000.00	\$ 28,000.00	\$ 28,000.00	\$ 28,000.00	
			\$ 308,462.00				\$ 209,099.00				\$ 250,762.00			

BID TABULATION

Project: Cedar Creek Ditch Maintenance
Area: Kankakee Watershed
Client: Office of the Lake County Surveyor
Date: 15-Jun-16
Engineer: American Structurepoint

Item No.	Item	Channel Bottom Dipping (Sediment Removal)				Quantity	Unit	ENGINEER'S ESTIMATE		DELTA III, INC.		AUSTGEN EQUIPMENT, INC.		
		From Station	To Station	Distance	Avg. Depth			Avg. Width	Volume	Unit Price	Total		Unit Price	Total
1	04+00	5+00	500	1.0	30	600								
	5+00	20+00	1,500	1.0	25	1,400								
	20+00	35+00	1,500	1.5	25	2,100								
	35+00	45+00	1,000	0.5	25	500								
	45+00	50+00	500	1.5	25	700	9,300	CY	\$ 3.30	\$ 30,690	\$ 3.50	\$ 32,550	\$ 5.80	\$ 52,080
	50+00	60+00	1,000	2.0	20	1,500								
	60+00	70+00	1,000	1.0	20	800								
	70+00	80+00	1,000	1.0	25	1,000								
	80+00	85+00	500	1.0	35	700								
2	Silt Fence	From Station 04+00	To Station 85+00	Distance 8,500		8,500	LF	\$ 2.20	\$ 18,700.00	\$ 3.75	\$ 31,875.00	\$ 1.80	\$ 15,300.00	
3	Mulched Seeding	From Station 04+00	To Station 85+00	Distance 8,500		4.9	AC	\$ 5,600.00	\$ 32,340.00	\$ 2,500.00	\$ 12,250.00	\$ 4,659.00	\$ 22,731.10	
4	Tree and Debris Removal					1	LS	\$ 178,200.00	\$ 178,200.00	\$ 46,400.00	\$ 46,400.00	\$ 41,961.00	\$ 41,961.00	
Total Construction Opinion of Probable Cost								\$	259,930.00	\$	123,075.00	\$	132,072.10	



Office of the Lake County Surveyor

Lake County Government Center • 2293 North Main Street • Crown Point, Indiana 46307
Phone: (219) 755-3745 • Fax: (219) 755-3750

Bill Emerson, Jr.
County Surveyor

CONTRACT #2016-K-5

PROJECT NAME: 2016 SINGLETON DITCH MAINTENANCE – PHASE III **Monon Road to Mississippi Street, Cedar Creek & Eagle Creek Twps.**

This CONTRACT is made and entered into this 20th day of JULY, 2016 by and between DELTA III, Inc., a(n) INDIANA Corporation hereinafter referred to as the “Contractor” and the Lake County Drainage Board, hereinafter referred to as the “Board”.

NOW, THEREFORE, in consideration of the mutual promises contained herein, the Board and the Contractor do hereby mutually agree as follows:

I. SCOPE OF WORK

The Contractor shall provide the project services as described herein in Attachment A; in the approved plans and specifications, and any modifications or addenda thereof, which are attached hereto or otherwise incorporated herein by reference; in the terms contained in any permits obtained or not yet approved and any monies to be received from contributing municipalities; and in the Contractor’s bid/response and any supplemental responses, and subsequent negotiations arising therefrom, all of which is incorporated herein by reference. Where there is an inconsistency between these terms, the term that is most beneficial to the Board shall control.

The Contractor shall perform the work covered by this Contract under the supervision of the Lake County Surveyor and/or its designee.

The Contractor shall comply with all plans, specifications, terms and conditions of this Contract. Deviation from said plans, specifications, terms or conditions shall be a basis for an immediate cease and desist notice of said unauthorized activity by the Board or the Lake County Surveyor’s Office and, where appropriate as determined by the Board or the Lake County Surveyor’s Office, cease and desist of contract activity until further action taken by the Board at its next public meeting.

The scope of work occurs on private property and/or within and upon a regulated drain and its easement as authorized by statute. The Contractor has the authority to keep unauthorized persons from the job site in order to avoid any potential liability arising therefrom. Should such persons fail to leave said site, the Contractor is to immediately contact the Lake County Surveyor’s office, who may contact the Lake County Sheriff to maintain a safe work site and limit any liability of Lake County or the Contractor for any alleged claims or damages.

Soil Conditions

The Contractor agrees to accept full responsibility for its conclusions relative to the nature and probable difficulties of the work due to underground structures and soil conditions.

The results of subsurface soil investigations shown on the drawings or given in the specifications are for general information only. Neither the Lake County Drainage Board nor the engineer guarantees that materials other than those given in this information will not be encountered or that the proportions of the various materials will not vary from the information indicated on the plans or given in the specifications.

The Contractor shall be responsible for making its own subsurface soil investigations and shall make its own determinations from the investigations. The Contractor waives all claims for damages which it may suffer by reason of the inadequacies or discrepancies of the underground information shown on the plans or provided in the specifications. No compensation will be paid to the Contractor due to inadequacies or discrepancies in subsurface data furnished by Lake County Drainage Board or by the engineer.

Materials

No materials of any kind shall be used until they have been examined by the Lake County Surveyor or his engineer or other person authorized by the Lake County Surveyor, who shall have full power to condemn any work or materials not in accordance with these specifications, and to require the Contractor to remove any work or materials so condemned, and at the contractor's own expense to replace such condemned work or materials to the Lake County Surveyor or his engineer's satisfaction. The decision of the Lake County Surveyor or his engineer shall be final as to quality of workmanship and materials.

Clean up

During the time that the work is in progress the Contractor shall make every effort to maintain the site in a neat and orderly condition. All refuse, broken pipe, excess fill material, cribbing, etc., shall be removed as soon as practicable. Should the work not be maintained in a satisfactory condition the Lake County Surveyor or his engineer, or other person authorized by the Lake County Surveyor may cause the work to stop until the "clean-up" portion of the work has been done to the satisfaction of the Lake County Surveyor and/or its engineer.

The work will not be considered complete and the final payment certificate issued until all rubbish, unused material or equipment due to or connected with it shall have been removed and the premises left in a condition satisfactory to the Lake County Surveyor and/or its engineer.

II. PAYMENT OF SERVICE

- a. For the services rendered by the Contractor, the Board shall pay to the Contractor the sum of TWO HUNDRED NINE THOUSAND NINETY NINE DOLLARS AND NO CENTS (\$209,099.00), payable in accordance with the attached "Schedule of Payments".
- b. No payment under paragraph (a) above shall be made until:
 - (1) The Lake County Surveyor has filed with the Board a written report approving the work performed by Contractor as required under this contract.
 - (2) The Contractor shall have filed with the Board a waiver of lien and verified statement that all expenses incurred for labor, material, and suppliers have been paid in full.
- c. Billing for the services rendered under this contract shall be in the form and manner prescribed by the State of Indiana and the Board.

- d. Approval of payment claims shall be made at a regular Board Meeting. Should there be a dispute regarding any invoice or payment thereof, the party raising the dispute shall notify the other party upon discovery thereof. Payment of any invoice shall not be a waiver of any right associated with a dispute with the invoice or payment, and any future payment may be modified accordingly to rectify any discovered discrepancy.
- e. Fifteen percent (15%) of the contract price shall be withheld by the Board for a period of 60 days after completion of the work and its acceptance by the Lake County Surveyor for the purpose of securing payment of suppliers, laborers, and subcontractors, if any. However, if the Contractor files waivers of lien from all subcontractors, suppliers and laborers of this project, the 15% retainage may be paid along with the final payment under this contract.
- f. The sources of funds for payment under this Contract is the Lake County Drainage Board and/or such other applicable and appropriate sources of funds as apply to the scope of work to be performed on behalf of the approved budget for this specific project, and more specifically the line item therein for the payment of these services. By execution of this Contract the Lake County Drainage Board or Lake County is not agreeing to use funds other than the funds in the budget for the purposes enunciated herein. The sources are restricted to those funds which have been appropriated for this purpose by the Lake County Council as applicable and approved by the Department of Local Government Finance, the State Board of Accounts and/or State Board of Tax Commissioners, as applicable. In this regard this Contract may be terminated, in whole or in part, when the Lake County Auditor makes a written determination that the funds are not appropriated or otherwise available to support continuation of performance. Such determination shall be final and conclusive. Notice shall be given to the Contractor as soon as the Board is aware of such a situation. However, the Board will make good faith efforts to provide funding for this Contract, and if such funding is available and appropriated, the Board shall fulfill its financial obligation, subject to all terms and conditions herein.

III. SUBLETTING AND ASSIGNMENT OF CONTRACT

No portion of the Contract shall be sublet, assigned or otherwise disposed of, except with the written consent of the Board. Consent to sublet, assign, or otherwise dispose of any portion of the Contract shall not be construed to relieve the Contractor of any responsibility for the fulfillment of the Contract.

IV. SUCCESSORS AND ASSIGNEES

The Contractor binds its successors, executors, administrators and assignees to all covenants of this Contract. The Contractor shall not assign, sublet or transfer its interest in this Contract without the prior written consent of the Board, except as above set forth.

V. TERM OF CONTRACT

Time is of the essence. The Contractor shall complete the work under and pursuant to this Contract within 180 days, including Saturdays, Sundays, and holidays. Should the Contractor fail to do so, the Lake County Drainage Board is entitled to and may retain, from compensation otherwise to be paid, or may otherwise pursue payment thereof, One Hundred Dollars (\$100.00) for each day, Sundays and holidays not included, that the work remains uncompleted beyond the specified period, which sum is agreed on as the proper measure of liquidated damages that Board will sustain by the failure of contractor to complete

the work in the time stipulated, and this sum is not to be construed in any sense as a penalty.

When good cause for a delay in the work is shown by the Contractor, the Lake County Surveyor shall determine the seriousness of the delay and extend the time of completion of the work accordingly and in his sole discretion. Such good cause may include, but is not limited to, changes in the work, strikes, lockouts, or other labor disputes; fire, earthquake, or other natural disasters; unavoidable casualty or damage to personnel, materials, or equipment; delay in receiving materials or equipment; acts or neglect of the Board, the Board's representative, or an employee of either; acts or neglect of another Contractor employed by the Board, or any other person not directly responsible to Contractor; or other such similar cause beyond the control of the Contractor.

Any claim by Contractor for an extension of time must be made in writing to the Lake County Surveyor not more than one (1) day following the development of the cause for delay. However, in the case of a continuing cause of delay, only one claim need be made. Whenever the Lake County Surveyor or its representative in his or her own discretion determines that circumstances warrant an extension of time, he or she may grant such an extension until a claim of delay has been submitted by the Contractor.

VI. CHOICE OF LAW

This Contract shall be construed in accordance with and governed by the laws of the State of Indiana and suit, if any must be brought in Lake County, State of Indiana.

VII. INSURANCE/SECURITY/INDEMNITY

The Contractor shall carry or require that there be carried Workmen's Compensation Insurance for all its employees and those of its subcontractors in accordance with state or territorial Workmen's Compensation laws.

The Contractor shall carry or require that there be carried public liability and property damage insurance in amounts as outlined in IC 34-4-16.5-1 et. seq. to protect the Board and County, the Contractor and its subcontractors from claims which may arise from work under this Contract. The Board shall be named as an additional insured and be fully protected thereunder.

All insurance as required herein shall be effective for acts occurring during and shall be maintained during the entire life of this Contract.

The Contractor shall maintain during the term of the Contract a performance bond, payable to the Lake County Drainage Board, providing security for the Contractor's performance obligations in the amount of the Contract. Said bond may be reduced to an amount not less than the amount of the remaining item costs in said Contract.

The Contractor agrees to indemnify and hold harmless Lake County, the Lake County Drainage Board, the Lake County Surveyor, its officials, its departments, its boards, its employees, and its agents and assigns against all actions, claims or demands for damages of any kind whatsoever, known or unknown, which may in any way be caused by the negligent acts of the Contractor, including but not limited to the negligent digging up of streets, alleys or public grounds, and by improper care of trees and shrubbery, or which may result from the default, carelessness or negligence of the Contractor, its agents, employees or workers under its control or direction in the performance of the work described herein,

and shall refund and reimburse to the Lake County Drainage Board all sums which it may be obligated or adjudged to pay on any such claims or demands immediately upon such determination.

VIII. REMEDIES UPON DEFAULT

If either party of this Contract shall be in default of any of the terms and conditions hereof, the party complaining of the default shall notify the defaulting party in writing of the default complained of, and the defaulting party shall have ten (10) days from the date of receipt of said written notification in which to cure the default complained of therein. Only after the expiration of the ten (10) day period described herein may the parties resort to legal proceedings to enforce any of the terms and conditions of this Contract or to collect damages in a court of competent jurisdiction.

Should the Contractor be cited on three or more occasions by the Lake County Surveyor or Contract Engineer on the project, the Contract is subject to termination for cause, as determined by the Board at a public meeting.

IX. EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION

The Contractor agrees by the execution of this contract that in regards to its operations:

- a. No person shall, on the grounds of race, color, national origin or sex, be excluded from participation or be denied the benefits thereof, or be subject to discrimination.
- b. The principals of equal opportunity in employment and delivery of services are applicable and the contractor commits to a policy and practice of nondiscrimination and affirmative action based upon age, military service, ancestry, color, national origin, physical handicap, political affiliation, race, religion and sex.
- c. The provisions of the Affirmative Action Program adopted by the Board of Commissioners of the County of Lake on May 31, 1977, as applicable, are incorporated by reference as part of this Contract.
- d. The provisions of all Federal Civil Rights laws and the Indiana Civil rights laws as applicable are incorporated by reference as part of this Contract.
- e. Breach of any of the equal opportunity and/or the nondiscrimination provisions of the Contract may be regarded as a material breach of the Contract.
- f. Where applicable, nondiscriminatory clauses and affirmative action clauses shall be made a part of any agreement, contract or lease between Contractor and any organization, corporation, subcontractor or other legal entity that benefits from the funds paid to contractor by this Contract.

X. LIMITATION OF AUTHORITY

The Contractor has no authority to obligate the Board on any contract or agreement of any kind, character or nature, nor for any expense, except as otherwise delineated in this Contract.

XI. PERSONNEL/INDEPENDENT CONTRACTOR

The Contractor represents that he has, or will secure at his own expense, all personnel required in performing the services under this Contract. Such personnel shall not be employees of or have any contractual relationship with the Board. All of the services required hereunder will be performed by the Contractor

or under his supervision, and all personnel engaged in the work shall be fully qualified to perform such services.

XII. ADDITIONAL SERVICES

In the event that any additional services are required of the Contractor that are over and above those described in the Contract and attachments hereto, the services shall not be performed without the express prior written agreement between the Board and Contractor. The scope of additional services and fees to be charged shall be specified in any such written authorization.

XIII. SUBSTANTIAL PERFORMANCE

This Contract shall be deemed to have been substantially performed only when fully performed according to its terms and conditions and any modification thereof.

XIV. WAIVER OF RIGHTS

No right conferred on either party under this Contract shall be deemed waived and no breach of this Contract excused, unless such waive or excuse shall be in writing and signed by the party claimed to have waived such right.

XV. E-VERIFICATION

- A. IC 22-5-1.7 Chapter 1.7. Public Contract Services, Business Entities; Unauthorized Aliens.
- B. IC 22-5-1.7.2 "Contractor" As used in this chapter, "contractor" means a person that has or is attempting to enter into a public contract for services with a state agency or political subdivision.
- C. IC 22-5-1.7-3 "E-Verify program" As used in this chapter, "E-Verify program" means the electronic verification of work authorization program of the Illegal Immigration Reform and Immigration Responsibility Act of 1996 (P.L. 104-208), Division C, Title IV,s. 403(a), as amended, operated by the United States Department of Homeland Security or a successor work authorization program designated by the United States Department of Homeland Security or other federal agency authorized to verify the work authorization status of newly hired employees under the Immigration Reform and Control.
- D. IC 22-5-1.7-4 "Person" As used in this chapter, "person" means an individual, a corporation, a limited liability company, a partnership, or another legal entity.
- E. IC 22-5-1.7-5 "Political subdivision" As used in this chapter, "political subdivision" has the meaning set forth in IC 36-1-2-13.
- F. IC 22-5-1.7-6 "Public contract for services" As used in this chapter, "public contract for services" means any type of agreement between a state agency or a political subdivision and a contractor for the procurement of services.
- G. IC 22-5-1.7-9 "Unauthorized alien" As used in this chapter, "unauthorized alien" has the meaning set forth in 8 U.S.C. 1324a(h)(3).
- H. IC 22-5-1.7-11 Contractors with public contract for services required to use E-Verify program; business entities that receive certain grants required to use E-Verify program Sec. 11.
 - a. This subsection applies only to a public contract for services entered into or renewed after June 30, 2011. A state agency or political subdivision may not enter into or renew a public contract for services with a contractor unless:
 - 1. the public contract contains:
 - A. a provision requiring the contract to enroll in and verify the work eligibility status of all newly hired employees of the contractor through the E-Verify program; and

- B. a provision that provides that a contractor is not required to verify the work eligibility status of all newly hired employees of the contractor through the E-Verify program if the E-Verify program no longer exists; and
- 2. the contractor signs an affidavit affirming that the contractor does not knowingly employ an unauthorized alien.
- b. A state agency or political subdivision may not award a grant of more than one thousand dollars (\$1,000) to a business entity unless the business entity:
 - 1. signs a sworn affidavit that affirms that the business entity has enrolled and is participating in the E-Verify program;
 - 2. provides documentation to the state agency or political subdivision that the business entity has enrolled and is participating in the E-Verify program; and
 - 3. signs an affidavit affirming that the business entity does not knowingly employ an unauthorized alien
- I. IC 22-5-1.7-15 Certification by subcontractor. If a contractor uses a subcontractor to provide services for work the contractor is performing under a public contract for services, the subcontractor shall certify to the contractor in a manner consistent with federal law that the subcontractor, at the time of certification:
 - 1. does not knowingly employ or contract with an unauthorized alien; and
 - 2. has enrolled and is participating in the E-Verify program.
- J. Affidavit by Contractor. By execution of this contract I swear under the penalties of perjury that my company does not knowingly employ an unauthorized alien.

XVI. MISCELLANEOUS PROVISIONS

This Contract represents the entire understanding between the parties, and modifications of this Contract shall not be effective unless reduced to writing and signed by both parties. In the event any portion or portions of this Contract are found to be void or voidable portions, these portions shall be stricken and the remaining portions enforced.

All provisions of State Law applicable to the County and/or governmental entity or entities which is/are a party to this Contract are incorporated by reference as a part of this contract.

In the event this Contract is not fully executed and approved prior to the date of commencement, it shall be deemed retroactive in force and effect to the date of commencement upon and after the full execution, approvals, required filing and recordation.

XVII. TERMINATION

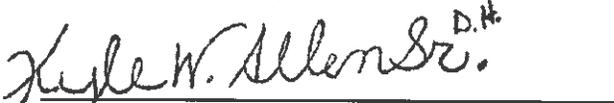
Termination of Agreement. The County shall have the right to terminate this Contract, with or without cause, by giving written notice to the Consultant of such termination and specifying the effective date thereof, at least fourteen (14) days before the effective date of such termination. In addition, the Consultant may, for any cause, also terminate this Contract by giving written notice to the Lake County Surveyor of such termination and specifying the effective date thereof, at least fourteen (14) days before the effective date of such termination.

IN WITNESS WHEREOF, the parties hereto have caused this Contract to be executed by their duly authorized officers on the day and date first above written.

LAKE COUNTY DRAINAGE BOARD



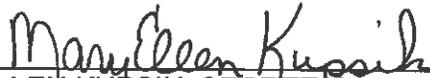
GERRY SCHEUB, CHAIRMAN


KYLE ALLEN, SR., MEMBER

MICHAEL C. REPAY, MEMBER

LAKE COUNTY SURVEYOR


WILLIAM EMERSON, JR.

ATTEST: 
MARY ELLEN KUPSIK, SECRETARY,
LAKE COUNTY DRAINAGE BOARD

CONTRACTOR

Michael Eaton, President

PRINTED NAME - TITLE

2063 West 1250 North
ADDRESS

Hanna, IN 46340
CITY, STATE, ZIP CODE

(219) 797-4004
PHONE NUMBER

SIGNATURE

delta3bill@csinet.net
EMAIL

Contract prepared by: Clifford E. Duggan, Jr., Legal Advisor, Lake County Surveyor's Office, Lake County, IN



Bill Emerson, Jr.
County Surveyor

Office of the Lake County Surveyor

Lake County Government Center • 2293 North Main Street • Crown Point, Indiana 46307
Phone: (219) 755-3745 • Fax: (219) 755-3750

“SCHEDULE OF PAYMENTS”

CONTRACT #2016-K-5

**2016 Singleton Ditch Maintenance
Monon Road to Mississippi Street
Cedar Creek & Eagle Creek Twp.**

Year 2016	DB	\$ 97,340.00
Year 2016	MS4	\$111,759.00
TOTAL:		\$209,099.00



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Bill Emerson, Jr.
County Surveyor

CONTRACT #2016-K-6

PROJECT NAME: 2016 CEDAR CREEK MAINTENANCE Lake Dalecarlia to 171st Avenue, Cedar Creek Twp.

This CONTRACT is made and entered into this 20th day of JULY, 2016 by and between DELTA III, INC., a(n) INDIANA Corporation hereinafter referred to as the "Contractor" and the Lake County Drainage Board, hereinafter referred to as the "Board".

NOW, THEREFORE, in consideration of the mutual promises contained herein, the Board and the Contractor do hereby mutually agree as follows:

I. SCOPE OF WORK

The Contractor shall provide the project services as described herein in Attachment A; in the approved plans and specifications, and any modifications or addenda thereof, which are attached hereto or otherwise incorporated herein by reference; in the terms contained in any permits obtained or not yet approved and any monies to be received from contributing municipalities; and in the Contractor's bid/response and any supplemental responses, and subsequent negotiations arising therefrom, all of which is incorporated herein by reference. Where there is an inconsistency between these terms, the term that is most beneficial to the Board shall control.

The Contractor shall perform the work covered by this Contract under the supervision of the Lake County Surveyor and/or its designee.

The Contractor shall comply with all plans, specifications, terms and conditions of this Contract. Deviation from said plans, specifications, terms or conditions shall be a basis for an immediate cease and desist notice of said unauthorized activity by the Board or the Lake County Surveyor's Office and, where appropriate as determined by the Board or the Lake County Surveyor's Office, cease and desist of contract activity until further action taken by the Board at its next public meeting.

The scope of work occurs on private property and/or within and upon a regulated drain and its easement as authorized by statute. The Contractor has the authority to keep unauthorized persons from the job site in order to avoid any potential liability arising therefrom. Should such persons fail to leave said site, the Contractor is to immediately contact the Lake County Surveyor's office, who may contact the Lake County Sheriff to maintain a safe work site and limit any liability of Lake County or the Contractor for any alleged claims or damages.

Soil Conditions

The Contractor agrees to accept full responsibility for its conclusions relative to the nature and probable difficulties of the work due to underground structures and soil conditions.

The results of subsurface soil investigations shown on the drawings or given in the specifications are for general information only. Neither the Lake County Drainage Board nor the engineer guarantees that materials other than those given in this information will not be encountered or that the proportions of the various materials will not vary from the information indicated on the plans or given in the specifications.

The Contractor shall be responsible for making its own subsurface soil investigations and shall make its own determinations from the investigations. The Contractor waives all claims for damages which it may suffer by reason of the inadequacies or discrepancies of the underground information shown on the plans or provided in the specifications. No compensation will be paid to the Contractor due to inadequacies or discrepancies in subsurface data furnished by Lake County Drainage Board or by the engineer.

Materials

No materials of any kind shall be used until they have been examined by the Lake County Surveyor or his engineer or other person authorized by the Lake County Surveyor, who shall have full power to condemn any work or materials not in accordance with these specifications, and to require the Contractor to remove any work or materials so condemned, and at the contractor's own expense to replace such condemned work or materials to the Lake County Surveyor or his engineer's satisfaction. The decision of the Lake County Surveyor or his engineer shall be final as to quality of workmanship and materials.

Clean up

During the time that the work is in progress the Contractor shall make every effort to maintain the site in a neat and orderly condition. All refuse, broken pipe, excess fill material, cribbing, etc., shall be removed as soon as practicable. Should the work not be maintained in a satisfactory condition the Lake County Surveyor or his engineer, or other person authorized by the Lake County Surveyor may cause the work to stop until the "clean-up" portion of the work has been done to the satisfaction of the Lake County Surveyor and/or its engineer.

The work will not be considered complete and the final payment certificate issued until all rubbish, unused material or equipment due to or connected with it shall have been removed and the premises left in a condition satisfactory to the Lake County Surveyor and/or its engineer.

II. PAYMENT OF SERVICE

- a. For the services rendered by the Contractor, the Board shall pay to the Contractor the sum of ONE HUNDRED TWENTY-THREE THOUSAND SEVENTY-FIVE DOLLARS AND NO CENTS(\$123,075.00), payable in accordance with the attached "Schedule of Payments".
- b. No payment under paragraph (a) above shall be made until:
 - (1) The Lake County Surveyor has filed with the Board a written report approving the work performed by Contractor as required under this contract.

- (2) The Contractor shall have filed with the Board a waiver of lien and verified statement that all expenses incurred for labor, material, and suppliers have been paid in full.
- c. Billing for the services rendered under this contract shall be in the form and manner prescribed by the State of Indiana and the Board.
- d. Approval of payment claims shall be made at a regular Board Meeting. Should there be a dispute regarding any invoice or payment thereof, the party raising the dispute shall notify the other party upon discovery thereof. Payment of any invoice shall not be a waiver of any right associated with a dispute with the invoice or payment, and any future payment may be modified accordingly to rectify any discovered discrepancy.
- e. Fifteen percent (15%) of the contract price shall be withheld by the Board for a period of 60 days after completion of the work and its acceptance by the Lake County Surveyor for the purpose of securing payment of suppliers, laborers, and subcontractors, if any. However, if the Contractor files waivers of lien from all subcontractors, suppliers and laborers of this project, the 15% retainage may be paid along with the final payment under this contract.
- f. The sources of funds for payment under this Contract is the Lake County Drainage Board and/or such other applicable and appropriate sources of funds as apply to the scope of work to be performed on behalf of the approved budget for this specific project, and more specifically the line item therein for the payment of these services. By execution of this Contract the Lake County Drainage Board or Lake County is not agreeing to use funds other than the funds in the budget for the purposes enunciated herein. The sources are restricted to those funds which have been appropriated for this purpose by the Lake County Council as applicable and approved by the Department of Local Government Finance, the State Board of Accounts and/or State Board of Tax Commissioners, as applicable. In this regard this Contract may be terminated, in whole or in part, when the Lake County Auditor makes a written determination that the funds are not appropriated or otherwise available to support continuation of performance. Such determination shall be final and conclusive. Notice shall be given to the Contractor as soon as the Board is aware of such a situation. However, the Board will make good faith efforts to provide funding for this Contract, and if such funding is available and appropriated, the Board shall fulfill its financial obligation, subject to all terms and conditions herein.

III. SUBLETTING AND ASSIGNMENT OF CONTRACT

No portion of the Contract shall be sublet, assigned or otherwise disposed of, except with the written consent of the Board. Consent to sublet, assign, or otherwise dispose of any portion of the Contract shall not be construed to relieve the Contractor of any responsibility for the fulfillment of the Contract.

IV. SUCCESSORS AND ASSIGNEES

The Contractor binds its successors, executors, administrators and assignees to all covenants of this Contract. The Contractor shall not assign, sublet or transfer its interest in this Contract without the prior written consent of the Board, except as above set forth.

V. TERM OF CONTRACT

Time is of the essence. The Contractor shall complete the work under and pursuant to this Contract within 180 days, including Saturdays, Sundays, and holidays. Should the Contractor fail to do so, the Lake County Drainage Board is entitled to and may retain, from compensation otherwise to be paid, or may otherwise pursue payment thereof, One Hundred Dollars (\$100.00) for each day, Sundays and holidays not included, that the work remains uncompleted beyond the specified period, which sum is agreed on as the proper measure of liquidated damages that Board will sustain by the failure of contractor to complete the work in the time stipulated, and this sum is not to be construed in any sense as a penalty.

When good cause for a delay in the work is shown by the Contractor, the Lake County Surveyor shall determine the seriousness of the delay and extend the time of completion of the work accordingly and in his sole discretion. Such good cause may include, but is not limited to, changes in the work, strikes, lockouts, or other labor disputes; fire, earthquake, or other natural disasters; unavoidable casualty or damage to personnel, materials, or equipment; delay in receiving materials or equipment; acts or neglect of the Board, the Board's representative, or an employee of either; acts or neglect of another Contractor employed by the Board, or any other person not directly responsible to Contractor; or other such similar cause beyond the control of the Contractor.

Any claim by Contractor for an extension of time must be made in writing to the Lake County Surveyor not more than one (1) day following the development of the cause for delay. However, in the case of a continuing cause of delay, only one claim need be made. Whenever the Lake County Surveyor or its representative in his or her own discretion determines that circumstances warrant an extension of time, he or she may grant such an extension until a claim of delay has been submitted by the Contractor.

VI. CHOICE OF LAW

This Contract shall be construed in accordance with and governed by the laws of the State of Indiana and suit, if any must be brought in Lake County, State of Indiana.

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The Contractor shall carry or require that there be carried Workmen's Compensation Insurance for all its employees and those of its subcontractors in accordance with state or territorial Workmen's Compensation laws.

The Contractor shall carry or require that there be carried public liability and property damage insurance in amounts as outlined in IC 34-4-16.5-1 et. seq. to protect the Board and County, the Contractor and its subcontractors from claims which may arise from work under this Contract. The Board shall be named as an additional insured and be fully protected thereunder.

All insurance as required herein shall be effective for acts occurring during and shall be maintained during the entire life of this Contract.

The Contractor shall maintain during the term of the Contract a performance bond, payable to the Lake County Drainage Board, providing security for the Contractor's performance obligations in the amount of the Contract. Said bond may be reduced to an amount not less than the amount of the remaining item costs in said Contract.

The Contractor agrees to indemnify and hold harmless Lake County, the Lake County Drainage Board, the Lake County Surveyor, its officials, its departments, its boards, its employees, and its agents and assigns against all actions, claims or demands for damages of any kind whatsoever, known or unknown, which may in any way be caused by the negligent acts of the Contractor, including but not limited to the negligent digging up of streets, alleys or public grounds, and by improper care of trees and shrubbery, or which may result from the default, carelessness or negligence of the Contractor, its agents, employees or workers under its control or direction in the performance of the work described herein, and shall refund and reimburse to the Lake County Drainage Board all sums which it may be obligated or adjudged to pay on any such claims or demands immediately upon such determination.

VIII. REMEDIES UPON DEFAULT

If either party of this Contract shall be in default of any of the terms and conditions hereof, the party complaining of the default shall notify the defaulting party in writing of the default complained of, and the defaulting party shall have ten (10) days from the date of receipt of said written notification in which to cure the default complained of therein. Only after the expiration of the ten (10) day period described herein may the parties resort to legal proceedings to enforce any of the terms and conditions of this Contract or to collect damages in a court of competent jurisdiction.

Should the Contractor be cited on three or more occasions by the Lake County Surveyor or Contract Engineer on the project, the Contract is subject to termination for cause, as determined by the Board at a public meeting.

IX. EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION

The Contractor agrees by the execution of this contract that in regards to its operations:

- a. No person shall, on the grounds of race, color, national origin or sex, be excluded from participation or be denied the benefits thereof, or be subject to discrimination.
- b. The principals of equal opportunity in employment and delivery of services are applicable and the contractor commits to a policy and practice of nondiscrimination and affirmative action based upon age, military service, ancestry, color, national origin, physical handicap, political affiliation, race, religion and **sex**.
- c. The provisions of the Affirmative Action Program adopted by the Board of Commissioners of the County of Lake on May 31, 1977, as applicable, are incorporated by reference as part of this Contract.
- d. The provisions of all Federal Civil Rights laws and the Indiana Civil rights laws as applicable are incorporated by reference as part of this Contract.
- e. Breach of any of the equal opportunity and/or the nondiscrimination provisions of the Contract may be regarded as a material breach of the Contract.
- f. Where applicable, nondiscriminatory clauses and affirmative action clauses shall be made a part of any agreement, contract or lease between Contractor and any organization, corporation, subcontractor or other legal entity that benefits from the funds paid to contractor by this Contract.

X. LIMITATION OF AUTHORITY

The Contractor has no authority to obligate the Board on any contract or agreement of any kind, character or nature, nor for any expense, except as otherwise delineated in this Contract.

XI. PERSONNEL/INDEPENDENT CONTRACTOR

The Contractor represents that he has, or will secure at his own expense, all personnel required in performing the services under this Contract. Such personnel shall not be employees of or have any contractual relationship with the Board. All of the services required hereunder will be performed by the Contractor or under his supervision, and all personnel engaged in the work shall be fully qualified to perform such services.

XII. ADDITIONAL SERVICES

In the event that any additional services are required of the Contractor that are over and above those described in the Contract and attachments hereto, the services shall not be performed without the express prior written agreement between the Board and Contractor. The scope of additional services and fees to be charged shall be specified in any such written authorization.

XIII. SUBSTANTIAL PERFORMANCE

This Contract shall be deemed to have been substantially performed only when fully performed according to its terms and conditions and any modification thereof.

XIV. WAIVER OF RIGHTS

No right conferred on either party under this Contract shall be deemed waived and no breach of this Contract excused, unless such waive or excuse shall be in writing and signed by the party claimed to have waived such right.

XV. E-VERIFICATION

- A. IC 22-5-1.7 Chapter 1.7. Public Contract Services, Business Entities; Unauthorized Aliens.
- B. IC 22-5-1.7.2 "Contractor" As used in this chapter, "contractor" means a person that has or is attempting to enter into a public contract for services with a state agency or political subdivision.
- C. IC 22-5-1.7-3 "E-Verify program" As used in this chapter, "E-Verify program" means the electronic verification of work authorization program of the Illegal Immigration Reform and Immigration Responsibility Act of 1996 (P.L. 104-208), Division C, Title IV, s. 403(a), as amended, operated by the United States Department of Homeland Security or a successor work authorization program designated by the United States Department of Homeland Security or other federal agency authorized to verify the work authorization status of newly hired employees under the Immigration Reform and Control.
- D. IC 22-5-1.7-4 "Person" As used in this chapter, "person" means an individual, a corporation, a limited liability company, a partnership, or another legal entity.
- E. IC 22-5-1.7-5 "Political subdivision" As used in this chapter, "political subdivision" has the meaning set forth in IC 36-1-2-13.
- F. IC 22-5-1.7-6 "Public contract for services" As used in this chapter, "public contract for services" means any type of agreement between a state agency or a political subdivision and a contractor for the procurement of services.
- G. IC 22-5-1.7-9 "Unauthorized alien" As used in this chapter, "unauthorized alien" has the meaning set forth in 8 U.S.C. 1324a(h)(3).

- H. IC 22-5-1.7-11 Contractors with public contract for services required to use E-Verify program; business entities that receive certain grants required to use E-Verify program Sec. 11.
 - a. This subsection applies only to a public contract for services entered into or renewed after June 30, 2011. A state agency or political subdivision may not enter into or renew a public contract for services with a contractor unless:
 - 1. the public contract contains:
 - A. a provision requiring the contract to enroll in and verify the work eligibility status of all newly hired employees of the contractor through the E-Verify program; and
 - B. a provision that provides that a contractor is not required to verify the work eligibility status of all newly hired employees of the contractor through the E-Verify program if the E-Verify program no longer exists; and
 - 2. the contractor signs an affidavit affirming that the contractor does not knowingly employ an unauthorized alien.
 - b. A state agency or political subdivision may not award a grant of more than one thousand dollars (\$1,000) to a business entity unless the business entity:
 - 1. signs a sworn affidavit that affirms that the business entity has enrolled and is participating in the E-Verify program;
 - 2. provides documentation to the state agency or political subdivision that the business entity has enrolled and is participating in the E-Verify program; and
 - 3. signs an affidavit affirming that the business entity does not knowingly employ an unauthorized alien
- I. IC 22-5-1.7-15 Certification by subcontractor. If a contractor uses a subcontractor to provide services for work the contractor is performing under a public contract for services, the subcontractor shall certify to the contractor in a manner consistent with federal law that the subcontractor, at the time of certification:
 - 1. does not knowingly employ or contract with an unauthorized alien; and
 - 2. has enrolled and is participating in the E-Verify program.
- J. Affidavit by Contractor. By execution of this contract I swear under the penalties of perjury that my company does not knowingly employ an unauthorized alien.

XVI. MISCELLANEOUS PROVISIONS

This Contract represents the entire understanding between the parties, and modifications of this Contract shall not be effective unless reduced to writing and signed by both parties. In the event any portion or portions of this Contract are found to be void or voidable portions, these portions shall be stricken and the remaining portions enforced.

All provisions of State Law applicable to the County and/or governmental entity or entities which is/are a party to this Contract are incorporated by reference as a part of this contract.

In the event this Contract is not fully executed and approved prior to the date of commencement, it shall be deemed retroactive in force and effect to the date of commencement upon and after the full execution, approvals, required filing and recordation.

XVII. TERMINATION

Termination of Agreement. The County shall have the right to terminate this Contract, with or without cause, by giving written notice to the Consultant of such termination and specifying the effective date thereof, at least fourteen (14) days before the effective date of such termination. In addition, the Consultant may, for any cause, also terminate this Contract by giving written notice to the Lake County Surveyor of such termination and specifying the effective date thereof, at least fourteen (14) days before the effective date of such termination.

IN WITNESS WHEREOF, the parties hereto have caused this Contract to be executed by their duly authorized officers on the day and date first above written.

LAKE COUNTY DRAINAGE BOARD



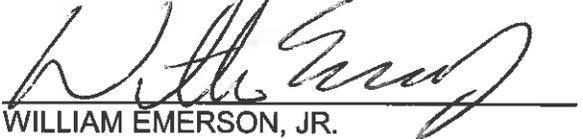
GERRY SCHEUB, CHAIRMAN



KYLE ALLEN, SR., MEMBER

MICHAEL C. REPAY, MEMBER

LAKE COUNTY SURVEYOR



WILLIAM EMERSON, JR.

ATTEST:


MARY ELLEN KUPSIK, SECRETARY,
LAKE COUNTY DRAINAGE BOARD

CONTRACTOR

Michael Eaton, President
PRINTED NAME - TITLE

2063 West 1250 North
ADDRESS

Hanna, IN 46340
CITY, STATE, ZIP CODE

(219) 797-4004
PHONE NUMBER

SIGNATURE

delta3bill@csinet.net
EMAIL



Bill Emerson, Jr.
County Surveyor

Office of the Lake County Surveyor

Lake County Government Center • 2293 North Main Street • Crown Point, Indiana 46307
Phone: (219) 755-3745 • Fax: (219) 755-3750

“SCHEDULE OF PAYMENTS”

CONTRACT #2016-K-6

2016 Cedar Creek Maintenance

Lake Dalecarlia to 171st Ave, Cedar Creek Twp.

Year 2016	DB	\$ 78,950.00
Year 2016	MS4	\$ 44,125.00
TOTAL:		\$123,075.00

11-B-3



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Bill Emerson, Jr.
County Surveyor

CONTRACT #2016-K-7

PROJECT NAME: 2016 McCONNELL DITCH MAINTENANCE Morse Street to 171st Avenue, Cedar Creek Twp.

This CONTRACT is made and entered into this 20th day of JULY, 2016 by and between AUSTGEN EQUIPMENT, INC., a(n) INDIANA Corporation hereinafter referred to as the "Contractor" and the Lake County Drainage Board, hereinafter referred to as the "Board".

NOW, THEREFORE, in consideration of the mutual promises contained herein, the Board and the Contractor do hereby mutually agree as follows:

I. SCOPE OF WORK

The Contractor shall provide the project services as described herein in Attachment A; in the approved plans and specifications, and any modifications or addenda thereof, which are attached hereto or otherwise incorporated herein by reference; in the terms contained in any permits obtained or not yet approved and any monies to be received from contributing municipalities; and in the Contractor's bid/response and any supplemental responses, and subsequent negotiations arising therefrom, all of which is incorporated herein by reference. Where there is an inconsistency between these terms, the term that is most beneficial to the Board shall control.

The Contractor shall perform the work covered by this Contract under the supervision of the Lake County Surveyor and/or its designee.

The Contractor shall comply with all plans, specifications, terms and conditions of this Contract. Deviation from said plans, specifications, terms or conditions shall be a basis for an immediate cease and desist notice of said unauthorized activity by the Board or the Lake County Surveyor's Office and, where appropriate as determined by the Board or the Lake County Surveyor's Office, cease and desist of contract activity until further action taken by the Board at its next public meeting.

The scope of work occurs on private property and/or within and upon a regulated drain and its easement as authorized by statute. The Contractor has the authority to keep unauthorized persons from the job site in order to avoid any potential liability arising therefrom. Should such persons fail to leave said site, the Contractor is to immediately contact the Lake County Surveyor's office, who may contact the Lake County Sheriff to maintain a safe work site and limit any liability of Lake County or the Contractor for any alleged claims or damages.

Soil Conditions

The Contractor agrees to accept full responsibility for its conclusions relative to the nature and probable difficulties of the work due to underground structures and soil conditions.

The results of subsurface soil investigations shown on the drawings or given in the specifications are for general information only. Neither the Lake County Drainage Board nor the engineer guarantees that materials other than those given in this information will not be encountered or that the proportions of the various materials will not vary from the information indicated on the plans or given in the specifications.

The Contractor shall be responsible for making its own subsurface soil investigations and shall make its own determinations from the investigations. The Contractor waives all claims for damages which it may suffer by reason of the inadequacies or discrepancies of the underground information shown on the plans or provided in the specifications. No compensation will be paid to the Contractor due to inadequacies or discrepancies in subsurface data furnished by Lake County Drainage Board or by the engineer.

Materials

No materials of any kind shall be used until they have been examined by the Lake County Surveyor or his engineer or other person authorized by the Lake County Surveyor, who shall have full power to condemn any work or materials not in accordance with these specifications, and to require the Contractor to remove any work or materials so condemned, and at the contractor's own expense to replace such condemned work or materials to the Lake County Surveyor or his engineer's satisfaction. The decision of the Lake County Surveyor or his engineer shall be final as to quality of workmanship and materials.

Clean up

During the time that the work is in progress the Contractor shall make every effort to maintain the site in a neat and orderly condition. All refuse, broken pipe, excess fill material, cribbing, etc., shall be removed as soon as practicable. Should the work not be maintained in a satisfactory condition the Lake County Surveyor or his engineer, or other person authorized by the Lake County Surveyor may cause the work to stop until the "clean-up" portion of the work has been done to the satisfaction of the Lake County Surveyor and/or its engineer.

The work will not be considered complete and the final payment certificate issued until all rubbish, unused material or equipment due to or connected with it shall have been removed and the premises left in a condition satisfactory to the Lake County Surveyor and/or its engineer.

II. PAYMENT OF SERVICE

- a. For the services rendered by the Contractor, the Board shall pay to the Contractor the sum of FOUR HUNDRED THIRTY THOUSAND THREE HUNDRED ELEVEN DOLLARS AND EIGHTY-FIVE CENTS (\$430,311.85), payable in accordance with the attached "Schedule of Payments".
- b. No payment under paragraph (a) above shall be made until:
 - (1) The Lake County Surveyor has filed with the Board a written report approving the work performed by Contractor as required under this contract.

- (2) The Contractor shall have filed with the Board a waiver of lien and verified statement that all expenses incurred for labor, material, and suppliers have been paid in full.
- c. Billing for the services rendered under this contract shall be in the form and manner prescribed by the State of Indiana and the Board.
- d. Approval of payment claims shall be made at a regular Board Meeting. Should there be a dispute regarding any invoice or payment thereof, the party raising the dispute shall notify the other party upon discovery thereof. Payment of any invoice shall not be a waiver of any right associated with a dispute with the invoice or payment, and any future payment may be modified accordingly to rectify any discovered discrepancy.
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- f. The sources of funds for payment under this Contract is the Lake County Drainage Board and/or such other applicable and appropriate sources of funds as apply to the scope of work to be performed on behalf of the approved budget for this specific project, and more specifically the line item therein for the payment of these services. By execution of this Contract the Lake County Drainage Board or Lake County is not agreeing to use funds other than the funds in the budget for the purposes enunciated herein. The sources are restricted to those funds which have been appropriated for this purpose by the Lake County Council as applicable and approved by the Department of Local Government Finance, the State Board of Accounts and/or State Board of Tax Commissioners, as applicable. In this regard this Contract may be terminated, in whole or in part, when the Lake County Auditor makes a written determination that the funds are not appropriated or otherwise available to support continuation of performance. Such determination shall be final and conclusive. Notice shall be given to the Contractor as soon as the Board is aware of such a situation. However, the Board will make good faith efforts to provide funding for this Contract, and if such funding is available and appropriated, the Board shall fulfill its financial obligation, subject to all terms and conditions herein.

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Any claim by Contractor for an extension of time must be made in writing to the Lake County Surveyor not more than one (1) day following the development of the cause for delay. However, in the case of a continuing cause of delay, only one claim need be made. Whenever the Lake County Surveyor or its representative in his or her own discretion determines that circumstances warrant an extension of time, he or she may grant such an extension until a claim of delay has been submitted by the Contractor.

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- B. IC 22-5-1.7.2 "Contractor" As used in this chapter, "contractor" means a person that has or is attempting to enter into a public contract for services with a state agency or political subdivision.
- C. IC 22-5-1.7-3 "E-Verify program" As used in this chapter, "E-Verify program" means the electronic verification of work authorization program of the Illegal Immigration Reform and Immigration Responsibility Act of 1996 (P.L. 104-208), Division C, Title IV, s. 403(a), as amended, operated by the United States Department of Homeland Security or a successor work authorization program designated by the United States Department of Homeland Security or other federal agency authorized to verify the work authorization status of newly hired employees under the Immigration Reform and Control.
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 - b. A state agency or political subdivision may not award a grant of more than one thousand dollars (\$1,000) to a business entity unless the business entity:
 - 1. signs a sworn affidavit that affirms that the business entity has enrolled and is participating in the E-Verify program;
 - 2. provides documentation to the state agency or political subdivision that the business entity has enrolled and is participating in the E-Verify program; and
 - 3. signs an affidavit affirming that the business entity does not knowingly employ an unauthorized alien
- I. IC 22-5-1.7-15 Certification by subcontractor. If a contractor uses a subcontractor to provide services for work the contractor is performing under a public contract for services, the subcontractor shall certify to the contractor in a manner consistent with federal law that the subcontractor, at the time of certification:
 - 1. does not knowingly employ or contract with an unauthorized alien; and
 - 2. has enrolled and is participating in the E-Verify program.
- J. Affidavit by Contractor. By execution of this contract I swear under the penalties of perjury that my company does not knowingly employ an unauthorized alien.

XVI. MISCELLANEOUS PROVISIONS

This Contract represents the entire understanding between the parties, and modifications of this Contract shall not be effective unless reduced to writing and signed by both parties. In the event any portion or portions of this Contract are found to be void or voidable portions, these portions shall be stricken and the remaining portions enforced.

All provisions of State Law applicable to the County and/or governmental entity or entities which is/are a party to this Contract are incorporated by reference as a part of this contract.

In the event this Contract is not fully executed and approved prior to the date of commencement, it shall be deemed retroactive in force and effect to the date of commencement upon and after the full execution, approvals, required filing and recordation.

XVII. TERMINATION

Termination of Agreement. The County shall have the right to terminate this Contract, with or without cause, by giving written notice to the Consultant of such termination and specifying the effective date thereof, at least fourteen (14) days before the effective date of such termination. In addition, the Consultant may, for any cause, also terminate this Contract by giving written notice to the Lake County Surveyor of such termination and specifying the effective date thereof, at least fourteen (14) days before the effective date of such termination.

IN WITNESS WHEREOF, the parties hereto have caused this Contract to be executed by their duly authorized officers on the day and date first above written.

LAKE COUNTY DRAINAGE BOARD



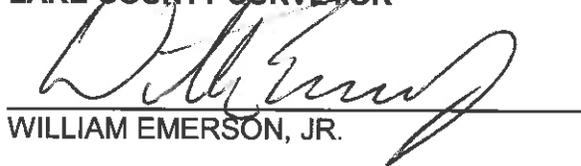
GERRY SCHEUB, CHAIRMAN



KYLE ALLEN, SR., MEMBER

MICHAEL C. REPAY, MEMBER

LAKE COUNTY SURVEYOR



WILLIAM EMERSON, JR.

CONTRACTOR

PRINTED NAME - TITLE

11309 Broadway

ADDRESS

Crown Point, IN 46307

CITY, STATE, ZIP CODE

(219) 690-1850

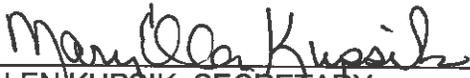
PHONE NUMBER

SIGNATURE

john@austgenequipment.com

EMAIL

ATTEST:


MARY ELLEN KUPSIK, SECRETARY,
LAKE COUNTY DRAINAGE BOARD



Bill Emerson, Jr.
County Surveyor

Office of the Lake County Surveyor

Lake County Government Center • 2293 North Main Street • Crown Point, Indiana 46307
Phone: (219) 755-3745 • Fax: (219) 755-3750

“SCHEDULE OF PAYMENTS”

CONTRACT #2016-K-7

2016 McConnell Ditch Maintenance

Morse Street to 171st Avenue

Cedar Creek Twp.

Year 2016	DB	\$103,855.36
Year 2016	MS4	\$111,300.03
Year 2017	DB	\$103,856.44
Year 2017	MS4	<u>\$111,300.02</u>
TOTAL:		\$430,311.85