



**MINUTES OF THE KANKAKEE RIVER BASIN AND YELLOW RIVER BASIN
DEVELOPMENT COMMISSION**

******KRB-YRBDC Technical Advisory Committee******

Friday, September 10, 2021
9:30 a.m. CDT/10:30 a.m. EDT
Porter County Commissioners Chamber
155 Indiana Avenue, Suite 205
Valparaiso, IN 46383

Tony Hendricks, Chair, called the meeting to order at 9:30 a.m. Central Time.

Vince Urbano, Secretary, called the roll.

Members Present

| | | |
|----------------|------------|----------------|
| Kevin Breitzke | Dan Gumz | Tony Hendricks |
| Mark Kingma | Tom Larson | Vince Urbano |

Staff Present

Scott Pelath

The chair announced the presence of a quorum.

ELECTION OF OFFICERS

Mr. Pelath reported that the following members remained willing to serve as officers: Tony Hendricks as Chair; Kevin Breitzke as Vice-Chair; and Vince Urbano as Secretary.

The chair recognized a motion and a second to reelect the current officers through June 2022 by acclamation.

MOTION ADOPTED BY VOICE VOTE.

APPROVAL OF MARCH 30 MINUTES

Kevin Breitzke moved to approve the March 30, 2021, minutes. Tom Larson seconded the motion.

MOTION ADOPTED BY VOICE VOTE.

EXECUTIVE DIRECTOR'S REPORT

Mr. Pelath updated the Committee on recent business of the Commission, as referenced in his August 16 written Executive Director's report in the Commission's minutes (available at kankakeeandyellowrivers.org).

OLD BUSINESS

Thayer Farm Transition

Because much of the DNR staff was subject to public health protocols, Mr. Pelath reported on behalf of the Department. He stated that design and modeling is substantially complete, and construction of water control structures for floodwater storage remain on schedule for 2022.

Yellow River project update

The chair recognized Ross St. Clair from Cardno. Ross reported that early stages of construction have already commenced, and weather conditions have been favorable for timely project completion thus far.

Site selection of Yellow River Project, Phase II

Mr. Pelath reported that he temporarily withheld recommended site for Phase II of the Yellow River reconstruction from the Commission agenda. He stated he first wanted to obtain some additional technical analysis before submitting it to the Commission for final consideration in 2022.

Floodwater storage property evaluations

Mr. Pelath made a formal presentation of floodwater storage opportunities [ATTACHMENT 1]. He also presented Draft Technical Advisory Committee (TAC) Recommendation 5-2021 regarding water control structure planning.

The chair recognized a motion and a second to adopt TAC Recommendation 5-2021 and forward it to the Commission for further consideration.

MOTION ADOPTED BY VOICE VOTE.

Regional Conservation Partnership Program (RCPP)

The chair recognized Jennifer Thum from the Indiana Department of Agriculture (IDOA) and Josh Griffin from the Indiana Department of Natural Resources (DNR) to grant and updated gave an update on the Department's efforts to form a Regional Conservation Partnership through Natural Resources Conservation Service (NRCS)

funding. The Commission previously committed its Yellow River reconstruction projects for the next two years to support the effort.

Ms. Thum and Mr. Griffin urged the Commission to commit an additional in-kind match of \$1 million per year in Yellow River work through USFY2026. They jointly asserted that additional match would maximize the amount of federal funding the basin could receive for conservation, soil health, and surface water management initiatives within the basin.

Mr. Pelath made clear that it did not have the power to commit funding, but it could consider a recommendation to the Commission. Mr. Pelath requested assurances that if in-kind match goals were not met in a given year, that the Commission would not be obligated to provide a cash match. Ms. Thum and Mrs. Griffin assured that would not be the case, and it is frequent for annual targets to be inexact or fall short in a given cycle.

Mr. Pelath said since a recommendation was not yet drafted, he would summarize the Committee's sense in Draft TAC Recommendation 8-2021 [ATTACHMENT 3]. He further stated that he would present it electronically to the Committee members for accuracy before submitting it to the Commission.

The chair recognized a motion that the Committee adopt Draft TAC Recommendation 8-2021 and forward it to the Commission for further consideration.

MOTION ADOPTED BY VOICE VOTE.

NEW BUSINESS

Kankakee FWA physical asset presentation and evaluation

Mr. Pelath presented conditions at the Kankakee Fish and Wildlife Area (FWA) during minor flooding in June 2021 [ATTACHMENT 1]. He also provided a review of the FWA's water control structures. An eventual reconfiguration of physical assets at the FWA is part of the Commission's forty-year work plan.

Sediment trap inventory

Mr. Pelath presented an inventory of all existing sediment traps and their dimensions on the Kankakee and Yellow Rivers in Indiana.

Shady Shores water control structure

Mr. Pelath presented Draft TAC Recommendation 6-2021 [ATTACHMENT 4] pertaining to a hydrological review of the Shady Shores subdivision in Lake County.

The chair recognized a motion that the Committee adopt Draft TAC Recommendation 6-2021 and forward it to the Commission for further consideration.

MOTION ADOPTED BY VOICE VOTE.

Access improvement

Mr. Pelath presented Draft TAC Recommendation 7-2021 [ATTACHMENT 5] pertaining to channel access improvement.

The chair recognized a motion that the Committee adopt Draft TAC Recommendation 7-2021 and forward it to the Commission for further consideration.

MOTION ADOPTED BY VOICE VOTE.

OTHER BUSINESS

None

PUBLIC COMMENT

None

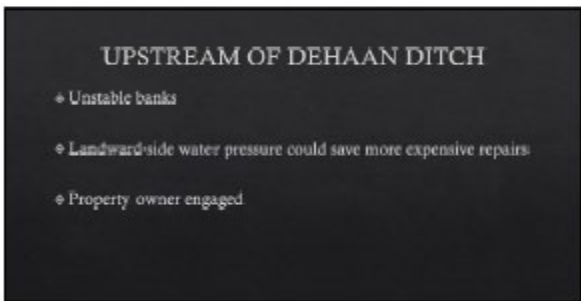
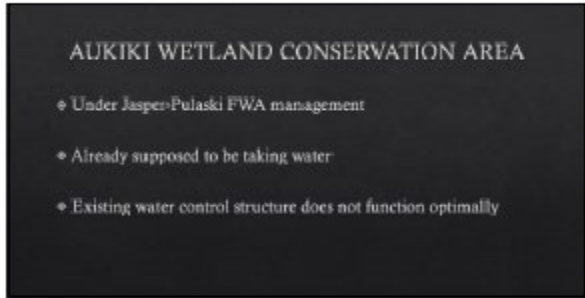
NEXT MEETING DATE

To be determined

ADJOURNMENT

The Committee adjourned at 11:07 a.m. CDT.

ATTACHMENT 1



DICK BLYTHE PROPERTY

- ✦ Kankakee FWA-managed property
- ✦ Existing NRCS easement
- ✦ Already a modest culvert connecting the property to river

PAGE 44 OF WORK PLAN

"Included in this recommendation is the removal/breaching of the internal berms at the Kankakee Fish and Wildlife Area to allow the free exchange of water between the Kankakee and Yellow River during flooding events. This will allow the rivers the greatest possible access to natural flood storage areas, return the Fish and Wildlife Area to a more natural hydrologic regime, and remove the need for active management by State entities in response to flood events."

DICK BLYTHE PROPERTY



MAP IN WORK PLAN



KANKAKEE FWA PHYSICAL ASSET REVIEW

PHYSICAL SKETCH (Courtesy of Dan Gumz)



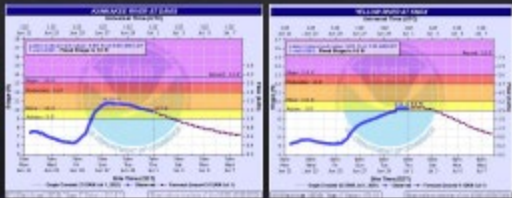
RECENT FLOOD EVENT

KANKAKEE AT FLOOD STAGE, YELLOW NOT AT FLOOD STAGE

YELLOW RIVER SPILLWAY, JUNE 29



NWS CONDITIONS AND FORECAST



WEST CROSS LEVEE, JULY 2



LOG GATE ON YELLOW RIVER, JULY 2



YELLOW RIVER SPILLWAY, JULY 2



YELLOW RIVER SPILLWAY, JULY 17



KANKAKEE 36" CULVERT AT 3K, JULY 2



KANKAKEE SPILLWAY (FLOWING OUT),
JUNE 29



KANKAKEE CULVERT A SECTION 3, JULY 2



SEAWALL ABSORBS VELOCITY ON
OPPOSITE BANK



YELLOW RIVER LOG GATE, AUGUST 30



EFFECTS IN YELLOW RIVER AFTER FLOOD EVENT

Fallen tree in Yellow River downstream of Hwy 33



Yellow River downstream of Hwy 33 6-27-21



FIELD OBSERVATIONS

- Water leaves the Yellow River before it reaches flood stage
- Water enters the Kankakee River when it is at flood stage
- Culverts on levees are insufficient to allow water to move in the direction of downstream
- Some evidence of localized impacts on the Kankakee are present
- Impacts on the broader river system have not been analyzed

EFFECTS IN YELLOW RIVER AFTER FLOOD EVENT

Yellow River downstream of Hwy 33 6-27-21



Yellow River downstream Hwy 33 7-2-21



INVENTORY OF EXISTING SEDIMENT TRAPS

EFFECTS IN YELLOW RIVER AFTER FLOOD EVENT

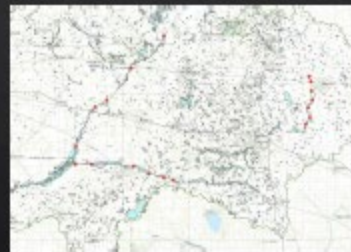
Island in middle of Yellow River 1.8 Mile NW 7-27-21



Sand deposit after the removal of the levee West of Hwy 33 8-24-21 (see to slide 18)



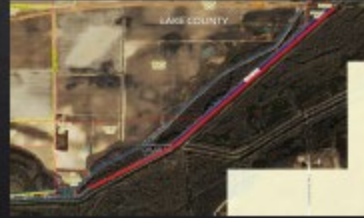
ALL VOLUMES 1800-5800 cubic yards



SHADY SHORES BLOCKAGE



LAKE CO. BETWEEN NORFOLK SOUTHERN BRIDGE AND ISAAC WALTON PROPERTY



SHADY SHORES SEDIMENT BLOCKAGE



LAPORTE COUNTY ON RECLAIMED DNR PROPERTY DOWNSTREAM OF U.S. 35



ACCESS IMPROVEMENT REQUESTS

QUESTIONS?

Scott D. Pelath
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ATTACHMENT 2

RECOMMENDATION 5-2021

To: Kankakee River Basin and Yellow River Basin Development Commission
From: Technical Advisory Committee (TAC)
Subject: Water control structure planning
Date: September 10, 2021

DESCRIPTION: The Director has identified properties already connected to the Kankakee River that could provide timelier and more effective floodwater storage during flood events. Each property is already enrolled in a wetland program or serves a conservation purpose. Furthermore, they have in common water control structures that either are insufficient or less than optimal for connecting the Kankakee River to manageable sections of its floodplain.

LOCATIONS:

- 1) NEWTON COUNTY – 200+ acre parcel upstream of the DeHaan Ditch owned by Swamped LLC; property enrolled in permanent NRCS easement
- 2) JASPER COUNTY – Aukiki Wetland Conservation Area, a 300+ acre area managed by the Jasper-Pulaski Fish and Wildlife Area
- 3) LAPORTE COUNTY – Dick Blythe Area, a 175+ acre wetland conservation area under Kankakee Fish and Wildlife Area management; property enrolled in permanent NRCS easement

ISSUES: With improved water control structures, each of the properties could absorb more floodwater during a flood event. The properties already provide some floodwater storage, but the amounts are less than the properties could manageably hold.

In each case, analysis to this point shows that none would require any setback flood protection improvements. Furthermore, two are public properties – which are legally expected to absorb floodwater ahead of private properties – and none would have any acquisition costs. In the case of the Newton County property, increased water pressure from the landward side would be vital for preserving a failing bank and avoiding further costly repairs in that area.

RECOMMENDATION: The properties rank high in the Commission’s criteria for floodplain reconnection. Although two have existing NRCS easements, none carry costs for acquisition or setback flood protection.

The Committee recommends that the Commission pursue agreements with NRCS, the Department of Natural Resources, and landowners for more effective water control structures at these properties. Furthermore, the Committee urges the Commission to make funds available for design, permitting, hydrological modeling, and construction.

ADOPTED BY COMMITTEE 9/10/2021

ATTACHMENT 3

RECOMMENDATION 8-2021

To: Kankakee River Basin and Yellow River Basin Development Commission
From: Technical Advisory Committee (TAC)
Subject: Regional Conservation Partnership Program (RCPP)
Date: September 10, 2021

DESCRIPTION: The Indiana Department of Agriculture (“the Department”) intends to apply for Regional Conservation Partnership (RCPP) funding through the Natural Resources Conservation Service (NRCS). With up to \$20 million in federal funding, the Department intends to lead a regional conservation effort focused through various soil health and water management practices. According to the Department, approximately 70-percent of the funding will be targeted at landowner programs and incentives.

The partnership’s goals are to mitigate excess water, to improve water quality, and build community involvement in the conservation and wise use of natural resources.

LOCATION: The Kankakee River Basin in Indiana excluding the Iroquois River Basin

ISSUES: Federal funding under RCPP requires a match of state in-kind and cash contributions. The level of match commitments directly affects the amount of federal dollars available for RCPP programming in the Kankakee watershed.

The Commission already has committed its planned Yellow River streambank reconstruction as in-kind match for federal RCPP conservation dollars. The value of the work for Fiscal Years 2022 and 2023 exceeds \$2 million.

Jennifer Thum, a senior Department official, publicly requested that the Technical Advisory Committee recommend additional, in-kind matches of \$1 million in annual Yellow River work in Fiscal Years 2024, 2025, and 2026. She reported that the additional matches would substantially increase the NRCS’s level of investment throughout the region.

The Commission’s Executive Director noted that while Yellow River reconstruction is a top Commission priority, specific amounts of match have not yet been designated or permitted beyond Calendar Year 2022. The Director also expressed that the Commission was unlikely to consider direct cash matches, and that consideration must be given to contingencies, emergencies, and unforeseen demands on resources.

The Department has assured that in-kind pledges are not expected to be exact, and variations between in-kind pledges and actual in-kind expenditures are typical.

RECOMMENDATION: The Technical Advisory Committee recognizes the value of the planned RCPP for the Kankakee River Basin, supports its goals, and in particular lauds its potential to reduce sediment entering the Kankakee and Yellow Rivers. The Committee also acknowledges the vital importance the State of Indiana’s support of the Commission’s mission.

ATTACHMENT 4

RECOMMENDATION 6-2021

To: Kankakee River Basin and Yellow River Basin Development Commission
From: Technical Advisory Committee (TAC)
Subject: Shady Shores water conditions
Date: September 10, 2021

DESCRIPTION: Shady Shores, an unincorporated community in Lake County, lies adjacent to the Kankakee River. Through the residential area is a constructed bayou connected to the river by its opening to the east and a non-operational water control structure to the west.

LOCATION: Lake County

ISSUES: The bayou's opening is blocked with sediment, and water does not flow into it at local gage levels of less than 7'. Water trapped within the bayou then becomes stagnated, posing a potential health hazard to local residents.

Furthermore, a control structure that would allow water and sediment to flow through the area and re-enter the Kankakee is non-operational, either through vandalism or fears of its effects.

Local residents have requested the removal of sediment at the mouth of the bayou. However, without an effective way to ensure flow through the area, the success of any removal may be short-lived.

RECOMMENDATION: The Committee recommends that Commission sanction a hydrological review of the community to develop a lasting solution for safe water flow at Shady Shores. The study is urged to consider the value of sediment removal and the optimal operation of the existing water control structure.

ADOPTED BY COMMITTEE 9/10/2021

ATTACHMENT 5

RECOMMENDATION 7-2021

To: Kankakee River Basin and Yellow River Basin Development Commission
From: Technical Advisory Committee (TAC)
Subject: Access Improvement
Date: September 10, 2021

DESCRIPTION: The Director has received several requests for mowing or access clearing along the Kankakee River. Sufficient access to the channel is essential for safely managing logjams, maintaining bank stability, implementing erosion control efforts, and making basic repairs.

LOCATIONS:

LAKE COUNTY – Mowing and 1-2” tree cutting from the Norfolk Southern Railroad Bridge to the Isaac Walton League Property; approximately 1.5 miles

LAPORTE COUNTY – Mowing and small tree cutting from U.S. 35 downstream to the end of DNR property; approximately 0.6 miles

LAPORTE COUNTY – Clearing atop bank from a line extending from a line extending from the end of 1650 South upstream to 1500 South, approximately 1.5 miles

PORTER COUNTY – Approximately 1.5 miles beyond previously approved access improvement work

ISSUES: Maintenance of access and the cost-contained establishment of new access atop the banks of the Kankakee provides lasting value beyond the initial cost of the work. If tree removal atop the bank is necessary, work would be limited to the periods between October 1 and March 31 outside of endangered bat roosting season. Any access creation that would entail crossing a regulated wetland would require approval from the appropriate federal and state agencies.

RECOMMENDATION: Subject to the budgetary limitations of the Commission, the Committee recommends that Commission make reasonable funds available for this access maintenance and creation, provided that work 1) does not require extensive permitting and 2) is not wider than is necessary to safely accommodate work vehicles and heavy equipment.

ADOPTED BY COMMITTEE 9/10/2021