

KANKAKEE RIVER

YELLOW RIVER



BASIN DEVELOPMENT COMMISSION

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

KRB-YRBDC Technical Advisory Committee

Thursday, February 24, 2022

1:30 p.m. CST/2:30 p.m. EST

LaPorte County Public Library

Meeting Room

108 E. West Street

Hanna, IN 46340

Join meeting from your computer, tablet or smartphone at <https://global.gotomeeting.com/join/687635045>

Dial in using phone at 1 (669) 224-3412, Access Code: 687-635-045

Tony Hendricks, Chair, called the meeting to order at 1:30 p.m. Central Time.

Scott Pelath, Executive Director, called the roll.

Members Present

Kevin Breitzke	Dan Gumz	Tony Hendricks
Mark Kingma	Tom Larson	John Law

Members Present Via Videoconference

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 for the upcoming State Fiscal Year 2023: 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 2023 by acclamation.

Breitzke – Aye
Gumz – Aye
Hedricks – Aye
Kingma – Aye
Larson – Aye
Law – Aye
Urbano – Aye

MOTION ADOPTED.

APPROVAL OF SEPTEMBER 10, 2021, MINUTES

Kevin Breitzke moved to approve the September 10, 2021, minutes. Tom Larson seconded the motion.

Breitzke – Aye
Gumz – Aye
Hedricks – Aye
Kingma – Aye
Larson – Aye
Law – Aye
Urbano – Aye

MOTION ADOPTED.

EXECUTIVE DIRECTOR'S REPORT

Mr. Pelath presented the status of the Commission's finances and other matters [ATTACHMENT 1].

OLD BUSINESS

Thayer Farm Transition

Mr. Pelath reported that construction of the new water control structures is expected to take place in the late spring or summer of 2022.

Yellow River project update

Mr. Pelath reported that construction of the Starke County section is expected to commence in March.

Site selection of Yellow River Project, Phase II

Ross St. Clair of Cardno and Mr. Pelath presented Draft Recommendation 1-2022 for consideration [ATTACHMENT 2].

Mr. Breitzke moved to adopt TAC Recommendation 1-2022 and forward it to the Commission for further consideration. Mr. Law seconded the motion.

Breitzke – Aye
Gumz – Aye
Hedricks – Aye
Kingma – Aye
Larson – Aye
Law – Aye
Urbano – Aye

MOTION ADOPTED.

Shady Shores water flow

Mr. Pelath reported on sediment at the mouth of the Shady Shores bayou. At the Commission's request, Burke Engineering had conducted a hydrological review of water flow throughout the community. Mr. Pelath summarized the report's finding and recommendations and said challenges in their implementation remained.

Kankakee FWA

Mr. Pelath presented the major physical structures at the Kankakee Fish and Wildlife Area and discussed a number of their localized effects [ATTACHMENT 1].

Mr. Pelath offered Draft Recommendation 2-2022 for consideration [ATTACHMENT 3].

Mr. Breitzke moved to adopt TAC Recommendation 2-2022 and forward it to the Commission for further consideration. Dan Gumz seconded the motion.

Breitzke – Aye
Gumz – Aye
Hedricks – Aye
Kingma – Aye
Larson – Aye
Law – Aye

Urbano – Aye

MOTION ADOPTED.

Storage Development at Aukiki WCA

Mr. Pelath reported that Burke Engineering’s design of a new water control structure has commenced.

Regional Conservation Partnership Program (RCPP)

Mr. Pelath stated that the Indiana Department of Agriculture has entered the RCPP application phase.

River’s Edge Farm

Mr. Pelath explained the adjacent property owner’s demands that the Commission further heighten the berm separating the two properties. Mr. Pelath stated that it was currently infeasible, would require extensive permits, and would not deliver the desired result for the property owner.

NEW BUSINESS

Jasper County FEMA Project augmentation

Vince Urbano reported the successes of the recently completed Jasper County FEMA project. He suggested that the Commission might consider funding one additional repair area that FEMA declined to include in the original project scope. Mr. Pelath said Jasper County would submit a more detailed project proposal later in the year.

Wheatfield power plant property transition

Mr. Pelath presented Draft Recommendation 3-2022 regarding the Wheatfield power plant property transition. The Commission is eligible for grant funding to assist NIPSCO with flood storage and wetland restoration at the site [ATTACHMENT 4].

Mr. Breitzke moved to adopt TAC Recommendation 3-2022 and forward it to the Commission for further consideration. Mark Kingma seconded the motion.

Breitzke – Aye
Gumz – Aye
Hedricks – Aye
Kingma – Aye
Larson – Aye
Law – Aye
Urbano – Aye

MOTION ADOPTED.

Spring hydroseeding

Mr. Pelath asked for individual suggestions on spring seeding areas.

Sediment management

Mr. Pelath presented Draft Recommendation 5-2022 regarding sediment traps [ATTACHMENT 5].

Mr. Gumz moved to adopt TAC Recommendation 5-2022 and forward it to the Commission for further consideration. Mr. Breitzke seconded the motion.

- Breitzke – Aye
- Gumz – Aye
- Hedricks – Aye
- Kingma – Aye
- Larson – Aye
- Law – Aye
- Urbano – Aye

MOTION ADOPTED.

Flood response planning

Mr. Pelath presented Draft Recommendation 4-2022 regarding the Commission’s development of a formal flood response plan [ATTACHMENT 6].

Mr. Breitzke moved to adopt TAC Recommendation 4-2022 and forward it to the Commission for further consideration. John Law seconded the motion.

- Breitzke – Aye
- Gumz – Aye
- Hedricks – Aye
- Kingma – Aye
- Larson – Aye
- Law – Aye
- Urbano – Aye

MOTION ADOPTED.

2022 logjam management

Mr. Pelath presented Draft Recommendation 6-2022 regarding the Commission’s development of a formal flood response plan [ATTACHMENT 7].

Mr. Breitzke moved to adopt TAC Recommendation 6-2022 and forward it to the Commission for further consideration. Mr. Gumz seconded the motion.

Breitzke – Aye
Gumz – Aye
Hedricks – Aye
Kingma – Aye
Larson – Aye
Law – Aye
Urbano – Aye

MOTION ADOPTED.

OTHER BUSINESS

None

PUBLIC COMMENT

None

NEXT MEETING DATE

To be determined

ADJOURNMENT

The Committee adjourned at 3:17 p.m. CST.

ATTACHMENT 1



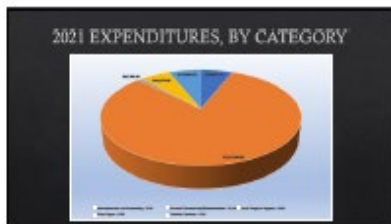
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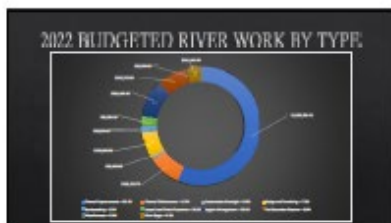
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CHALLENGES FOR DRAFT 2022 BUDGET
→ CASH FLOW - Major revenue occurs in July and December

- December revenue does not have practical use in current calendar year
- Must plan for sufficient cash resources to carry into following year
- Timing of projects is relevant for cash management
- Goal is four to five million to carry into following year

8

CHALLENGES FOR 2022 BUDGET

- Uncertainty of labor costs
- Maintaining flexibility for flood responses
- Choosing between strategic needs
- Fewer remaining funds from 2019 state allocations

9

LONGER-TERM BUDGET CHALLENGES

- Moving essential administrative needs
- Uncertainty of administrative revenue sources
- INPSCO reimbursement after raised Wheatfield Plant charges in 2015
- Farm lease up in 2026
- State Aid also reconsidered every two years

10

LONGER-TERM BUDGET CHALLENGES

- Counties opting to use different revenue sources may be eliminated
- Inflation eroding the value of fixed revenue sources
- Changes in assessment parcel classifications
- Increasing policy changes

11

WHEATFIELD POWER PLANT PROPERTY

12

WHEATFIELD POWER PLANT (Jasper Co.)



13

SHAHFER BASICS

- INPSCO reports approximately 300 acres of holdings in vicinity
- Commission would be one part of a much larger partnership in transitioning the property
- DNR likely to manage property after a period of time remaining in INPSCO rate base
- INPSCO has strong interest in converting area into natural resources and floodwater retention

14

SHAHFER BASICS

- Commission's interest is that it serve as floodwater storage during moderate and major flood events
- Commission's role would be partial support of technical services, installation of water control structures, and possible match support as DNR pursues larger sources of funding
- Commission may be eligible for an outside grant to support initial modeling design work

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AUKIKI WETLAND CONSERVATION AREA



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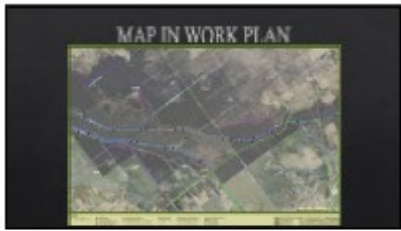
KANKAKEE FWA PHYSICAL ASSET REVIEW

PAGE 44 OF WORK PLAN

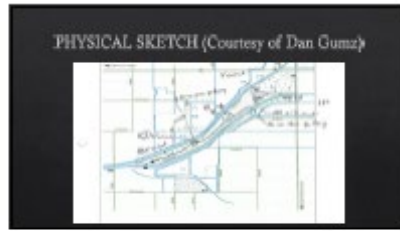
"Included in this recommendation is the removal/breaking of the internal dams at the Kankakee Fish and Wildlife Area to allow the free exchange of water between the Kankakee and Yellow River during flooding events. This will allow the rivers the greatest possible access to natural flood storage areas,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

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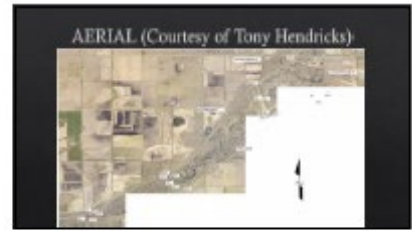
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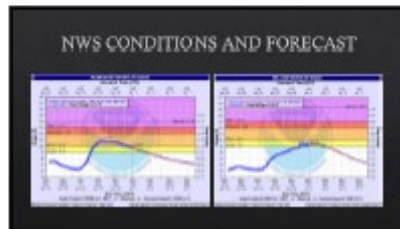
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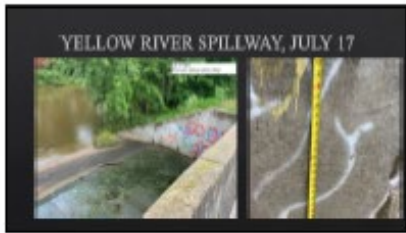
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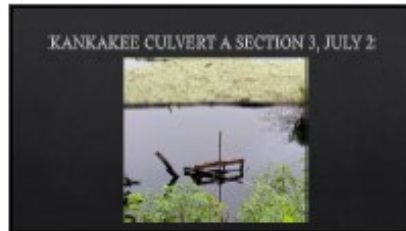
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FIELD OBSERVATIONS


- Water leaves the Yellow River before it reaches flood stage
- Water enters the Kaskaskia River when it just flood stage
- Cylinders or leaves are required to allow water to raise in the direction of downstream
- Some evidence of localized impacts on the Kaskaskia are present
- Impacts on the broader river system have not been analyzed

37

INVENTORY OF EXISTING
SEDIMENT TRAPS

38

ALL VOLUMES 1800-5800 cubic yards



39

QUESTIONS?
Scott D. Pelath
(219) 865-7999
sdpelath@gmail.com

40

DR

ATTACHMENT 2

RECOMMENDATION 1-2022

To: Kankakee River Basin and Yellow River Basin Development Commission
From: Technical Advisory Committee (TAC)
Subject: Site Evaluation of Yellow River Reconstruction, Phase II
Date: February 24, 2022

DESCRIPTION: At its January 21 meeting, the Commission approved a contract for Cardno to begin designing Phase II of the Yellow River Bank Reconstruction Project in Starke County. Part of the contract instructed Cardno to evaluate potential project sites in direct consultation with Starke County officials and the Commission.

LOCATION: Yellow River downstream of the Phase I site in Starke County

ISSUES: Commission staff requested that 1) overall feasibility; 2) potential costs and benefits; 3) financial and construction flexibility, and 4) the existence of any previous riverbank improvements be considered in its evaluation. Flexibility in the design was particularly emphasized to ensure the scope remains within any amounts budgeted by the Commission. Cardno tentatively has recommended two sites [ATTACHMENT] that fit these criteria.

RECOMMENDATION: The Committee recommends that the Commission adopt the recommended project scope (below) when confirmed by 1) surveying; 2) on-site analysis at lower water levels; and 3) the concurrence of the Starke County Surveyor and Drainage Board. The Committee also recommends that design include severable sections in order to ensure the Commission's budget parameters are met.

Phase II Design: Consists of two separate project areas within Starke County



ATTACHMENT 3

RECOMMENDATION 2-2022

To: Kankakee River Basin and Yellow River Basin Development Commission
From: Technical Advisory Committee (TAC)
Subject: Sediment removal at Kankakee Fish and Wildlife Area (FWA) spillway
Date: February 24, 2022

DESCRIPTION: Adjustments to the physical configuration of the physical configuration of the Kankakee FWA is part of the Commission's forty-year work plan. The long-term recommendation is for physical structures to allow for an optimal relationship between the discharges of the two rivers.

An ongoing concern is that the physical assets of the FWA serve to prematurely divert the Yellow River to the Kankakee River. This dynamic often occurs while the Kankakee River is at flood stage and the Yellow River is not.

LOCATION: Kankakee FWA along the Yellow River side of 10-Mile Road in Starke County

ISSUES: Among many other possible tasks, a significant amount of sediment has accumulated in front of the drive-through spillway at the FWA on the Yellow River. Because it has raised the channel bottom in next to the water control structure, water is entering from the Yellow River more quickly than was intended by the structure's design.

RECOMMENDATION: The Committee recommends that the Director seek approval from the appropriate regulatory agencies for the removal of that sediment. Contingent on regulatory authorization, available funding, and a suitable location for placement of excavated material, the Committee further recommends that the Commission authorize the project.

ADOPTED BY COMMITTEE 2/24/2022

ATTACHMENT 4

RECOMMENDATION 3-2022

To: Kankakee River Basin and Yellow River Basin Development Commission
From: Technical Advisory Committee (TAC)
Subject: Wheatfield power plant property transition
Date: February 24, 2022

DESCRIPTION: NIPSCO's Shahfer Power Plant in the vicinity of Wheatfield is scheduled to close. NIPSCO's parent company, NiSource, currently is considering future uses of the property. NIPSCO officials calculate their land holdings in the vicinity to be approximately 3000 acres.

Once the power plant is retired, the coal ash ponds will be to be refilled and capped. To meet this requirement, NIPSCO reportedly has two options available to it:

- 1) Dig two new holes, and use the earth to fill in the ponds; or
- 2) Obtain the fill from a broader area on the NIPSCO property.

There is a cost differential between both options, with the first option being less expensive to NiSource shareholders. However, provided it is economically feasible through partnership with DNR, NIPSCO's preference is to covert some of its holdings to solar energy generation and place a sizable portion under Department of Natural Resources management for wildlife and recreation.

NIPSCO also has been mindful of the region's flood mitigation needs and has remained fully open to the area serving as a manageable floodwater storage area during peak events. The Commission Director has formally communicated this interest to NiSource officials, and the Commission is being considered as a recipient of a grant to fund advance design and hydrological modeling work.

LOCATION: East of IN-49 in Jasper County near the Kankakee River

ISSUES: If the property is converted to DNR management without integrating flood storage needs from the outset, the Commission could miss an opportunity to store substantial floodwater during peak events.

RECOMMENDATION: The Committee recommends that the Commission pursue and accept outside grant funds to support hydrological modeling and redesign of the property for flood storage needs. The Committee further urges that the Commission support the transition of the property provided that flood mitigation goals incorporated into its eventual use. The Committee also recognizes that given the scope of the area, partnership with NIPSCO, DNR, and other funding sources will be necessary to ensure the transition's feasibility.

ADOPTED BY COMMITTEE 2/24/2022

ATTACHMENT 5

RECOMMENDATION 5-2022

To: Kankakee River Basin and Yellow River Basin Development Commission
From: Technical Advisory Committee (TAC)
Subject: Sediment Traps
Date: February 24, 2022

DESCRIPTION: Under a set of conditions, state and federal regulators will permit the construction and maintenance of sediment traps along the Kankakee and Yellow Rivers.

Many of the existing traps have filled with sediment over time and would need to be maintained in order to limit the transportation of new sediment downstream. The Commission previously has approved the maintenance and construction of these devices a measure to reduce the downstream transportation while more longer-term sediment reduction measures are being executed. The costs and benefits of a maintaining or constructing a particular trap are evaluated on a case-by-case basis within the Commission's budgetary parameters.

LOCATION: Various previously permitted locations along the Kankakee and Yellow Rivers upstream of the LaPorte-Porter County Line

ISSUE: Under the Commission's budgetary parameters, the next trap selected for maintenance is yet to be determined.

RECOMMENDATION: The Committee recommends that the Commission authorize the maintenance of the existing trap nearest to IN-39 on the Yellow River and the construction of a new trap near the mouth of the Robbins Ditch on the Kankakee River. The Committee further recommends that in order to maintain the feasibility of the work, the need to transport excavated material away from the site should be avoided.

ADOPTED BY COMMITTEE 2/24/2022

ATTACHMENT 6

RECOMMENDATION 4-2022

To: Kankakee River Basin and Yellow River Basin Development Commission
From: Technical Advisory Committee (TAC)
Subject: Flood Response/Flood Resilience Plan
Date: February 24, 2022

DESCRIPTION: Recommendation 5.2.5 and 5.2.6 of the Commission’s work plan urge the development of formal Flood Response and Flood Resilience Plans.

“Flooding along the Kankakee, Yellow River, Iroquois River, and other tributaries is unavoidable. Flood response plans should be developed for each flood-prone community along the corridor to help emergency responders take appropriate actions in response to flooding of homes, critical infrastructure, and transportation corridors. Such plans would provide guidelines on how to forecast, detect, and classify the severity of the flooding event, communicate with emergency response personnel, notify affected citizens, take appropriate flood fight actions, and implement post-flood recovery.” (Flood and Sediment Management Work Plan; page 51, paragraph 3)

As with certain other recommendations, the provision is not targeted solely to the Commission specifically, but to the watershed generally. However, the Commission has a primary leadership role in and a direct interest in promoting timely and coordinated flood responses.

LOCATION: N/A

ISSUES: The work plan recommends the development of these essential documents beginning in CY2024. However, given the historic frequency of flood conditions on the Kankakee and Yellow Rivers, initiation of the task may be expedited with sacrificing other funded priorities.

RECOMMENDATION: In order to expedite the formalization of Flood Response and Flood Resilience Plans, the Committee recommends that the Director seek outside sources (e.g. USACE; FEMA; DNR) of funding and technical assistance for the formulation of these important documents. The Committee also recommends that the Commission support these efforts as necessary to 1) better integrate the basin’s existing emergency response procedures; 2) better clarify jurisdictional roles during a flood event; 3) more thoroughly identify

specific actions to be taken in response to a flood event; and 4) provide a working template for successors in various roles throughout the watershed.

ADOPTED BY COMMITTEE 2/24/2022

DRAFT

ATTACHMENT 7

RECOMMENDATION 6-2022

To: Kankakee River Basin and Yellow River Basin Development Commission
From: Technical Advisory Committee
Subject: Yellow River Logjam Management
Date: February 22, 2022

DESCRIPTION: The natural flow of the Kankakee and Yellow Rivers is frequently impeded by logjams and fallen trees, particularly as they collect at natural and structural barriers. These tree and logjams complicate flood and erosion management and can present tangible human safety hazards. Removal of logjams and debris is a frequent activity of the Commission, and an ongoing task expected in every year of the Commission's forty-year work plan.

The Commission received a 10-Year permit from the U.S. Army Corps of Engineers to conduct logjam management activities along the Kankakee River, which is a navigable waterway under their guidelines. Logjam management activities on the Yellow River are distinct and must adhere to any regulations applicable to that waterway.

LOCATION: Yellow River

ISSUE: The Commission sets logjam management priorities in consideration of available resources. In 2019, the LaPorte and Starke County Surveyors solicited bids for three sections along the Yellow River to conduct fallen and severely leaning tree removal. However, given the respective lengths of the three sections, subdivision of the sections into smaller project areas would 1) improve the long-term feasibility of the overall initiative and 2) allow work to manageably progress. To meet the annual recommendations of the work plan, the Commission might consider resoliciting bids or dividing the project locations to better fit within its annual budget.

RECOMMENDATION: The Committee recommends that the Commission subdivide logjam management activities through Sections A, B, and C on the Yellow River into smaller project areas, with the stretch from English Lake upstream to IN-39 at the Kankakee Fish and Wildlife Area being the initial priority. This recommendation from the Committee is intended to ensure that work progresses in an orderly manner, and that work not face interruption because of the current dollar amounts attached to each section as currently defined.

ADOPTED BY COMMITTEE 2/24/2022