

*****MINUTES*****

***Kankakee River Basin and Yellow River Basin
Development Commission***

**Friday, January 26, 2024
9:30 a.m. CST/10:30 a.m. EST**

**LaPorte County Public Library Exchange
The Classroom, 2nd Floor
807 Indiana Avenue
LaPorte, IN 46350**

FOR MEMBERS PARTICIPATING ELECTRONICALLY

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John McNamara, Chair, called the meeting to order at 9:30 a.m. CST, and the Pledge of Allegiance was recited.

Bill Crase, Secretary, called the roll.

ROLL CALL OF MEMBERS

Members present physically: Rob Churchill, Bill Crase, Craig Cultice, John McNamara, Mike Novotney, Dick Welsh

Members present via videoconference: Ryan Mueller, Jim Walstra, John Shure (IL), Andrew Wheeler (IL)

Approved proxies present: Tom Larson for Bill Emerson

Staff present: Scott Pelath, Executive Director

Guests Present Physically and via Videoconference

Ross St. Clair	Christine Keil	Tony Hendricks	Don Lode
Beau Watkins	Al Cameron	Angel Crawford	Cindy Hunter
Cody VanDrunen	Gus Ellicott	Julie Mitrison	Kevin Breitzke
Kim Peterson	Laura Floyd	Matt VanDrunen	Paul Brayton
Rachel Cobb	Scott Lincoln	Siavash Beik	Jim Sweeney
Vince Urbano	Stephanie Kuziela		

Mr. Pelath reported the presence of a quorum.

APPROVAL OF MINUTES FROM NOVEMBER 3 MEETING

Craig Cultice moved that the Commission approve the November 3, 2023, minutes. Dick Welsh seconded the motion.

Churchill – Y
Cruse – Y
Cultice – Y
Larson for Emerson – Y
McNamara – Y
Mueller – Y
Novotney -- Y
Walstra – Y
Welsh – Y

MOTION ADOPTED.

FINANCE REPORT AND CLAIMS

Revenue update

Mr. Pelath discussed the proposed CY2024 budget and recent claims. A written finance report, the proposed budget, and recent claims were distributed as part of his formal Executive Director's report [ATTACHMENT 1]. Mr. Pelath also made a formal presentation highlighting the proposed budget and reviewing the CY2023 finances and revenue [ATTACHMENT 2].

Mr. Cruse moved the Commission approved the proposed CY2024 budget. Mike Novotney second the motion.

Churchill – Y
Cruse – Y
Cultice – Y
Larson for Emerson – Y
McNamara – Y
Mueller – Y
Novotney -- Y
Walstra – Y
Welsh – Y

MOTION ADOPTED.

Rob Churchill moved that the Commission approve the claims in the total amount of \$368,097.47. Mr. Welsh seconded the motion.

Churchill – Y
Crase – Y
Cultice – Y
Larson for Emerson – Y
McNamara – Y
Mueller – Y
Novotney -- Y
Walstra – Y
Welsh – Y

MOTION ADOPTED.

OLD BUSINESS

Jasper County FEMA project extension

Mr. Pelath reported that Burke Engineering has sent all project permit applications to the relevant regulatory agencies.

Formal flood response plan development

Mr. Pelath reported that the Technical Advisory Committee hosted a stakeholder workshop to ask for input on various plan elements.

Kankakee FWA hydraulic study update

Burke Engineering's study and modeling is nearing completion. Preliminary evidence suggests that height adjustments to an internal levee and the Kankakee spillway may be advisable for both flood mitigation on the Kankakee River and waterfowl habitat.

Abandoned Norfolk Southern bridge at Schneider

Norfolk Southern has granted tentative approval for the Commission to remove the section of the bridge most susceptible to logjam accumulation.

Logjam management report

Mr. Pelath reported on logjam management work that continued until both rivers iced over.

Sediment traps

A trap on the Yellow River and one upstream of the Little Kankakee are permitted and awaiting work by the selected contractor, who is suffering a string of equipment delays.

Property access adjacent to River's Edge Farm

Mr. Pelath said the Attorney General's office is further refining a draft agreement that may resolve the access issues related to the Commission's Porter County farm.

Emergency Islands

Mr. Pelath said he intended to ask the Technical Advisory Committee to recommend an emergent island for removal through a pilot project.

Barges

Mr. Pelath expressed his dissatisfaction with the current barge market.

NEW BUSINESS

Current river conditions

Mr. Pelath included an update on current river conditions in his PowerPoint presentation [ATTACHMENT 2].

Yellow River Reconstruction Phase III bid oversight and construction

Ross St. Clair, now of SWCA, reported on the status of the Phase III project and current plans to select a contractor through formal, competitive bidding.

State Line Bridge relocation planning

Mr. Pelath reiterated that the adopted budget set aside funds for technical assistance for removing the bridge.

U.S. Geological Survey monitoring

USGS has offered to research and monitor sediment reductions related to the Commission's Yellow River reconstruction projects. The agency is also willing to subsidize the monitoring costs.

Mr. Pelath requested approval for a proposed contract with USGS that describes the research and monitoring activities, the costs to the Commission, and subsidy contributions to the work [ATTACHMENT 3].

Tom Larson moved that the Commission approve the proposed contract with USGS for Yellow River project monitoring. Mr. Cultic seconded the motion.

Churchill – Y
Cruse – Y
Cultice – Y
Larson for Emerson – Y
McNamara – Y
Mueller – Y
Novotney -- Y
Walstra – Y
Welsh – Y

MOTION ADOPTED.

OTHER BUSINESS

None

EXECUTIVE DIRECTOR’S REPORT

See ATTACHMENTS 1 and 2.

PUBLIC COMMENT

None


NEXT MEETING

The Commission’s next meeting was scheduled for March 22 at 1:00 CDT at the Newton County Government Center in Morocco.

ADJOURNMENT

The Commission adjourned at 10:23 a.m. CST.

APPROVED MARCH 22, 2024

DocuSigned by:

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Bill Crase

Secretary

EXECUTIVE DIRECTOR'S REPORT

To: KRB-YRBDC Members
From: Scott D. Pelath, Executive Director
Date: January 17, 2024

Since this is the beginning of another calendar year, this report will be heavy on the finance report and 2024 budget. I like this time of year. It's when we get to envision possibilities for the months ahead.

Finance Report

Balances. We began CY2024 with a dedicated fund balance of \$1,783,498.32 and a general fund balance of \$566,503.74. The former figure includes the entirety of the December assessment revenue distribution.

Revenue. Overall, the 2023 assessment revenue was down 1.7% from 2022. That is a decrease of approximately \$48,000. *However*, most of this change is attributable to 1) normal annual fluctuations and 2) an inordinate number of railroad property delinquencies in Marshall County related to their new software system. Already, overdue payments are arriving, and I expect the number to close by July. I met with our team over there, I am fully confident that numbers will restabilize after the transition period. They do an excellent job.

For perspective, we also must note that assessment revenues are *up* 7.7% from the startup year of 2021. I also intentionally underestimated our 2023 revenue, so we were almost right on the mark with the budget.

CY2024 budget. I consulted directly with the Executive Committee while developing this draft 2024 budget. The entire budget document follows a summary of its highlights below:

- 1) I build flexibility into the capital budget in case there either is an emergency or a near-term opportunity to remove the State Line Bridge.
- 2) It is infeasible to complete both Phase III sections of the Yellow River reconstruction next year, so we have budgeted to complete the smaller, Marshall County section. Funds are set aside to initiate construction on the Starke County portion, although the lion's share would carry over to 2025.
- 3) Flexibility with the Yellow River project frees up a \$700,000 allocation for the Jasper County FEMA project extension. This amount includes \$250,000 for the project that rolls over from 2023.
- 4) The budget contains an increase for technical services, but for sound reasons. The first item is a \$75,000 set aside to engineer the State Line Bridge removal. Another \$75,000 serves as a placeholder to update the Newton County bank reconstruction and wetland mitigation plans originated under the KRBC. Funds are also available to finish the Kankakee FWA study and begin specific water control structure redesigns and permits.

- 5) \$100,000 is included for a pilot project to remove an island on the Yellow River, and \$50,000 to repair a key water control structure at the confluence of the Dehaan Ditch and Kankakee River.
- 6) We discussed acquiring barges to support in-channel projects, but my initial cost estimates were low within the current market. There is a \$100,000 set aside, but there will not be any knee-jerk purchases. There is no reason to rush and overpay.
- 7) The amounts for channel maintenance, logjam management, and sediment traps are higher than the initial 2023 budget and comparable to the amounts we expended after supplementing the budget in July.
- 8) The General Fund budget is lower than 2023 because we funded our last capital project from the original \$2.3 million from the state. A three-percent COLA is for my salary is included after consultation with the Executive Committee. The annual health insurance premium increase is low, especially after receiving a mid-year premium refund last year.

Some dollars were restored for the Kankakee River Days educations program, which has grown in both geography and popularity. The accountant recommended we set aside \$5000 for the State Board of Accounts review currently underway. Although they requested minutes and other documents, it is unclear how much time they will allocate to us. It varies from year to year.

<u>CY2024 KRB-YRBDC BUDGET; ASSESSMENT ACCOUNT</u>	
STARTING BALANCE	1,783,498.32
Revenue	
Jasper County	190,000.00
Lake County	396,898.52
LaPorte County	696,934.62
Marshall County	508,144.66
Newton County	104,645.74
Porter County	275,991.60
St. Joseph County	352,938.48
Starke County	314,015.85
INTEREST	1.00
REVENUE:	2,839,569.47
TOTAL:	4,623,067.79

Expenditures	
Barge Acquisition	100,000.00
Bridge Removal, Labor and Equipment	50,000.00
Bridge Removal, Planning and Engineering	75,000.00
Channel Maintenance	250,000.00
Hyrdoseeding	75,000.00
Invasive Plant Species Eradication	50,000.00
Island Obstruction Removal Pilot	100,000.00
Jasper County FEMA Project Augmentation	700,000.00
Jasper Local Match Payments	95,000.00
Kankakee FWA Hydraulic Study	53,000.00
Kankakee FWA Design and Permitting	50,000.00
Kankakee Water Control Structure Repair	50,000.00
Logjam Management, Kankakee	250,000.00
Logjam Management, Yellow River	100,000.00
River Gages	132,150.00
River Inspections and Operations Mileage	5,000.00
Sediment Trap Maintenance	100,000.00
Parcel Acquisition, Lake County	30,000.00
Newton County Bank Reconstruction, Design and Permitting	75,000.00
Technical Services, Miscellaneous	50,000.00
Tree Mitigation	2,000.00
Yellow River, Construction Management and Bid Support, Phases III	32,500.00
Yellow River, Phase II, Tree Mitigation	6,800.00
Yellow River, Phase III, Marshall County	500,000.00
Yellow River, Phase III, Starke County	350,000.00
Yellow River Phase III Design and Permitting	17,500.00
Yellow River Reconstruction - Phase II Retainage from CY2023	60,925.00
Yellow River, Sediment Monitoring	30,000.00
TOTAL:	3,389,875.00

<u>CY2024 KRB-YRBDC BUDGET; NON-ASSESSMENT DOLLARS</u>	
REVENUE	
Jasper	3,800.00
Lake	5,450.00
La Porte	11,350.00
Marshall	7,750.00
Newton	2,700.00
Porter	5,500.00
St. Joseph	6,650.00
Starke	6,800.00
Rental on River Edge Farm	48,800.00
Parcel Adjacent to River's Edge	3,000.00
State Administrative Allocation	79,487.00
NIPSCO Reimbursement	57,900.00
<i>INTEREST (MINUS FEES)</i>	-
TOTAL:	239,187.00

EXPENDITURES	
<u>ADMINISTRATIVE</u>	
Accounting Contract	10,500.00
State Board of Accounts	5,000.00
Office/Copying/Postage	1,000.00
Payroll	134,930.00
Payroll Taxes (FICA, SUTA)	10,572.15
Workers Compensation Coverage	750.00
Employee Health Insurance	23,524.32
Employee Dental Insurance	1,325.04
PERF	4,047.90
Administrative Mileage	2,000.00
Meeting Expenses	1,200.00
Member Per Diem and Mileage	1,500.00
Website and Communications Software	850.00
Education/River Days	15,000.00
Legal and Professional Services	5,000.00
Board Member and Staff Bonding	1,200.00
Software Fees (Adobe; DocuSign)	556.68
Long-Term Disability Premium	4,600.00
TOTAL:	218,399.41

Recent claims. The list on the following page shows claims for river work and administrative expenses requiring either advance or retroactive approval by the Commission:

PO	Bill Date	Vendor	Description	amount		Check #
264-23	11/27/2023	Scott Pelath	Administrative Mileage Oct 27-Nov 26, 2023 Invoice	169.12	General	ACH
265-23	11/27/2023	Scott Pelath	Operational Mileage Oct 27-Nov 26, 2023 Invoice	390.51	Special	ACH
266-23	12/27/2023	Scott Pelath	Administrative Mileage 11/27-12/22/23 Invoice 266-23	131.66	General	ACH
267-23	12/27/2023	Scott Pelath	Operational Mileage 11/27-12/22/23 Invoice 267-23	254.80	Special	ACH
268-23	11/06/2023	Delta Dental	Dental Insurance	103.56	General	ACH
269-23	11/10/2023	Horizon Bank	Account Service Fee	32.80	General	ACH
270-23	11/13/2023	Mint City Tree Service	River Clearing 11/3-11/4, 11/10-11/11 Invoice 1951	6,727.75	Special	ACH
271-23	11/13/2023	American Express	USPS, adobe, lowes, hobby lobby, udemy	201.09	General	ACH
272-23	11/13/2023	Western Surety	Bond	375.00	General	ACH
273-23	11/14/2023	Christopher B Burke Engineering, LLC	Aukiki Services October 01, 2023 to October 28, 2023 Invoice 31889	7,576.29	Special	ACH
274-23	11/14/2023	INPRS	INPRS 1st Half Nov	327.50	General	ACH
275-23	11/15/2023	Duneland Accounting, LLC	Nov Accounting & Reimb For Check 119 to Tandem Invoice 1159	876.25	General	ACH
276-23	11/15/2023	Scott D. Pelath	Payroll	4,073.90	General	ACH
277-23	11/16/2023	Stantec	Yellow River Phase III Design Invoice 2157970	8,504.04	Special	ACH
278-23	11/16/2023	Ambetter	HEALTH INS Kankakee River Basin a	1,865.66	General	ACH
279-23	11/16/2023	State of Indiana	PAYROLL TAX 12012701 KANKAKEE RIVER BASIN &	494.50	General	ACH
280-23	11/17/2023	Stantec	Yellow River Phase II Stream Design Proj #238100693 Invoice 2157979	3,504.00	Special	ACH
281-23	11/20/2023	Mint City Tree Service	River Clearing 11/17 Invoice 1957	3,438.25	Special	ACH
282-23	11/22/2023	Wiltjer Excavating, Inc.	Log jam removal 11/13-11/16 Invoice 15592	19,200.00	Special	2088
283-23	11/22/2023	IRS	Payroll Taxes	1,390.99	General	ACH
284-23	11/27/2023	Hill Excavating	LOGJAM REMOVAL Invoice 382	8,000.00	Special	ACH
285-23	11/27/2023	Mint City Tree Service	River Clearing 11/24/23 Invoice 1962	1,947.38	Special	ACH
286-23	11/28/2023	Hill Excavating	CLEARED RIVER BANK Invoice 377	48,000.00	Special	ACH
287-23	11/29/2023	KD Materials Inc	15 loads of crushed concrete rip rap Invoice 865	6,750.00	Special	2089
288-23	11/29/2023	INPRS	INPRS 2nd Half Nov	327.50	General	ACH
289-23	11/30/2023	Scott D. Pelath	Payroll	4,073.89	General	ACH
290-23	12/06/2023	IRS	Payroll Taxes	1,391.01	General	ACH
291-23	12/06/2023	Delta Dental	Dental Insurance	103.56	General	ACH
292-23	12/08/2023	Horizon Bank	Account Service Fee	37.20	General	ACH
293-23	12/11/2023	Christopher B Burke Engineering, LLC	Jasper Cty FEMA Project Aug Phase 1 Oct 29-Nov 25, 2023 Invoice 32083	18,110.68	Special	ACH
294-23	12/11/2023	Mint City Tree Service	12/9/23 River Clearing & Boat Usage Invoice 1970	1,388.00	Special	ACH
295-23	12/11/2023	Christopher B Burke Engineering, LLC	KANKAKEE FWA Hydraulics Study Oct 29-Nov 25, 2023 Invoice 32079	5,375.25	Special	ACH
296-23	12/13/2023	American Express	Adobe, ASFPM, Office Max, Rev.com,	352.64	General	ACH
297-23	12/14/2023	The Hartford	Insurance	655.00	General	ACH
298-23	12/15/2023	Duneland Accounting, LLC	Monthly Accounting & Payment of Tandem Inv Invoice 1174	876.25	General	ACH
299-23	12/15/2023	Stantec	KYRBDC: Yellow River Phase III Design Invoice 2172992	6,579.90	Special	ACH
300-23	12/15/2023	Hill Excavating	Tree Removal 12/15, 12/18, 12/19 Invoice 389	12,000.00	Special	ACH
301-23	12/15/2023	Scott D. Pelath	Payroll	4,073.90	General	ACH
302-23	12/18/2023	Ambetter	HEALTH INS Kankakee River Basin a	1,960.36	General	ACH
303-23	12/18/2023	State of Indiana	PAYROLL TAX 12012701 KANKAKEE RIVER BASIN &	494.50	General	ACH
304-23	12/19/2023	INPRS	INPRS 1st Half Dec	327.50	General	ACH
305-23	12/20/2023	IRS	Payroll Taxes	1,390.99	General	ACH
306-23	12/28/2023	Kevin Misch Excavating	Excavating Invoice 112836	5,682.00	Special	2091
307-23	12/28/2023	Kevin Misch Excavating	Excavating Invoice 112833	7,713.75	Special	2090
308-23	12/28/2023	INPRS	INPRS 2nd Half Dec	327.50	General	ACH
309-23	12/29/2023	K and L Excavating, LLC	River Maintenance Invoice 437	32,000.00	General	ACH
310-23	12/29/2023	Scott D. Pelath	Payroll	4,073.90	General	ACH
1-24	01/03/2024	Christopher B Burke Engineering, LLC	Jasper County FEMA Project Augmentation - Phase 1 October 01, 2023 to Octo	2,207.50	Special	ACH
2-24	01/04/2024	Christopher B Burke Engineering, LLC	Kankakee FWA Hydraulics Study October 01, 2023 to October 28, 2023 Invoice 3	2,792.75	Special	ACH

3-24	01/05/2024	IRS	Payroll Taxes	1,390.99	General	ACH
4-24	01/08/2024	Delta Dental	Dental Insurance	110.42	General	ACH
5-24	01/10/2024	Horizon Bank	Account Service Fee	30.40	General	ACH
6-24	01/12/2024	Scott D. Pelath	Payroll	4,108.84	General	ACH
7-24	01/16/2024	Ambetter	HEALTH INS Kankakee River Basin a	1,960.36	General	ACH
8-24	01/16/2024	American Express	Christos, Suzie's Cafe, Henslers, Adobe, Tribute, Spokeo	813.88	General	ACH
9-24	1/17/24	INPRS	INPRS 1st Half Jan	327.50	General	ACH
10-24	01/17/2024	State of Indiana	PAYROLL TAX	494.50	General	ACH
11-24	01/12/2024	Lake Heritage Parks Foundation Inc	Portion of Land purchase Invoice 2024 - 01	30,000.00	General	TBD
12-24	01/15/2024	Jasper County	Jasper County MOU-Half of 2024 Disbursement Invoice	47,500.00	Special	TBD
13-24	01/15/2024	Dick Welsh	Salary Per Diem for 2023	70.00	General	TBD
14-24	01/15/2024	James Walstra	Salary Per Diem for 2023	140.00	General	TBD
15-24	01/15/2024	Mike Novotney	Salary Per Diem for 2023	105.00	General	TBD
16-24	01/15/2024	John McNamara	Salary Per Diem for 2023	140.00	General	TBD
17-24	01/15/2024	Bill Emerson	Salary Per Diem for 2023	140.00	General	TBD
18-24	01/15/2024	Craig Cultice	Salary Per Diem for 2023	105.00	General	TBD
19-24	01/15/2024	Bill Crase	Salary Per Diem for 2023	140.00	General	TBD
20-24	01/15/2024	Rob Churchill	Salary Per Diem for 2023	70.00	General	TBD
21-24	01/08/2024	U.S. Geological Survey	YELLOW RIVER & KANAKEE DAVIS & DUNN RIVER GAGES Invoice 91131105	32,925.00	Special	TBD ACH
22-24	1/17/2024	K & L Excavating	Tree removal Invoice 439	8,000.00	Special	TBD ACH
23-24	1/15/2024	Duneland Accounting, LLC	Monthly Accounting- Jan 2024 Invoice 1186	875.00	General	TBD ACH
				368,097.47		

Yellow River Project, Phase III

We are beginning to receive the required permits for Phase III. Ross St. Clair, who has moved from Stantec to SWCA Environmental Consultants, has been retained in his new capacity to provide bid and construction oversight. I expect bid advertisement will begin in the next several weeks.

I will recommend that the Commission continue to collaborate with Ross on the Yellow River projects. We originally selected Ross St. Clair and Cardno after formal consideration by all the members, and I believe he has met and exceed our expectations. Stantec simply bought their business, and I believe the value comes from the people and not from the corporate umbrella. I also note that Jenna Meert, who also worked on our projects, has also relocated to SWCA.

Jasper County FEMA Project Augmentation

All permit applications were submitted, and the Section 404 thirty-day pre-filing period elapsed without incident.

Logjam Management

Since the November meeting, the following logjam management work has been completed or is underway:

- 1) Wiltjer Excavating removed logs between US 41 and State Line Bridge.
- 2) Delta III removed logs downstream of US 421 and were slated to begin upstream of the bridge before ice-up.

- 3) Mint City cut up fallen trees and partial logjams between Dunn's Bridge and IN-49.
- 4) Misch Excavating cleaned out 250 West in Porter County and Clay Street in Lake County.
- 5) Hill Excavating conducted logjam managements between Range Road and 100 West on the Yellow River in Starke County.
- 6) K&L Excavating removed fallen and leaning trees downstream of US 231 on the Porter County bank.

Kankakee FWA Hydrological Study

The study, which began last May, has reached some tentative conclusions regarding beneficial alterations to the water control structures that divert water from the Yellow River to the Kankakee. The information is consistent with some of our own, on-the-ground observations.

State Line Bridge

The State Line Bridge is going to be decoupled from Lake County's mitigation of the old Clay Street Bridge. That was a major inhibitor to the Commission's strong interest in removing the bridge. We should be pleased that we now can work on our own issue without an old issue being tied to it.

As stated in the budget summary, I am going to propose that we budget for and hire our own engineering firm to develop the removal plan and help navigate the needed approvals. I feel strongly that we need a firm that is committed to defending our flood mitigation mission.

Old Railroad Bridge by US 41

As I reported to you this week, we have received tentative approval from Norfolk Southern to remove approximately one-third of the antiquated structure. Prior to our meeting, I expect to have submitted the requested paperwork for Right of Entry to begin work. The railroad has approved the removal plan that we developed in direct partnership with one of our contractors.

Yellow River Islands

We have identified several emergent Yellow River islands which may be feasible for a pilot removal project, with the island immediate downstream of Range Road in Starke County probably being the best candidate. I anticipate we will resolve any regulatory uncertainties through the SEA 368 process.

USGS Monitoring of Yellow River Work

I strongly believe it is time to begin monitoring the outcomes of our work on the Yellow River. It is the right and responsible thing to do. We should always be evaluating investments.

As Ross St. Clair's suggestion, I opened a discussion with USGS to monitor changes in sediment loads related to our work. Not only are they a reputable third party, but they are able to subsidize the costs of such research.

One lengthy discussion we had was whether to study sediment immediate around the project area or to take a broader look at sediment changes in the watershed. We both ultimately agreed that we needed to first take the narrower view before taking a broader view in another two to three years. We first want to ensure the projects are doing what our eyes tell us. Then we can begin to identify changes in the basin.

I will have a draft agreement with USGS ready for the meeting.

New River Gauge in Bremen

The Yellow River gauge height data at First Road in Marshall County is now available on the National Weather Service website at <https://water.weather.gov/ahps2/index.php?wfo=iwx>. I remain grateful for the coordination between NWS and our private gauge vendor, OTT HydroMet.

Sediment Traps

Not everything goes according to plan or our preferred time schedules, and maintenance of the sediment traps on the Yellow River upstream of IN-39 and the Kankakee River upstream of the Little Kankakee are two examples. The reasons for the delays aren't interesting – equipment breakdowns, crane logistics, weather, ice etc. However, I still expect work to begin in January.

Formal Flood Response Plan

The Technical Advisory Committee held a flood response planning workshop on December 21. At the online forum, we received outstanding public input and began the process of filling in our plan template.

Property Access at River's Edge Farm

The Attorney General's office has drafted a document that I believe may serve the interests of both the Commission and our neighbor at the River's Edge Farm, the Deardorff Family. I believe some technical details still require clarification, but I am hopeful that we have a way to address the concerns of both parties.

Access Clearing Downstream of US 231 in Porter County

K&L Excavating in Kouts has cleared the access path from the Haberlin property downstream of US 231 through the Lake County Parks property to the Lake-Porter County Line. As usual, Mike Klemp did an outstanding job.

Barges

I am not enthused about any of the price quotes I have received for used barges. Specifically, I have asked about a 10'x40' vessel and two 8'x20' sections. I think it's better to exhibit some patience in the purchasing process. Barge dealers do not strike me as eager or highly motivated to move their wares off the lot, which inspires some reasonable caution on my part.

Dignitaries

I recently asked DNR leadership for their assistance in arranging for the Governor to tour our Yellow River work later this summer. Sen. Braun's staff has conveyed that once the US 41 railroad bridge is addressed, the Senator might like to announce something publicly.

As always, should you have any questions or suggestions, please email me at sdpelath@gmail.com or (219) 861-7999. To maintain focus and brevity during our meeting in LaPorte County, I welcome any issues I can resolve in advance.

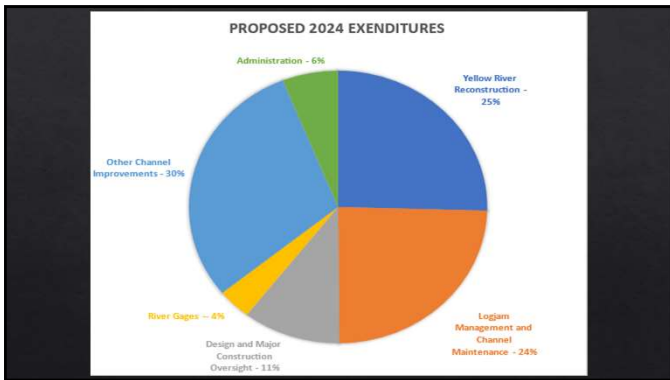


7

BUDGET PRINCIPLES

- ◆ PRAGMATIC CONSERVATISM
- ◆ ADEQUATE CASH FROM JANUARY TO JUNE REVENUE
- ◆ FLEXIBILITY AND SEVERABILITY
- ◆ CAPACITY TO PIVOT TO FLOOD EMERGENCY
- ◆ ABILITY TO PIVOT TO "PROJECTS OF OPPORTUNITY" (e.g. bridge removal)
- ◆ CONCURRENT ROOM FOR TWO SEPARATE MAJOR PROJECTS

8



9

MAJOR 2024 PROJECT LINE ITEMS

- ◆ Yellow River Reconstruction, Phase III -- \$850,000
- ◆ Jasper County FEMA Project Extension -- \$700,000
- ◆ General Channel Maintenance -- \$250,000
- ◆ Kankakee Logjam Management -- \$250,000
- ◆ Hydroseeding and Invasive Vegetation Control -- \$125,000

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MAJOR 2024 PROJECT LINE ITEMS

- ◆ Yellow River Logjam Management -- \$100,000
- ◆ Emergent Island Removal Pilot -- \$100,000
- ◆ Sediment Trap Maintenance -- \$100,000
- ◆ Railroad Bridge Section Removal -- \$50,000
- ◆ Dehaan Ditch Water Control Structure Repair -- \$50,000

11

TECHNICAL SERVICES BUDGET AUTHORITY

- ◆ State Line Bridge Removal, Planning and Engineering -- \$75,000
- ◆ Newton County Bank Improvement, Design and Permitting -- \$75,000
- ◆ Kankakee FWA Hydraulic Study -- \$53,000
- ◆ Kankakee FWA Control Structure Redesign and Permits -- \$50,000
- ◆ Miscellaneous -- \$50,000
- ◆ Yellow River Construction and Bid Support -- \$32,500
- ◆ USGS Sediment Monitoring of Yellow River Projects -- \$30,000

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OTHER ITEMS OF INTEREST

- ◆ Kankakee River Days Educational Program -- \$15,000
- ◆ State Board of Accounts services -- \$5000
- ◆ Employee COLA -- 3%
- ◆ Health insurance premium increase -- 5.1%
- ◆ Dedicated Fund earned \$17,171 in interest
- ◆ General Fund earned \$6,236

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ASSESSMENT REVENUE

COUNTY COLLECTIONS	CY2022	CY2023	\$change	%change
Jasper	190,000.00	190,000.00	0.00	0.0%
Lake	396,898.52	396,898.52	0.00	0.0%
LaPorte	701,107.75	696,934.62	(4,173.13)	-0.6%
Marshall	560,172.65	508,144.66	(52,027.99)	-9.3%
Newton	101,399.05	104,645.74	3,246.69	3.2%
Porter	280,393.71	275,991.60	(4,402.11)	-1.6%
St. Joseph	348,476.96	352,938.48	4,461.52	1.3%
Starke	309,197.15	314,015.85	4,818.70	1.6%
TOTAL:	2,887,645.79	2,839,569.47	(48,076.32)	-1.7%

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QUESTIONS?
 Scott D. Pelath
 (219) 861-7999
sdpelath@gmail.com

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United States Department of the Interior

U.S. GEOLOGICAL SURVEY
Ohio-Kentucky-Indiana Water Science Center

OHIO
6460 Busch Boulevard, Suite 100
Columbus, Ohio 43229-1737

KENTUCKY
9818 Bluegrass Parkway
Louisville, Kentucky 40299-1906

INDIANA
5957 Lakeside Boulevard
Indianapolis, Indiana 46278-1996

January 16, 2024

Mr. Scott Pelath
Executive Director
Kankakee River Basin Commission
6100 Southport Road
Portage, IN 46368

Dear Mr. Pelath,

Enclosed is the signed original of our standard joint-funding agreement 24NFJFA00000020 for the upgrade of Plymouth Gage and Targeted Yellow River Remediation Study, during the period January 31, 2024 through January 31, 2026 in the amount of \$60,000 from your agency. U.S. Geological Survey contributions for this agreement are \$28,300 for a combined total of \$88,300. Please sign and return one fully-executed original to Damon Williams at the Indianapolis address above.

Federal law requires that we have a signed agreement before we start or continue work. Please return the signed agreement by **January 31, 2024**. If, for any reason, the agreement cannot be signed and returned by the date shown above, please contact Aubrey Bunch by phone number (317) 697-1651 or email aurbunch@usgs.gov to make alternative arrangements.

This is a fixed cost agreement to be billed quarterly via Down Payment Request (automated Form DI-1040). Please allow 30-days from the end of the billing period for issuance of the bill. If you experience any problems with your invoice(s), please contact Damon Williams at phone number (317) 741-6509 or email at dwilliams@usgs.gov.

The results of all work performed under this agreement will be available for publication by the U.S. Geological Survey. The U.S. Geological Survey appreciates the opportunity to work with the Kankakee River Basin Commission and looks forward to continuing the relationship in future fiscal years.

Sincerely,

DAVID STRAUB

Digitally signed by DAVID
STRAUB
Date: 2024.01.16 13:47:23 -05'00'

David Straub
Acting Director

Enclosure
24NFJFA00000020 (1)

**Form 9-1366
(May 2018)**

**U.S. Department of the Interior
U.S. Geological Survey
Joint Funding Agreement
FOR
Water Resource Investigations**

**Customer #: 6000001354
Agreement #: 24NFJFA00000020
Project #: NF00GWQ
TIN #: 35-1740360**

Fixed Cost Agreement YES[X] NO[]

THIS AGREEMENT is entered into as of the January 31, 2024 by the U.S. GEOLOGICAL SURVEY, OKI Water Science Center, UNITED STATES DEPARTMENT OF THE INTERIOR, party of the first part, and the Kankakee River Basin and Yellow Basin Development Commission party of the second part.

1. The parties hereto agree that subject to the availability of appropriations and in accordance with their respective authorities there shall be maintained for the upgrade of Plymouth Gage and Targeted Yellow River Remediation Study (per attachment), herein called the program. The USGS legal authority is 43 USC 36C; 43 USC 50, and 43 USC 50b.

2. The following amounts shall be contributed to cover all of the cost of the necessary field and analytical work directly related to this program. 2(b) include In-Kind-Services in the amount of \$0.00

- (a) \$28,300 by the party of the first part during the period January 31, 2024 to January 31, 2026
- (b) \$60,000 by the party of the second part during the period January 31, 2024 to January 31, 2026
- (c) Contributions are provided by the party of the first part through other USGS regional or national programs, in the amount of: 0
Description of the USGS regional/national program: N/A
- (d) Additional or reduced amounts by each party during the above period or succeeding periods as may be determined by mutual agreement and set forth in an exchange of letters between the parties.
- (e) The performance period may be changed by mutual agreement and set forth in an exchange of letters between the parties.

3. The costs of this program may be paid by either party in conformity with the laws and regulations respectively governing each party.

4. The field and analytical work pertaining to this program shall be under the direction of or subject to periodic review by an authorized representative of the party of the first part.

5. The areas to be included in the program shall be determined by mutual agreement between the parties hereto or their authorized representatives. The methods employed in the field and office shall be those adopted by the party of the first part to insure the required standards of accuracy subject to modification by mutual agreement.

6. During the course of this program, all field and analytical work of either party pertaining to this program shall be open to the inspection of the other party, and if the work is not being carried on in a mutually satisfactory manner, either party may terminate this agreement upon 60 days written notice to the other party.

7. The original records resulting from this program will be deposited in the office of origin of those records. Upon request, copies of the original records will be provided to the office of the other party.

8. The maps, records or reports resulting from this program shall be made available to the public as promptly as possible. The maps, records or reports normally will be published by the party of the first part. However, the party of the second part reserves the right to publish the results of this program, and if already published by the party of the first part shall, upon request, be furnished by the party of the first part, at cost, impressions suitable for purposes of reproduction similar to that for which the original copy was prepared. The maps, records or reports published by either party shall contain a statement of the cooperative relations between the parties. The Parties acknowledge that scientific information and data developed as a result of the Scope of Work (SOW) are subject to applicable USGS review, approval, and release requirements, which are available on the USGS Fundamental Science Practices website (<https://www.usgs.gov/about/organization/science-support/science-quality-and-integrity/fundamental-science-practices>).

**Form 9-1366
(May 2018)**

**U.S. Department of the Interior
U.S. Geological Survey
Joint Funding Agreement
FOR**

**Customer #: 600001354
Agreement #: 24NFJFA00000020
Project #: NF00GWQ
TIN #: 35-1740360**

Water Resource Investigations

9. Billing for this agreement will be rendered quarterly. Invoices not paid within 60 days from the billing date will bear Interest, Penalties, and Administrative cost at the annual rate pursuant the Debt Collection Act of 1982, (codified at 31 U.S.C. § 3717) established by the U.S. Treasury.

USGS Technical Point of Contact

Name: Aubrey Bunch
Supervisory Biologist
Address: 5957 Lakeside Blvd.
Indianapolis, IN 46278
Telephone: (317) 697-1651
Fax: (317) 290-3313
Email: aurbunch@usgs.gov

Customer Technical Point of Contact

Name: Scott Pelath
Executive Director
Address: 6100 Southport Road
Portage, IN 46368
Telephone: (219) 861-7999
Fax:
Email: sdpelath@gmail.com

USGS Billing Point of Contact

Name: Damon Williams
Budget Analyst
Address: 5957 Lakeside Blvd.
Indianapolis, IN 46278
Telephone: (317) 741-6509
Fax: (317) 290-3313
Email: dlwilliams@usgs.gov

Customer Billing Point of Contact

Name: Scott Pelath
Executive Director
Address: 6100 Southport Road
Portage, IN 46368
Telephone: (219) 861-7999
Fax:
Email: sdpelath@gmail.com

**U.S. Geological Survey
United States
Department of Interior**

**Kankakee River Basin and Yellow River Basin Development
Commission**

Signature

By **DAVID STRAUB**
Name: **David Straub**
Title: Acting Director
Digitally signed by
DAVID STRAUB
Date: 2024.01.16
13:47:58 -05'00' Date: 1/16/2024

Signatures

By _____ Date: _____

Name:
Title:

By _____ Date: _____

Name:
Title:

By _____ Date: _____

Name:
Title: