

*****MINUTES*****

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

**Friday, June 28, 2024
9:30 a.m. CDT/10:30 a.m. EDT**

**Marshall County Building, Meeting Room 203
112 West Jefferson Street
Plymouth, IN 46563**

FOR MEMBERS PARTICIPATING ELECTRONICALLY

Join meeting from computer, tablet, or smartphone at

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John McNamara, Chair, called the meeting to order at 10:30 a.m. EDT, and the Pledge of Allegiance was recited.

Bill Crase, Secretary, called the roll.

ROLL CALL OF MEMBERS

Members present physically: Bill Crase, Craig Cultice, Bill Emerson, Chelsey Gordon, John McNamara, James Walstra, Dick Welsh

Members present via videoconference: Ryan Mueller, Andrew Wheeler (IL)

Approved proxies present: Beau Watkins for Rob Churchill

Staff present: Scott Pelath, Executive Director

Guests Present Physically and via Videoconference

Antonio Carrico	Aubrey Bunch	Jeremy Sheets	Julie Morris
Kevin Breitzke	Kristi Johnson	Mary Kate Perkins	Nick Echterling
Paul Brayton	Stephanie Kuziela	Matt Keiser	Jenna Meert
Ross St. Clair	Grant Poole	Jared Huss	Cole Downhour
David Eichelberger			

Mr. Crase reported the presence of a quorum.

ELECTION OF OFFICERS FOR STATE FISCAL YEAR 2025

James Walstra moved that for State Fiscal Year 2025, the Commission select John McNamara as Chair, Bill Emerson as Vice Chair, Craig Cultice as Secretary, and Bill Crase as Treasurer. Dick Welsh seconded the motion.

Crase – Y
Cultice – Y
Emerson – Y
Gordon – Y
McNamara - Y
Mueller – Y
Watkins for Churchill - Y
Walstra – Y
Welsh – Y

MOTION ADOPTED.

APPROVAL OF MINUTES FROM MARCH 22, 2024, MEETING

Mr. Crase moved that the Commission approve the March 22, 2024, minutes. Mr. Cultice seconded the motion.

Crase – Y
Cultice – Y
Emerson – Y
Gordon – Y
McNamara - Y
Mueller – Y
Watkins for Churchill - Y
Walstra – Y
Welsh – Y

MOTION ADOPTED.

FINANCE REPORT AND CLAIMS

Mr. Pelath presented the account balances and recent claims. A written finance report and recent claims were distributed as part of his formal Executive Director's report [ATTACHMENT 1].

Mr. Emerson moved the Commission approved the finance report and claims in the amount of \$568,072.13. Mr. Walstra second the motion.

Crase – Y
Cultice – Y

Emerson – Y
Gordon – Y
McNamara - Y
Mueller – Y
Watkins for Churchill - Y
Walstra – Y
Welsh – Y

MOTION ADOPTED.

Mr. Pelath presented the Commission’s official response to the Indiana State Board of Accounts’ (SBOA) recent compliance review [ATTACHMENT 2].

SBOA recommended that the Commission adopt an assets valuation policy. Mr. Pelath presented a draft policy based on the one adopted by the Little Calumet River Basin Commission [ATTACHMENT 3].

Mr. Crase moved that the Commission adopt the proposed asset valuation policy. Mr. Emerson seconded the motion.

Crase – Y
Cultice – Y
Emerson – Y
Gordon – Y
McNamara - Y
Mueller – Y
Watkins for Churchill - Y
Walstra – Y
Welsh – Y

MOTION ADOPTED.

To thoroughly comply with the new policy, Mr. Pelath reported that he intended to obtain an updated appraisal of the Commission’s Porter County farm. He stated that the appraisal cost could be covered with existing budget allocations.

Following Mike Novotney’s departure from the Commission and Mr. Cultice’s selection to serve as Secretary, Mr. Pelath presented a resolution to replace Mr. Novotney with Mr. Cultice as a signatory to the Commission’s bank accounts [ATTACHMENT 4].

Mr. Emerson moved that Mr. Cultice be added as a signatory to the Commission’s bank accounts in place of Mr. Novotney. Mr. Welsh seconded the motion.

Crase – Y
Cultice – Y
Emerson – Y

Gordon – Y
McNamara - Y
Mueller – Y
Watkins for Churchill - Y
Walstra – Y
Welsh – Y

MOTION ADOPTED.

OLD BUSINESS

Jasper County bank stabilization

Dave Eichelberger of Burke Engineering briefed the Commission on proposed design adjustments intended to bring the agency permitting process to a conclusion.

Kankakee FWA hydraulic study

Mr. Pelath reported on recent and ongoing discussions with DNR regarding adjustments to the FWA's water control structures. He added that the property staff made a compelling suggestion to add structure that is being assessed within the hydraulic model.

Ryan Mueller added that the developed model will be a useful management tool for the DNR staff.

Newton County bank reconstruction

Matt Keiser from Abonmarche updated the Commission on their design work to improve a section of critical Newton County riverbank [ATTACHMENT 5].

State Line Bridge relocation planning and interlocal agreement

Jack Dammarell from Butler, Fairman, and Seufert presented its current timeline for deconstruction and orderly storage of State Line Bridge.

Andrew Wheeler asked questions of Mr. Dammarell regarding the permitting timeline and process. Mr. Dammarell said he expected Illinois DNR would be included in permitting communications. He also described maintenance advantages for Illinois if the bridge is removed.

Mr. Emerson reminded the Commission of the safety advantages of removing the bridge.

Mr. Pelath presented a draft interlocal agreement with Lake County to coordinate removal of the structure [ATTACHMENT 6].

Mr. Crase moved that the Commission sign the interlocal agreement with Lake County to plan and execute removal of State Line Bridge from its current location. Mr. Emerson seconded the motion.

Crase – Y
Cultice – Y
Emerson – Y
Gordon – Y
McNamara - Y
Mueller – Y
Watkins for Churchill - Y
Walstra – Y
Welsh – Y

MOTION ADOPTED.

Yellow River Bank Reconstruction, Phase III

Ross St. Clair from SWCA updated the Commission on 2024 streambank construction timelines.

USGS monitoring of Yellow River projects

Cole Downhour of the U.S. Geological Survey presented the agency’s plan to assess sediment changes related to the Commission’s Yellow River projects [ATTACHMENT 7].

Niespodziany Ditch study

Jared Huss from Lawson-Fisher explained the objectives of their hydraulic study of the Niespodziany Ditch in St. Joseph County. The Commission sanctioned the study in partnership with the St. Joseph County Redevelopment Commission.

Sediment traps

Logjam management

Invasive species and reseeding

Mr. Pelath summarized sections of his written report pertaining to river work operations.

NEW BUSINESS

Emergent islands (TAC Recommendation 1-2024)

Mr. Pelath presented Technical Advisory Committee Recommendation 1-2024 regarding emergent islands in the Yellow River [ATTACHMENT 8].

Mr. Welsh moved that the Commission adopt TAC Recommendation 1-2024 regarding emergency islands. Mr. Emerson seconded the motion.

Cruse – Y
Cultice – Y
Emerson – Y
Gordon – Y
McNamara - Y
Mueller – Y
Watkins for Churchill - Y
Walstra – Y
Welsh – Y

MOTION ADOPTED.

Kayak/canoe launches

Mr. Pelath presented Technical Advisory Committee Recommendation 2-2024 regarding kayak/canoe launches on the Kankakee and Yellow Rivers [ATTACHMENT 9].

Mr. Emerson moved that the Commission adopt TAC Recommendation 2-2024 regarding kayak and canoe launches. Mr. Cruse seconded the motion.

Cruse – Y
Cultice – Y
Emerson – Y
Gordon – Y
McNamara - Y
Mueller – Y
Watkins for Churchill - Y
Walstra – Y
Welsh – Y

MOTION ADOPTED.

Camera technology for monitoring critical river locations

Mr. Pelath expressed his intention to place cameras to help monitor critical locations such as spillways and logjam-prone bridges. He said technology would save travel costs related to on-site observations, particularly during flood events when demands on time increase. He said purchases could be funded from existing budget allocations.

Levee inspection in Lake County

Mr. Pelath said that at a future meeting, he intends to suggest that the Commission help fund an inspection of constructed levees in Lake County. Mr. Emerson added that an inspection would be of value to the watershed.

OTHER BUSINESS

The chair noted that PBS is going to show *The Everglades of the North* in its upcoming schedule.

Mr. Wheeler reported on dredging projects and major equipment purchases in Illinois.

EXECUTIVE DIRECTOR'S REPORT

No additional report

PUBLIC COMMENT

None

NEXT MEETING

To be determined.

ADJOURNMENT

The Commission adjourned at 12:05 a.m. EDT.

APPROVED SEPTEMBER 27, 2024

Signed by:

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Secretary

9/30/2024

EXECUTIVE DIRECTOR’S REPORT

To: KRB-YRBDC Members
 From: Scott D. Pelath, Executive Director
 Date: June 26, 2024

It sure was a wet spring, but the crops are planted, and work is being done up and down the river.

Finance Report

Balances. The Commission currently has a dedicated fund balance of \$2,104,677.25 and a general fund balance of \$615,507.14. LaPorte, Marshall, and Newton Counties have remitted their first distributions of assessment revenue.

Revenue. LaPorte, Marshall, and Newton Counties have remitted their first distributions of assessment revenue. Seven of the eight counties have paid their apportioned shares of administrative support. We received a state administrative distribution in April and are due for another in July.

State Board of Accounts (SBOA). Our compliance review is over, and the SBOA’s public comments along with our official responses. Overall, I am satisfied with the results. While we have some procedures to correct and improve, those changes should better serve the organization. The major issue — a transitional discrepancy resulting between our accounting system and the state’s Gateway — has already been corrected and updated. Most of the other recommended changes are not excessively burdensome.

The only SBOA recommendation for which we have asked additional guidance pertains to the approval of change orders. We hope they will allow us to either approve them retroactively, delegate their approval, or both. I made the point that our work seasons are limited, and the Commission only meets several times a year.

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 Number	Bill Date	Vendor	Description	Amount	Funding Source	Check #
30-24	04/26/2024	Scott Pelath	Administrative Mileage 3/20-4/23/24	\$ 266.48	General	ACH
31-24	04/26/2024	Scott Pelath	Operational Mileage 3/20-4/23/24	\$ 687.90	Special	ACH
32-24	05/20/2024	Scott Pelath	Administrative Mileage 4/24/24-5/16/24	\$ 265.86	General	ACH
33-24	05/20/2024	Scott Pelath	Operational Mileage 4/24/24-5/16/24	\$ 337.07	Special	ACH
34-24	06/25/2024	Scott Pelath	Administrative Mileage 5/17/24-6/21/24	\$ 53.49	General	ACH
35-24	06/25/2024	Scott Pelath	Operational Mileage 5/17/24-6/21/24	\$ 421.46	Special	ACH
78-24	3/18/2024	Derflinger & Son Dredging & Excavating	March 15 silt trap on Yellow River	\$ 10,000.00	Special	ACH
79-24	3/29/2024	INPRS	EE+ER Portion of Retirement	\$ 337.32	General	ACH
80-24	03/29/2024	Scott D. Pelath	Pay Period: 03/16/2024-03/31/2024	\$ 4,217.15	General	ACH
81-24	04/01/2024	Christopher B Burke Engineering, LLC	Kankakee FWA Hydraulics Study Jan 28, 2024 to Feb24, 2024	\$ 918.00	Special	ACH
82-24	04/01/2024	Hill Excavating	Bank Clean up	\$ 16,110.00	Special	ACH
83-24	04/01/2024	Mint City Tree Service	River Clearing Inv 2079	\$ 954.25	Special	ACH
84-24	04/05/2024	IRS	Tax Payment for Period: 03/30/2024-03/31/2024	\$ 1,417.12	General	ACH
85-24	4/8/2024	Delta Dental	DENTAL	\$ 110.42	General	ACH
86-24	4/12/2024	INPRS	EE+ER Portion of Retirement	\$ 337.32	General	ACH

87-24	4/15/2024	Amazon	Field Gear	\$ 50.45	Special	ACH
88-24	4/15/2024	Amazon	Field Gear	\$ 69.01	Special	ACH
89-24	4/15/2024	AMEX	Adobe, meetings, Go to meeting	\$ 328.42	General	ACH
90-24	04/15/2024	Dirt Works Excavating	Invoice# 2016	\$ 25,000.00	Special	ACH
91-24	04/15/2024	Hill Excavating	Invoice # 451	\$ 2,250.00	Special	ACH
92-24	04/15/2024	Hill Excavating	Invoice# 453	\$ 29,103.54	Special	ACH
93-24	04/15/2024	Hill Excavating	Invoice# 452	\$ 4,500.00	Special	ACH
94-24	04/15/2024	Hill Excavating	Invoice# 449	\$ 11,250.00	Special	ACH
95-24	04/15/2024	Hill Excavating	Invoice# 443	\$ 18,000.00	Special	ACH
96-24	04/15/2024	On-Site Computing	Web services	\$ 650.00	General	ACH
97-24	04/15/2024	Scott D. Pelath	Pay Period: 04/01/2024-04/15/2024	\$ 4,217.15	General	ACH
98-24	4/16/2024	Ambetter from MHS	Health Insurance	\$ 1,960.36	General	ACH
99-24	04/16/2024	IN Department of Workforce Development	Tax Payment for Period: 01/01/2024-03/31/2024	\$ 66.50	General	ACH
100-24	04/18/2024	IN Department of Revenue	Tax Payment for Period: 03/01/2024-03/31/2024	\$ 498.48	General	ACH
101-24	04/19/2024	IRS	Tax Payment for Period: 04/13/2024-04/16/2024	\$ 1,417.12	General	ACH
102-24	04/24/2024	U.S. Geological Survey	River Gages Inv 91151917	\$ 32,925.00	Special	ACH
103-24	4/25/2024	INPRS	EE+ER Portion of Retirement	\$ 337.32	General	ACH
104-24	4/26/2024	AMEX	Henslers for trees	\$ 1,510.00	Special	ACH
105-24	04/26/2024	Christopher B Burke Engineering, LLC	Invoice# 33477	\$ 1,134.00	Special	ACH
106-24	04/26/2024	Christopher B Burke Engineering, LLC	Invoice# 33478	\$ 2,846.25	Special	ACH
107-24	04/26/2024	Duneland Accounting, LLC	Accounting Services	\$ 875.00	General	ACH
108-24	04/26/2024	LaPorte County Soil and Water Conservation District	Invoice# 041924-1	\$ 3,000.00	General	ACH
109-24	04/26/2024	Mint City Tree Service	Invoice# 2122	\$ 2,687.01	Special	ACH
110-24	04/30/2024	Scott D. Pelath	Pay Period: 04/16/2024-04/30/2024	\$ 4,217.15	General	ACH
111-24	05/03/2024	IRS	Tax Payment for Period: 04/27/2024-04/30/2024	\$ 1,417.12	General	ACH
112-24	5/7/2024	Delta Dental	DENTAL	\$ 110.42	General	ACH
113-24	5/10/2024	INPRS	EE+ER Portion of Retirement	\$ 337.32	General	ACH
114-24	5/13/2024	AMEX	Adobe, meetings, office supplies, usps	\$ 361.18	General	ACH
115-24	05/15/2024	Scott D. Pelath	Pay Period: 05/01/2024-05/15/2024	\$ 4,217.15	General	ACH
116-24	5/16/2024	Ambetter from MHS	Health Insurance	\$ 1,960.36	General	ACH
117-24	05/17/2024	IN Department of Revenue	Tax Payment for Period: 04/01/2024-04/30/2024	\$ 498.48	General	ACH
118-24	05/17/2024	Kevin Misch Excavating	Invoice# 097796	\$ 5,020.00	Special	ACH
119-24	05/17/2024	Kevin Misch Excavating	Invoice# 097791	\$ 4,800.00	Special	ACH
120-24	05/17/2024	Kevin Misch Excavating	Invoice# 097792	\$ 4,800.00	Special	ACH
121-24	05/17/2024	Kevin Misch Excavating	Invoice# 097793	\$ 4,800.00	Special	ACH
122-24	05/17/2024	Kevin Misch Excavating	Invoice# 097794	\$ 2,400.00	Special	ACH
123-24	05/20/2024	Christopher B Burke Engineering, LLC	Invoice # 33657	\$ 8,170.05	Special	ACH
124-24	05/20/2024	Christopher B Burke Engineering, LLC	Invoice # 33658	\$ 8,022.04	Special	ACH
125-24	05/20/2024	Duneland Accounting, LLC	Accounting Services	\$ 875.00	General	ACH
126-24	05/20/2024	Hill Excavating	Invoice # 457	\$ 12,200.00	Special	ACH
127-24	05/20/2024	Hill Excavating	Invoice # 461	\$ 4,000.00	Special	ACH
128-24	05/20/2024	MacAllister	Invoice # R65574946402	\$ 5,700.00	Special	ACH
129-24	05/20/2024	Mint City Tree Service	Invoice # 2138	\$ 5,335.13	Special	ACH
130-24	05/20/2024	U.S. Geological Survey	Upgrade of Plymouth gage	\$ 7,500.00	Special	ACH
131-24	05/22/2024	IRS	Tax Payment for Period: 05/15/2024-05/17/2024	\$ 1,417.12	General	ACH
132-24	05/23/2024	Mint City Tree Service	River Clearing 5/17-5/19	\$ 8,241.26	Special	ACH
133-24	05/24/2024	Hill Excavating	Invoice Range road clean up	\$ 7,000.00	Special	ACH
134-24	5/31/2024	INPRS	EE+ER Portion of Retirement	\$ 337.32	General	ACH
135-24	05/31/2024	Scott D. Pelath	Pay Period: 05/16/2024-05/31/2024	\$ 4,217.15	General	ACH
136-24	05/31/2024	The Stanger Group, Inc.	Yellow River Ph II CR 500E- Pay Application No. 03	\$ 2,470.00	Special	ACH
137-24	05/31/2024	The Stanger Group, Inc.	Yellow River Ph II CR 1100 E - Pay Application No. 04	\$ 4,322.50	Special	ACH
138-24	06/01/2024	SWCA, INC	Yellow River Phase III Construction Observation Professional Svcs to Jun 1	\$ 3,351.53	Special	ACH
139-24	6/5/2024	General Insurance Services	Insurance	\$ 420.00	General	ACH
140-24	06/05/2024	IRS	Tax Payment for Period: 05/29/2024-05/31/2024	\$ 1,417.12	General	ACH
141-24	6/6/2024	Delta Dental	DENTAL	\$ 110.42	General	ACH
142-24	06/06/2024	Delta III INC	Invoice # 12288	\$ 23,200.00	Special	ACH
143-24	6/7/2024	Amazon	surveyor's measuring pole	\$ 52.40	Special	ACH
144-24	06/10/2024	Abonmarche Consultants, Inc	Professional svcs completed through 5/31/24	\$ 1,622.50	Special	ACH
145-24	06/10/2024	Christopher B Burke Engineering, LLC	Professional Svcs 4/28-5/25/24	\$ 2,563.00	Special	ACH
146-24	6/12/2024	AMEX	Adobe, meeting supplies	\$ 20.26	General	ACH
147-24	06/13/2024	Hill Excavating	Invoice Logjam on SR 39	\$ 2,500.00	Special	ACH
148-24	06/13/2024	Mint City Tree Service	Kankakee River Clearing 5/25/24	\$ 1,117.50	Special	ACH
149-24	06/13/2024	Mint City Tree Service	Riverboat Clearing 5/24-5/24	\$ 2,682.00	Special	ACH
150-24	06/13/2024	Mint City Tree Service	Invoice 2190 River Clearing Yellow River 6/1-6/8	\$ 3,461.25	Special	ACH

151-24	6/14/2024	INPRS	EE+ER Portion of Retirement	\$ 337.32	General	ACH
152-24	06/14/2024	Scott D. Pelath	Pay Period: 06/01/2024-06/15/2024	\$ 4,217.15	General	ACH
153-24	06/15/2024	Duneland Accounting, LLC	Accounting Services	\$ 875.00	General	ACH
154-24	6/17/2024	Ambetter from MHS	Health Insurance	\$ 1,960.36	General	ACH
155-24	06/17/2024	The Stanger Group, Inc.	TSG Pay App 01 - Yellow River Ph III at 12th Road	\$ 141,519.22	Special	ACH
156-24	06/18/2024	IN Department of Revenue	Tax Payment for Period: 05/01/2024-05/31/2024	\$ 498.48	General	ACH
157-24	06/19/2024	James Dearthoff	Reimbursement for Herbicide	\$ 109.10	General	TBD
158-24	06/24/2024	IRS	Tax Payment for Period: 06/15/2024-06/18/2024	\$ 1,417.12	General	ACH
159-24	06/24/2024	K and L Excavating, LLC	River Maintenance at 231 Bridge	\$ 5,100.00	Special	ACH
160-24	06/24/2024	Kevin Misch Excavating	replace riprap, sand delivered	\$ 2,419.00	Special	ACH
161-24	06/24/2024	Kevin Misch Excavating	Install riprap, truck to burn pile, riprap replacement	\$ 3,576.70	Special	ACH
162-24	06/24/2024	Kevin Misch Excavating	prep & place riprap, mobilization	\$ 1,330.00	Special	ACH
163-24	06/24/2024	Kevin Misch Excavating	load trees, rip rap delivered, riprap replacement	\$ 3,756.55	Special	ACH
164-24	06/24/2024	Kevin Misch Excavating	Excavator Riprap, truck to burn pile, geogrid	\$ 4,035.20	Special	ACH
165-24	06/24/2024	Kevin Misch Excavating	Excavator place sand, tree clean up & sand delivered	\$ 2,791.50	Special	ACH
166-24	06/24/2024	Kevin Misch Excavating	Excavator & labors mobilization, sand delivered	\$ 3,261.00	Special	ACH
167-24	06/24/2024	Kevin Misch Excavating	Excavator- Install Riprap, cutting trees	\$ 900.50	Special	ACH
168-24	06/25/2024	Langfeldt Excavating, LLC	Excavating	\$ 1,362.50	Special	ACH
169-24	06/25/2024	Scott Pelath	Tapestry Prints 6/6/24	\$ 31.25	General	ACH
170-24	06/25/2024	St. Joseph County Redevelopment Commission	MOU w/ St. Joe RDC for Lawson Fisher Hydraulic Analysis	\$ 50,000.00	Special	TBD
171-24	6/26/2024	Scott Pelath	DNR Application Reimbursement	\$ 200.00	Special	ACH
				\$568,072.13		

Yellow River Project, Phase III

The streambank reconstruction at 12th Road in Marshall County is more than half-finished. Once they have finished, the contractor will move to State Road 23 in Starke County to continue the project.

Jasper County FEMA Project Augmentation

After defending the project proposal in response to public comment, IDEM officials still balked at issuing a permit for the current design. Whether they have the authority to do so is not relevant. What is relevant is that a lengthy permitting process results in a delayed project, an outcome we are already experiencing. We have invited IDEM to visit the project site, but they have declined.

With our consent, our consultants at Burke Engineering offered a compromise in which riprap would only extend up the bank to the ten-year flood event. IDEM did not immediately reject the concept, but the Corps of Engineers has placed its processing on hold until IDEM is satisfied enough to issue a permit.

Logjam Management

We continuously work to clear obstructions and restore the flow of water. Just since the end of March, we have directed the following work:

- 1) Misch Excavating cleared the State Line Bridge and removed logs and leaners between the Cook and Reeves Ditch in Porter County.
- 2) Delta III is again clearing the Norfolk Southern bridge downstream of I-65.
- 3) K&L Excavating just removed all logs from US 231 and will next clear Baum’s Bridge.
- 4) Dirt Works removed recent logs and leaners from the Kankakee FWA.
- 5) Hill Excavating cleared IN-39 over the Yellow River and removed logjams at various locations on both rivers, including downstream of US 421 near the LaPorte-Porter County Line.

- 6) Mint City continues to cut-up logjams on the Yellow River and is sending a crew to conduct similar work upstream of IN-104 on the Kankakee.
- 7) Langfeldt Excavating removed bridge logjams in Plymouth.

Kankakee FWA Hydrological Study

In April, we met with DNR leadership about the modeling and recommendations stemming from the study. At the time, we did not achieve enthusiastic consensus for physical changes to FWA water control structures. However, discussions did yield a new suggestion for an added “notch” at the far western end of Ten Mile Road inside the FWA perimeter. Burke Engineering revised the model, and updated results will be shared with DNR.

State Line Bridge

We recently contracted with Butler, Fairman, and Seufert to plan and permit the deconstruction of the State Line Bridge. I am enthused to finally write the preceding sentence.

Old Railroad Bridge by US 41

River conditions have improved markedly in the past several weeks, and I expect removal of the antiquated bridge section to be completed early this summer.

Yellow River emergent islands

On July 15, we have an SEA 368 early coordination meeting to discuss removing the emergency island near Range Road. The Technical Advisory Committee recommended this island for a removal pilot project due to the continual logjams it forms and the ease of access to the site.

USGS Monitoring of Yellow River Work

USGS has started the first stages of sediment monitoring of our Yellow River projects. While it is too early for meaningful results, they are drawing samples and recording sediment levels.

Sediment Traps

Following an SEA 368 meeting at the end of April, we have applied for a new sediment trap near 200 East in Starke County on the Yellow River. The Technical Advisory Committee recommended it, and the Commission approved this location last year.

Newton County bank reconstruction

Abonmarche has begun preliminary work to redesign the Kankakee River bank in Newton County between I-65 and the Norfolk Southern bridge. One goal of the proposed project is to facilitate the clearing of the railroad bridge during a flood event.

Formal Flood Response Plan

As I reported previously, the Indiana Department of Homeland Security interpreted that under their reading of current law, the Commission is ineligible for reimbursement from the state’s Disaster

Relief Fund. The agency also would not take into consideration any emergency declaration from the Commission. I already have been in touch with State Rep. Pressel about a possible legislative correction.

Niespodziany Ditch Study

The St. Joseph County Redevelopment Commission has contracted with Lawson-Fisher to study impact of major economic development near New Carlisle. In partnership with St. Joseph County, the Commission is funding approximately one-third of the study and modeling costs with \$50,000 allocated at the March meeting.

Property Access at River's Edge Farm

We have signed a General License to allow Ed Deardorff, Jim Deardorff, and their heirs passage across our property to their small, landlocked parcel on the Kankakee River. Last week, I submitted it to the other parties for signature and am waiting for the return of the document.

Capital Assets Policy

SBOA directed us to adopt a capital assets policy. I borrowed and adapted the policy currently used by the Little Calumet River Basin Commission. As part of the new policy, I recommend that we also get a new appraisal of our River's Edge Farm. The appraisal is many years old, the Assessor's office no longer determines the value of the property, and our lease is up after 2026. An appraisal would restore accuracy to our state-reported asset listing.

Attendance sheets and salary resolutions

SBOA says the Commission must annually adopt a salary and wage schedule resolution. Furthermore, they encouraged us to use standard time records like one would see in a large organization. We made the point that we only have one employee and provided detailed records like mileage sheets, but to no avail. Therefore, we will augment our recordkeeping methods without further complaint.

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 Marshall County, I welcome any issues I can resolve in advance.

ATTACHMENT 2



OFFICIAL RESPONSE

June 20, 2024

Indiana State Board of Accounts
302 West Washington St. Room E418
Indianapolis, IN 46204-2765

Re: Response to SBOA comments

Dear Indiana State Board of Accounts (SBOA):

Thank you again for your recent compliance engagement with the Kankakee River Basin and Yellow River Basin Development Commission (“the Commission”). The information provided is useful and will add reasonable redundancy and accuracy to the Commission’s financial recordkeeping.

The Commission particularly wishes to note its appreciation for Tyler Millington, the SBOA auditor assigned to conduct the review. His professionalism and thoroughness of communications were highly evident to both me and our accountant, Stephanie Kuziela. Because of his regularly reported observations, the Commission was able to initiate corrections and improvements even before the audit had concluded.

The following responses [shown in *italics*] are intended not as rebuttals but as context and further explanation for the reader. We trust they will be received in the spirit they are intended.

FINANCIAL TRANSACTIONS AND REPORTING

The Commission is grateful for SBOA’s assistance in rectifying numeric discrepancies in its Annual Financial Report uploaded to the state’s Gateway system. I am pleased to report that due to SBOA recalculations, the matter has already been corrected within Gateway.

The Commission’s accountant was already aware of a possible discrepancy that carried forward in its annual reports beginning 2019. During the review period, the Commission has undergone:

- 1) A complete statutory overhaul and restructuring;*
- 2) A transition from the Commission’s legal predecessor to its current configuration;*
- 3) A change in accountants;*
- 4) A change in accounting systems; and*

5) *A change in accounting methods (accrual basis to cash basis).*

Slightly more regular reviews might be worthwhile, as the Commission believes it would have benefitted from a final review of its legal predecessor in 2019. Perhaps the discrepancy could have been identified and corrected sooner. However, we understand that SBOA's ability to respond to numerous annual statutory changes is difficult. The key is that SBOA helped us reestablish numeric confidence going forward.

RECEIPT ISSUANCE

The Commission's accountant is procuring a paper receipt book that meets the SBOA standard.

CONTRACT CHANGE ORDERS NOT APPROVED

The Commission accepts the directive but is seeking additional SBOA and Attorney General's office guidance on how to best comply with it.

Our organization oversees capital projects to mitigate flooding along the Kankakee River. The work season is hectic and narrowly limited by fluctuating river depths, unpredictable weather conditions, and seasonal regulatory constraints. Since the Commission only meets four to six times a year, obtaining timely approvals could be a challenge.

If allowable, retroactive approvals would be an example of an efficient and cost-effective option.

CAPITAL ASSETS

At an upcoming Commission meeting, the staff intends to submit a formal capital assets policy to the Commission for consideration. The staff also intends to acquire a new appraisal of its Porter County Farm and reconsider the value of its Newton County property, which now primarily serves as a floodwater storage area.

Past figures have used property tax assessment values in reports, and in the case of the Porter County property, recent figures are no longer available.

Other than its farm properties, the Commission possesses few items with current values over \$1000. A formal policy will establish reasonable value thresholds while better valuing its land assets.

Should you have any questions or require any clarifications to the preceding comments, please do not hesitate to contact me. On behalf of the Commission, I thank you again for your service to the State of Indiana. It has been a pleasure working with you.

Sincerely,



Scott D. Pelath
Executive Director
Kankakee River Basin and Yellow River Basin
Development Commission

ATTACHMENT 3

RESOLUTION 1-2024 OF THE KANKAKEE RIVER BASIN AND YELLOW RIVER BASIN DEVELOPMENT COMMISSION

WHEREAS, the Kankakee River Basin and Yellow River Basin Development Commission (the "Commission") is an Indiana public body corporate under IC 14-13-9; and

WHEREAS, the Commission was created to provide flood mitigation services pertaining to the Kankakee River and Yellow River in Indiana; and

WHEREAS, the State Board of Accounts has suggested that the Commission adopt a Capital Assets Policy.

NOW, THEREFORE, BE IT RESOLVED THAT the Commission hereby adopts the Capital Assets Policy attached hereto and made a part hereof as Exhibit "B"; and

ADOPTED BY COMMISSION ON JUNE 28, 2024

Bill Crase, Secretary

EXHIBIT A

Title: **Capital Asset Policy**

Date Adopted: June 28, 2024

Date Amended: N/A

Capital assets are reported at actual or estimated historical costs based on appraisals or deflated current replacement costs. Contributed or donated assets are reported at estimated fair value at the time received. The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend the useful life of the asset are not capitalized.

Unless the Commission itself is the property owner, improvements made on the Commission’s exclusive easement to perform its duties under IC 14-13-9 are not considered assets to the Commission. The property owner maintains complete ownership of the property.

The capitalization threshold – the dollar valued above which assets are added to asset ledger – is \$5000 for all possessions including real property. The location, acreage, acquisition date, and purchase price or appraised value of any real property are documented on the ledger accordingly.

The Commission’s capital assets, both personal equipment and land, are depreciated using the straight-line method of depreciation based on the following estimated useful lives:

Land	non-depreciable
Building improvements and machinery	50 years
Equipment	5 years
Computer equipment	3 years
Automobiles	5 years
Light trucks	8 years
Heavy trucks	15 years
Computer software	5 years

ATTACHMENT 4



RESOLUTION 2-2024

WHEREAS, Michael Novotney recently resigned from the Kankakee River Basin and Yellow River Basin Development Commission (“the Commission”) after accepting a position in the private sector; and

WHEREAS, Mr. Novotney was a founding member of the Commission who invariably demonstrated vision, servant leadership, and exceptional expertise on behalf of the people of Porter County and the Kankakee River Basin; and

WHEREAS, because he is no longer able to serve on the Commission, the Commission must reassign some of his former administrative duties as an Executive Committee member;

BE IT RESOLVED THAT Craig Cultice, the Commission member from Marshall County, will replace Mr. Novotney as a signatory on the Commission’s bank accounts and Horizon Bank will be directed to prepare and execute all necessary documents to update the list of approved signatories.

ATTACHMENT 5



Kankakee Riverbank Stabilization

Client: Kankakee River Basin and Yellow River Basin
Development Commission
Project No: 23-1298
June 28, 2024



1

Site Visit March 5, 2024



Tear in side, bank sluffing into the river



Breach area forming

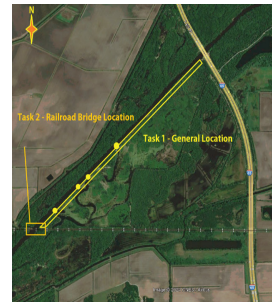


OVERVIEW OF SCOPE OF SERVICES

Task #1 – SOUTH BANK/SIDE SLOPE ISSUES FROM I-65 TO APPROXIMATELY 8,000 FEET DOWNSTREAM (4 FIELD LOCATIONS TO START, BUT OTHERS MAY BE REVIEWED)

Task 1 consists of field identifying the known locations of apparent and potential breaches along the south bank from I-65 west to the railroad bridge. A topographical survey will be prepared of the project limits and the landowner's (Cameron's) property in-land to be able to investigate the possible breaches. The limits at river will be from water's edge to approximate 75-foot legal drain boundary.

Utilizing the field data collected, Abonmarche's engineers will inspect, analyze and design the appropriate mitigation improvements to help stabilize the banks, offering opportune overflow points, and develop plans and contract documents for the client to use in procuring construction services.



Kankakee River – Downstream West of I-65

2



OVERVIEW OF SCOPE OF SERVICES

TASK #2 – RAILROAD BRIDGE MAINTENANCE IMPROVEMENTS

Task 2 consists of executing a field survey to locate the railroad bridge, abutments, banks, waterway, and access drives. Utilizing the information collected in the field, Abonmarche will review options to assist the client with ways to keep the waterway clear of logjams and debris in an efficient manner and allow easier access to this crucial area.



Debris beginning to show blockage (Upstream)



Debris beginning to show potential blockage (Upstream)



Debris at railroad bridge (Upstream)

Site Visit March 5, 2024

3



PROGRESS UPDATE (June 2024)

Abonmarche field crews have been out in the field collecting data over the last three weeks. Survey points collected:

- Water elevations
- Elevations in the water
- Top of bank
- Toe of slope
- Drive access widths
- Potential Breach Locations
- Bridge information
- Railroad access zones



4



NEXT STEPS

Task 1 – South Bank/Side Slopes

Utilizing the field data (finished collecting end of June), our engineers will analyze the areas of potential breaches and side slopes to determine the best mitigation approach to shore these areas and enhance the access drive on the banks for best management practices.

By consulting with experienced construction professionals and conferring with other regional waterway entities, we will work in a plan to not only combat the immediate potential breach issues and address the access to the railroad bridge, but we will also provide a set of draft inspection forms and guides that can be used by future staff/consultants to document the conditions, record mitigation practices employed and help with record keeping.

Planned completion – End of Summer 2024



5



NEXT STEPS, Cont.

Task 2 – Railroad Bridge Maintenance Improvements

Several options for short and long-term log clearing of the railroad bridge will be assessed for their efficiency and accessibility. The preferred access to the area most likely from the south side, due to south side banks condition and planned improvements.

While the railroad bridge collects much more debris than bridges further upstream with less abutments, it does allow for scheduled removals. Keeping the railroad bridge free of debris will require more frequent removals.

Our plan is to create a cost-effective schedule that can budgeted and develop improvements which allow for an easier, more structured approach for log/debris removal.

Planned completion – End of Summer 2024



6



ABONMARCHE

THANK YOU

RESPONSIBLE OFFICE
ABONMARCHE
17 NORTH WASHINGTON STREET
VALPARAISO, IN 46383

CONTACT
Matt Keiser
Project Manager
219.246.4195
mkeiser@abonmarche.com

 **abonmarche.com**

ATTACHMENT 6

LAKE COUNTY COMMISSIONERS' ADOPTION OF THE INTERLOCAL COOPERATION AGREEMENT FOR THE PURCHASE OF CONSTRUCTION SERVICES AND OTHER SERVICES, SUPPLIES, AND EQUIPMENT FOR MUTUAL BENEFIT FOR REMOVAL, STORAGE AND MATCH MARKING OF LAKE COUNT BRIDGE #36

WHEREAS, Indiana Code I.C. 36-1-7-1, et seq., allows government entities to make the most efficient use of their powers by enabling them to mutually utilize vendors, contractors, equipment, supplies, engineering/construction services and other services for the mutual benefit of each other; and

WHEREAS, the Kankakee River Basin and Yellow River Basin Development Commission ("KRBYRDBC"), is created pursuant to I.C. 14-13-9-2 and is created as a public body corporate and political, with authority to contract on the basis of mutual advantage so as to better provide public services and facilities on a more efficient basis; and

WHEREAS, the Lake County Board of Commissioners ("Lake County") is a political subdivision empowered by the Interlocal Cooperation Act, as amended, (I.C. 36-1-7-1, et seq.) with authority to contract on behalf of other governmental agencies on the basis of mutual advantage so as to better provide public services and facilities on a more efficient basis; and

WHEREAS, KRBYRDBC and Lake County desire to enter into an Interlocal Cooperation Agreement ("Agreement") consistent with I.C. 36-1-7-1, et seq., to carry out the Project set forth in the Kankakee River Basin and Yellow River Basin Development Commission Application for Funding-Projects to provide for the ability to purchase construction services, engineering services, other services, supplies and equipment for the mutual benefit of the participating entities;

NOW THEREFORE, in consideration of the mutual terms, covenants and conditions set forth herein, KRBYRDBC and Lake County hereby agree as follows to-wit:

Section 1. **DURATION.** The duration of this Agreement shall be from its effective date as specified in Section 9 until the termination date as specified in Section 6 provided that the agreement is adopted by each of the political subdivisions entering into this Agreement prior to that date, and is renewable each calendar year thereafter by Agreement of the parties, evidenced by the passage of similar resolutions, should the purposes of this Agreement necessitate it.

Section 2. **PURPOSE.** The purpose of this Agreement is to authorize and allow the carrying out of the Project of KRBYRDBC so as to remove, store and match mark Lake County Bridge #36 in accordance with the agreement of the parties so as to alleviate all safety issues present and as a result of the position and deterioration of such bridge and which is more fully described and set forth on that certain "Kankakee River Basin and Yellow River Basin Development Commission" Application For Funding-Projects" ("Project").

Section 3. **ADMINISTRATION.** This Agreement shall be administered through a single entity, namely, the Lake County Board of Commissioners with oversight by KRBYRDBC. The Kankakee River Basin and Yellow River Basin Development Commission shall be responsible for the ultimate manner of financing, staffing, managing and maintaining a budget for the Project of all aspects of the removal of Lake County Bridge #36.

Section 4. **TREASURER.** The duly elected Treasurer of Lake County shall have the duty and responsibility to coordinate all contracts, invoices, and related updates with respect to the Project, if deemed necessary by the parties to this agreement. The Treasurer shall perform all customary and usual duties and responsibilities associated with the office and required by law as it relates to the Project.

Section 5. **OTHER TERMS.** In further consideration of the mutual promises and covenants contained herein, it is additionally agreed as follows:

(A) Kankakee River Basin and Yellow River Basin Development Commission shall provide the primary administration and supervision over the general services related to the Project. The KRBYRBDC shall only provide oversight to ensure that the Project is executed as applied for and specified herein.

(B) The KRBYRBDC shall commit the sum necessary for the removal, storage and match mark of Lake County Bridge #36.

(C) The Lake County Board of Commissioners hereby agrees to indemnify and hold harmless KRBYRBDC, its employees, representatives, agents, heirs, executors, successors and assigns from any and all actions, causes of action, claims, and demands for and by reason of the Project contemplated herein.

Section 6. **TERMINATION.** Upon satisfactory completion of the Project and acceptance by the Lake County Board of Commissioners, KRBYRBDC and all applicable governmental entities, this Interlocal Cooperation Agreement shall be deemed at an end. All supplies or equipment purchased by the Lake County Board of Commissioners to complete the Project shall remain the sole property of the Lake County Board of Commissioners. In the event the Project is terminated prior to completion, the Lake County Board of Commissioners shall return all unexpended funds of KRBYRBDC and the obligation of KRBYRBDC to pay the balance of its funding commitment shall be at an end. Further, this Agreement may be terminated by either one of the participating entities upon ninety (90) days prior written notice to the other at the address indicated herein. Upon termination, any unexpended funds of KRBYRBDC shall be returned to KRBYRBDC, and KRBYRBDC's further obligation to pay any committed funds shall be at an end and terminated.

Section 7. **COUNTERPARTS.** This Interlocal Cooperation Agreement may be executed in counterparts, each of which when so executed shall be deemed to be an original, and such counterparts, together, shall constitute but one and the same instrument, which shall be sufficiently evidenced by any such original counterpart.

Section 8. **RECORDING.** Before this Agreement takes effect, it must be recorded with the Office of the Lake County Recorder. No later than sixty (60) days after it takes effect and is recorded, this Agreement must be filed with the Office of the State Board of Accounts for audit purposes, all pursuant to I.C. 36-1-7-6.

Section 9. **EFFECTIVE DATE.** This Agreement shall be effective after the same has been ratified by each of the participating entities by ordinance or resolution pursuant to I.C. 36-1-7-2.

Section 10. **MODIFICATION.** No modification of this Agreement shall be effective, in any respect, unless agreed to in writing and executed by the parties or their representatives and appended hereto.

Section 11. **RESOLUTION.** This agreement is hereby adopted through the signatures of the Board of Commissioners after a motion and order have been approved at a public meeting.

IN WITNESS WHEREOF, the parties have caused this Interlocal Cooperation Agreement to be executed in their names and on their behalf on the ____ day of _____, 2024.

Lake County Board of Commissioners

By: _____
Kyle W. Allen, Sr.

By: _____
Jerry Tippy

By: _____
Michael Repay

ATTEST BY:

Peggy Katona, Lake County Auditor

NOT SURE WHO SHOULD ALL BE SIGNEES ON YOUR END

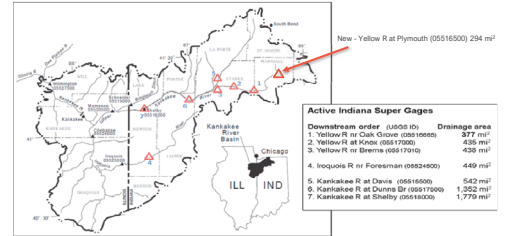
ATTACHMENT 7



Kankakee River Basin Sediment-Gage Network

"Supergage" network collecting continuous water quality data on the Kankakee River, Yellow River, and Iroquois River

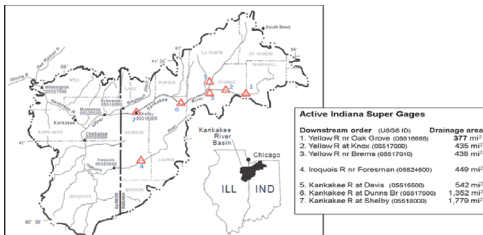
- Some sites have been collecting data since 2012
- Additional sites added in 2015
- Yellow River Plymouth discharge gage upgraded to collect continuous temperature and turbidity this year



Kankakee River Basin Sediment-Gage Network

"Supergage" network collecting continuous water quality data on the Kankakee River, Yellow River, and Iroquois River

- Kankakee River
 - pH, dissolved oxygen, specific conductance, turbidity and nitrate plus nitrate
- Yellow River
 - Temperature and turbidity
- Data has been used to model continuous suspended sediment concentrations at select sites



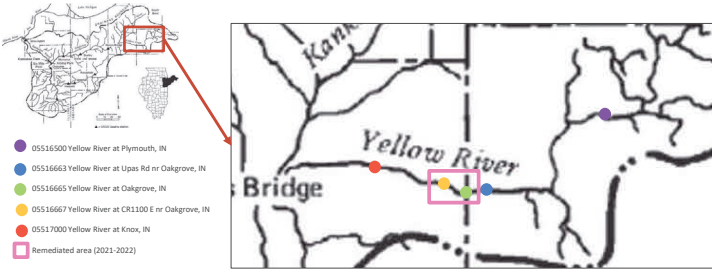
Targeted Yellow River Remediation Study

Remediation along the Yellow River in 2021 and 2022 near the Oakgrove supergauge



Targeted Yellow River Remediation Study

Five sites are being sampled bi-weekly for sediment and nutrients along the Yellow River. Sites are upstream, downstream, and within the remediated area.



Targeted Yellow River Remediation Study

Planned: 20 samples per site from March through October 2024



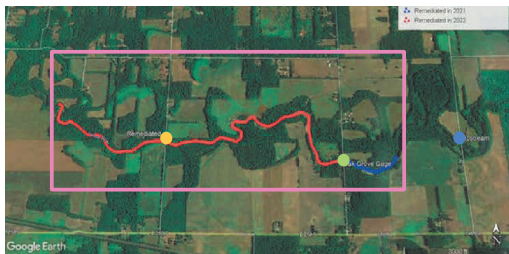
Hydrologist Aleia Couchman collects water quality sample at Yellow R. at Knox on May 23, 2024, while ADCP equipment is being prepared to conduct a discharge measurement. Photo taken by Madelyn Messner.



- Currently 9 sampling rounds have been conducted
- Nutrient data has been returned from the lab for 5 sampling rounds
- No sediment data has been returned to date
- With the limited data available we have use concentration and stream discharge to calculate nutrient load

Targeted Yellow River Remediation Study

Map of remediated area on the Yellow River

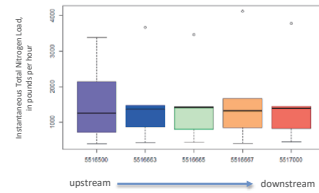


Nutrient Load Results to date (n = 5 per site)

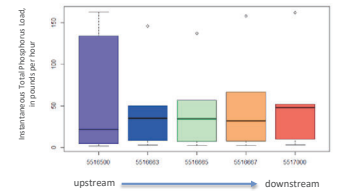
Box plots displaying instantaneous nutrient loads in pounds/hour for total nitrogen and total phosphorus



Instantaneous Total Nitrogen Load



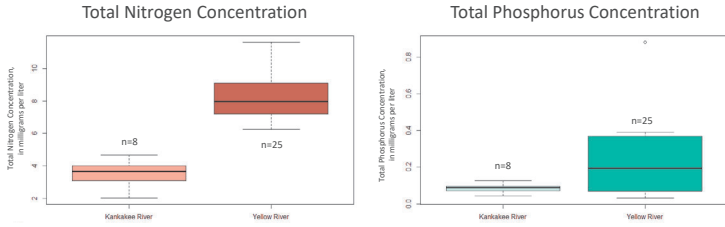
Instantaneous Total Phosphorus Load



*Data is preliminary and not for distribution or citation

Comparing Yellow River to Kankakee River Nutrient Concentrations

Box plots displaying nutrient concentrations for total nitrogen and total phosphorus for all Kankakee River samples and Yellow River samples available for the study period



*Data is preliminary and not for distribution or citation

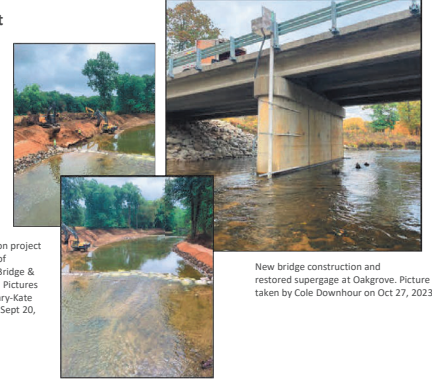


Questions?

Aubrey Bunch, Supervisory Biologist
aurbunch@usgs.gov



Minor flood conditions at Plymouth supergauge on March 15, 2024. Photo taken by Aleia Couchman.

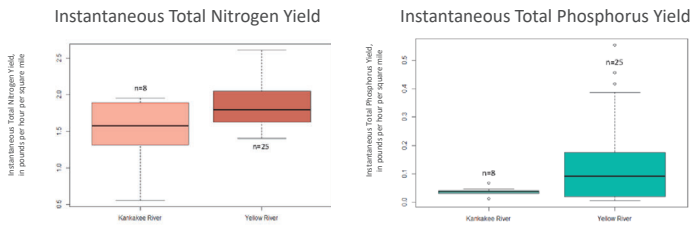


Remediation project upstream of Oakgrove Bridge & supergauge. Pictures take by Mary-Kate Perkins on Sept. 20, 2021.

New bridge construction and restored supergauge at Oakgrove. Picture taken by Cole Downhour on Oct 27, 2023.

Comparing Yellow River to Kankakee River Nutrient Yields

Box plots displaying instantaneous nutrient yields in pounds/hour/sq mi for total nitrogen and total phosphorus for all Kankakee River samples and Yellow River samples available for the study period



*Data is preliminary and not for distribution or citation



ATTACHMENT 8

RECOMMENDATION 1-2024

To: Kankakee River Basin and Yellow River Basin Development Commission
From: Technical Advisory Committee (TAC)
Subject: Emergent islands downstream of Knox on Yellow River
Date: April 26, 2024

DESCRIPTION: Since the straightening of the Yellow River downstream of Knox prior to World War I, several small islands emerged and took hold between Range Road in Starke County and the river's confluence with the Kankakee.

LOCATION: One emergent island lies between Range Road and CR 100 West in Starke County. Three others between IN-49 and the Yellow River's confluence with the Kankakee River at the Kankakee Fish and Wildlife Area (FWA).

ISSUE: The islands, which post-date the modification of the Yellow River, constitute drainage obstructions. In addition to inhibiting the flow of water, they also attract secondary obstructions such as logjams. Such obstacles can also exacerbate erosion and hasten the deposit of other sediment at undesirable locations.

RECOMMENDATION: The Committee recommends to the Commission that it pursue the removal of four (4) emergent island on the Yellow River between Range Road in Starke County and the channel's confluence with the Kankakee River. It further urges that the emergent island removal immediately downstream of Range Road serve as a pilot project to precede the removal of three (3) FWA islands in upstream to downstream order.

APPROVED BY COMMITTEE 4/26/2024.

ADOPTED BY COMMISSION 6/28/2024.

Craig D. Cultice, Secretary

ATTACHMENT 9

RECOMMENDATION 2-2024

To: Kankakee River Basin and Yellow River Basin Development Commission
From: Technical Advisory Committee (TAC)
Subject: Kayak/canoe launches
Date: April 26, 2024

DESCRIPTION: The Kankakee and Yellow Rivers are open to the public for recreation. The Commission has supported the natural enjoyment of the river through improved access to both waterways. In 2022, the Commission granted its easement for the construction of a non-motorized boat launch on the Yellow River in Bremen.

LOCATION: Kankakee and Yellow Rivers in Indiana

ISSUE: Recently, governmental units within the watershed have requested the addition of kayak/canoe launches at various Kankakee River and Yellow River locations. In Starke County, units of governments have allocated partial funding for proposed Yellow River launches. In Porter County, their tourism bureau in conjunction with the Indiana Paddlers Association has urged the addition of boat access points between Dunn’s Bridge and Shelby.

RECOMMENDATION: The Committee recommends to the Commission support the addition of kayak/canoe launches. Priority locations would include:

- 1) Two locations to be determined on the Kankakee River between Dunn’s Bridge and Shelby;
- 2) At the confluence of the Kankakee and Yellow Rivers;
- 3) At Wythogan Park in the City of Knox on the Yellow River; and
- 4) At State Road 23 on the Yellow River.

The above list does not exclude or prohibit other locations but indicates locations that the Committee believes are particularly well-suited for such assets.

APPROVED BY COMMITTEE 4/26/2024.

ADOPTED BY COMMISSION 6/28/2024.

Craig D. Cultice, Secretary