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EAST CHICAGO WATERWAY MANAGEMENT  
DISTRICT BOARD OF DIRECTOR'S MEETING  
CITY OF EAST CHICAGO, ENGINEERING/ANNEX BUILDING  
4444 RAILROAD AVENUE  
EAST CHICAGO, INDIANA  
September 26, 2024  
THURSDAY 5:00 P.M.

TRANSCRIPT OF PROCEEDINGS had in the  
above-entitled matter on the 15th day of August, 2024  
at 5:00 p.m. held at the City of East Chicago  
Engineering/Annex Building, 444 Railroad Avenue, East  
Chicago, Indiana.

A P P E A R A N C E

MR. JOHN FEKETE, PRESIDENT

MR. JOHN BAKOTA, BOARD MEMBER

MR. HENRY RODRIGUEZ, BOARD MEMBER

MR. RAY LOPEZ, BOARD MEMBER

MR. JALAN ROBINSON, BOARD MEMBER

MR. FERNANDO TREVINO, FMT CONSULTING

MS. ELLEN GREGORY, ELLEN GREGORY LAW

ALSO PRESENT:

MS. MONICA JOHNSON, CLA

MR. JAMES WESCOTT

MR. ROBERT SANTORI, BMO HARRIS BANK

MR. VAUGHAN COOLMAN, ARMY CORPS OF ENGINEERS

1 P R O C E E D I N G S

2 MR. FEKETE: Ready? You're Ready? You're  
3 the boss.

4 COURT REPORTER: I'm ready.

5 MR. FEKETE: Okay. I'd like to call to order  
6 the East Chicago Waterway Management District Board of  
7 Directors Regular Public Board Meeting. Today's date  
8 is September 26, 2024 and the time is 5:05. First  
9 order of business is the roll call.

10 MR. FEKETE: Jalan Robinson?

11 MR. ROBINSON: Here.

12 MR. FEKETE: John Bakota?

13 MR. BAKOTA: Here.

14 MR. FEKETE: Henry Rodriguez?

15 MR. RODRIGUEZ: Here.

16 MR. FEKETE: Ray Lopez?

17 MR. LOPEZ: Here.

18 MR. FEKETE: John Fekete? Here. We have a  
19 forum. Next up is the Executive Director's Report,  
20 Mr. Trevino.

21 MR. TREVINO: Yes, Fernando Trevino with FMT  
22 Consulting. I'd like to start off by going over the  
23 contents of your Board packet. You have a copy of  
24 today's agenda. You have a copy of the public meeting  
25 posting for today's rescheduled Board meeting. You

1 have copy of the Board minutes for August 15, 2024.  
2 You have the CliftonLarsonAllen Financial Report dated  
3 August 31, 2024 for the month of August. You have the  
4 Claim Docket for today's Board meeting. Claim Docket  
5 dated September 19, 2024, along with copies of the  
6 purchase orders and check register.

7 You have a District or East Chicago Waterway  
8 Management District Approval Memo for FMT Consulting,  
9 Inc., additional hours for 2024. And that memo is  
10 dated September 26, 2024.

11 You have a letter dated September 26, 2024  
12 from the Waterway Management District Executive  
13 Director, Fernando Trevino, to the Army Corps  
14 responding to the Corps' September 6, 2024 memo  
15 regarding the underwater obstruction near the Canal  
16 Street Bridge.

17 You have a copy of TetraTech's Monthly  
18 Progress Report and invoice for the month of August.  
19 The report is dated September 9, 2024.

20 You have First Merchants Bank statements for  
21 the month of August 2024 for account ending in 608 with  
22 copies of checks that were cashed in August.

23 You have copies of account ending in 616 and  
24 copies of the three User Fee deposit memos and receipts  
25 that were deposited in August. And those deposits were

1 August 21st, August 22nd and August 30th.

2 Also included are copies of two First  
3 Merchants CD Reports, both with the run date of  
4 September 17, 2024, and the two CD account numbers are  
5 ending in 063 and 321.

6 You have a copy of BMO's Trust Report dated  
7 August 31, 2024. You have a copy of the Army Corps  
8 Report to the Board dated September 26, 2024. And last  
9 but not least, you have a copy of Attorney Ellen  
10 Gregory's Report to the Board dated September 24th of  
11 2024.

12 Go over a couple items. Regarding the action  
13 items on today's agenda, we have several. We have the  
14 Board Minutes for August 15, 2024 for approval  
15 consideration. We have the Claim Docket dated  
16 September 19, 2024. We have approval of FMT  
17 Consulting, Inc. additional hours for calendar year  
18 2024.

19 You have approval of the District's response  
20 letter to the Corps September 6th letter regarding the  
21 Canal Street Bridge underwater obstruction.

22 You have approval to extend the District's  
23 2024 User Fee deadline from September 19th to  
24 November 1, 2024.

25 You have approval to assign the duplication

1 of FMT Consulting, Inc's Great Lakes Legacy Act cost  
2 share to ARBP, since ARBP is reimbursing the District  
3 for those costs.

4           Regarding finances, the \$300,000 payment that  
5 was due from the City of East Chicago related to the  
6 Canal Street Bridge MOU between the District and the  
7 City has been received and deposited into the  
8 District's account ending in 616. The Board approved  
9 using Todd Relue from Krieg Devault on the Great Lakes  
10 Legacy Act Cost Share and Project Agreement  
11 Negotiations. So I plan to build that work related to  
12 that effort to the legal budget line item affiliated  
13 with the Project Agreement and Cost Share Agreement.

14           Also, we asked AECOM to provide engineering  
15 and technical support on the underwater obstruction  
16 near the Canal Street Bridge. So we'll be building  
17 their efforts to that Canal Street Bridge Project  
18 Budget.

19           Regarding User Fees, collection of the 2024  
20 User Fees is ongoing. As of today, we've received and  
21 deposited approximately \$240,000, which is a little  
22 above -- right around 57% of the total '24 balance.

23           On today's agenda is an approval  
24 consideration to extend the deadline to November 1st  
25 and extending the User Fee payment deadline has been

1 consistent with prior year's practice. That gives us  
2 an opportunity to reach out to the companies who are  
3 past due and have them catch up on their balance due.

4           Regarding the PCA Amendment and Tipping Fee  
5 Agreement Amendments, as you may recall, in the past we  
6 have received payments from U.S. Army Corps of  
7 Engineers and Cleveland Cliffs related to the PCA and  
8 Tipping Fee Agreement Amendments. However, based on  
9 our calculations, we had concluded that the payments  
10 were short approximately \$316,463.30 from Cleveland  
11 Cliffs. Cleveland Cliffs ultimately agreed with our  
12 calculations and subsequently Cleveland Cliffs agreed  
13 to pay that balance through the Army Corps of Engineers  
14 from an overpayment that Cleveland Cliffs had made to  
15 the Corps. So the Corps has confirmed that that  
16 payment is being processed and we should receive  
17 payment shortly.

18           Regarding the Great Lakes Legacy Act Project,  
19 the South Tank Farm Sheet Pile Wall construction is  
20 completed. The Groundwater Management System  
21 affiliated with the barrier wall system will continue  
22 to be fine-tuned for some time, and the design is  
23 currently at around 60% completion.

24           Regarding the Lake George Canal East Section,  
25 the Corps is managing the dredging project on EPA's

1 behalf. The Corps is currently reviewing environmental  
2 sediment sampling data collected last year as well as  
3 reviewing additional geotechnical sampling data that  
4 was collected this year.

5 Phase II dredging of the Lake George Canal  
6 East and Cleveland Cliffs sep dredging is forecasted to  
7 be done in 2025. The project team continues to have  
8 meetings to discuss amending the Lake George Canal  
9 Project Agreement fourth modification. So we'll be  
10 working on the fifth modification. We've had a few  
11 meetings between the District, EPA and ARBP to discuss  
12 the scope of work, forecasted project costs and cost  
13 share options, and the modification of the Project  
14 Agreement and Cost Share Agreement.

15 We continue to look forward to working with  
16 ARBP on opportunities to compromise and amend the  
17 existing Cost Share Agreements that's hopefully in  
18 benefit to all parties.

19 Regarding the Lake George Canal Middle Cap  
20 project, the Army Corps of Engineers is managing this  
21 project as well. The main part of the CAP project is  
22 now completed. The corps is evaluating options for  
23 addressing an oil sheen that's been observed within the  
24 captain project area. Also, eco construction  
25 activities are periodically ongoing regarding the Lake



1 George Canal west remediation project. That work is  
2 between BP and EPA and that work is ongoing.

3           Regarding the Grand Cal River Junction  
4 Reaches Project. TetraTech continues to work on the  
5 remedial design. The project team continues to have  
6 biweekly project team meetings to discuss remedial  
7 design completion, coordination of additional site  
8 investigation plan, property access coordination,  
9 permit applications, junction marsh coordination and  
10 coordination with the City Dump and community  
11 engagement.

12           Regarding general schedule for the Grand Cal  
13 River Junction Reaches Remediation in 2024, we're  
14 forecasting to complete the additional site  
15 investigation work, completing the remedial design,  
16 finalizing the Project Agreement. And in 2025 the  
17 project team is tentatively planning to have an  
18 outreach presentation after the Board's January 16th  
19 Board meeting. The start of remediation construction  
20 would be in 2025 and we forecast will go through 2026.

21           Regarding our Cost Share Reporting, I've  
22 submitted our work in kind Annual Report for 2023 as  
23 well as our Cost Share Report for the first half of  
24 2024. The Project team continues to discuss options  
25 and strategies providing -- for providing the necessary

1 Cost Share Funding required by the non-federal partner.

2 Recently, EPA notified both the District and  
3 ARBP that in 2022 and 2023 both the District and ARBP  
4 submitted and requested cost share credit for the same  
5 work which was done by FMT Consulting, Inc. So because  
6 ARBP reimburses the District for those costs, we are  
7 recommending that ARBP be allowed to get credit for  
8 those cost shares. So there's an approval  
9 consideration on today's agenda to allow ARBP to get  
10 credit for it and then we would have to deduct that  
11 from our reports.

12 Jim Wescott of TetraTech is present today and  
13 can provide additional updates and answer any  
14 questions. Regarding the Canal Street Bridge Project,  
15 as you're aware, the dolphins have been installed and  
16 that part of the project has been completed. However,  
17 there's been an underwater obstruction identified near  
18 the former bridge. You may recall that the District  
19 and the City entered into an MOU on this matter where  
20 the District will take the lead on managing this  
21 project. So consistent with the MOU, we've had various  
22 meetings and discussions with stakeholders on the  
23 matter. We recently received a letter from the Corps  
24 dated September 6th. We reviewed the Corps' letter and  
25 we've drafted a response. From the District, the

1 response letter, which is dated today, September 26th,  
2 is on today's agenda for approval consideration. If  
3 approved, I'll forward it to the Corps by tomorrow.

4 We've also asked the Corps for a copy of  
5 their underwater video recordings of the obstruction  
6 that they took a few weeks ago. The Corps has made a  
7 determination based on these recordings that it looks  
8 like a piece of concrete. So we've asked for copies of  
9 the video and I think Vaughn has sent that. I haven't  
10 had a chance to access it and take a look at it, but  
11 I've seen an email transmitting that.

12 The Corps is scheduled to remove the  
13 obstruction in early October and the Corps has agreed  
14 to allow us to inspect the obstruction, which we plan  
15 to do along with representatives from AECOM and AECOM  
16 will accompany our inspection of the obstructed  
17 material.

18 Regarding the Old Cline Avenue Bridge, there  
19 are ongoing meetings and discussions with various  
20 stakeholders, including Lake County, IDEM, EPA, NIPSCO  
21 and the District to assess whether the bridge removal  
22 was feasible, including researching the bridge's  
23 ownership, utility conflicts and reroutes, and  
24 right-of-way and easement issues. A follow up meeting  
25 is scheduled for next week, Wednesday, October 2nd.

1           Regarding the Atlantic Ritchfield Settlement  
2 Agreement, the property transfer was completed in  
3 January of this year. The \$4.5 million affiliated with  
4 the Settlement Agreement has been received and  
5 deposited into the District's account. Half of those  
6 funds or \$2.25 million were transferred to the City  
7 consistent with our MOU with the City. The Project  
8 team continues to work on completing various ancillary  
9 items affiliated with the Settlement Agreement.

10           Regarding the Corps dredging project and CDF,  
11 their report is in your Board packet. Project Manager,  
12 Vaughn Coolman, is present to provide an update to the  
13 report to the Board. And Attorney Ellen Gregory will  
14 be giving an update on various legal matters. And that  
15 concludes my report.

16           MR. FEKETE: Are there any questions for  
17 Mr. Trevino? I have one. Item Number 5, the approval  
18 consideration upon payable voucher register, is that  
19 June 20th?

20           MR. TREVINO: No, that's. That's a typo. So  
21 the approval consideration accounts payable voucher  
22 should be September 19th, the date of the Claim Docket.  
23 That's a good catch. I was just testing you.

24           MR. FEKETE: That was a test?

25           MR. TREVINO: Yeah.

1 MR. FEKETE: Okay. Well, we fully passed.  
2 If there's no questions, we thank you, Mr. Trevino, for  
3 your report.

4 Next item is the approval consideration of  
5 the Board meeting notes for August 15th.

6 MR. BAKOTA: Second.

7 MR. FEKETE: Okay. We have a motion and a  
8 second. All in favor signify by saying "aye"

9 (A CHORUS OF AYES)

10 MR. FEKETE: Any objections? Abstentions?  
11 Hearing none, the motion is approved.

12 The next item is the approval consideration  
13 for the FMT Consulting additional hours for 2024. Are  
14 there any questions for Mr. Trevino?

15 MR. LOPEZ: Motion to approve.

16 MR. FEKETE: Okay. Hearing none, I'll  
17 entertain a motion to approve.

18 MR. TREVINO: Yeah, Ray made a motion.

19 MR. FEKETE: And a second.

20 MR. RODRIGUEZ: Second.

21 MR. FEKETE: And a second. Okay. Roll call  
22 vote.

23 MR. FEKETE: Jalan Robinson?

24 MR. ROBINSON: Yes.

25 MR. FEKETE: John Bakota.

1 MR. BAKOTA: Yes.

2 MR. FEKETE: Henry Rodriguez?

3 MR. RODRIGUEZ: Yes.

4 MR. FEKETE: Ray Lopez?

5 MR. LOPEZ: Yes.

6 MR. FEKETE: John Fekete. I vote yes. And  
7 approval consideration for the accounts payable  
8 voucher.

9 MR. TREVINO: John? Usually we -- we jumped  
10 it.

11 MR. FEKETE: I jumped one, yeah.

12 MR. TREVINO: Yeah, but, So Monica or --  
13 Who's on, Monica or Vanessa?

14 MS. JOHNSON: It's Monica.

15 MR. FEKETE: Hey.

16 MR. TREVINO: Okay.

17 MR. FEKETE: Oh, the Accountant Consultant  
18 Report.

19 MR. TREVINO: Yes.

20 MR. FEKETE: Okay.

21 MR. TREVINO: Hi, Monica.

22 MS. JOHNSON: Okay. Perfect.

23 MR. FEKETE: Hi.

24 MS. JOHNSON: Okay, sorry. I'm going to jump  
25 in everybody.

1           On Page 2, you'll find the Statement of Cash  
2 Receipts and Cash Disbursements for the eight months --  
3 Interest income, \$346,724.56. User Fees, \$160,805.64.  
4 Trust transfer of \$280,283.25. PCA and Tipping Fee  
5 Agreement net of City MOU, \$4,913,996.81. This brings  
6 your total cash receipts to \$5,701,810.26.

7           Your disbursements include legal trust for  
8 \$15,575. Legal non-trust for \$20,035. Legal trust  
9 real estate VP for \$16,550.19. Legal, Plews Shadley  
10 Racher & Braun and Krieg Devault for \$5,894.

11           Engineering for \$140,519.60. Accounting  
12 services for \$21,010.34. Insurance for \$3,894. Office  
13 help for \$4,767.30. Office lease for \$8,400. Other  
14 office for \$4,860.67.

15           User Fee Appeals Officer legal pursue  
16 nonpayments for \$87.50. Transcripts \$3,204. SBOA  
17 audit for \$10,486.67. Broadband Service for \$2,400.80.  
18 Canal Street Bridge Project for \$328,495.15. Great  
19 Lakes Legacy Act Project, non-trust for \$31,667.22.  
20 Old Cline Avenue Bridge assessment and removal for  
21 \$1,181.25. This brings your total cash disbursements  
22 to \$620,973.69. This results in a total increase in  
23 cash of \$5,080,836.57. Adding this to your cash  
24 balance on January 1, 2024 of \$8,709,684.13. Brings  
25 your total cash balance on August 31 2024 to

1 \$13,790,520.70.

2           Within your Operating account, you have a  
3 balance of \$1,092,801.61. Your User Fee account  
4 includes \$9,260,512.72. Your Certificates of Deposit  
5 balance is \$3,437,206.37 for a total of \$13,790,520.70.

6           Moving on to Page 3, you'll find the Schedule  
7 of Cash Account Activity for the eight months ended  
8 August 31, 2024. Within your Operating Account, the  
9 cash balance on January 1, 2024 included \$1,121,983.80.  
10 You've had interest earned in 2024 for \$30,316.09.  
11 You've also had a trust transfer for \$280,283.25. You  
12 had a budget transfer for \$281,130.16 resulting in  
13 total debits of \$591,729.50.

14           Cash disbursements for the January through  
15 August period total \$620,911.69 resulting in a decrease  
16 in the cash balance of \$29,182.19. This brings your  
17 Operating Cash balance on August 31, 2024 to  
18 \$1,092,801.61.

19           Your User Fee account includes a cash balance  
20 on January 1, 2024 of \$5,224,499.34. You've had  
21 interest earned in 2024, \$236,194.76. You've redeemed  
22 CDARS 4494 for \$506,208.33. You've had User Fees of  
23 \$160,805.64 in a PCA and Tipping Fee Agreement for  
24 \$7,163,996.81, increasing your account balance --  
25 resulting in a debit balance of \$8,067,205.54. Cash



1 disbursements and a budget transfer result total was  
2 \$4,031,192.16. The overall impact is an increase in  
3 this account from \$4,036,013.38. This brings your User  
4 Fee account balance on August 31, 2024 to  
5 \$9,260,512.72.

6 Within your Certificate of Deposits, the  
7 balance on January 1, 2024 for account 0898 is  
8 \$2,363,200.99. Your interest earned in 2024 was  
9 \$80,213.71. You purchased Certificates of Deposits for  
10 \$1 million, purchased CDARS for \$500,000. And redeemed  
11 CDARS for \$506,208.33. Your balance on August 31, 2024  
12 for your Certificate of Deposit is \$3,437,206.37.

13 Moving on to Page 4, you'll find the Schedule  
14 of 2024 available budget as of September 26, 2024.  
15 Within here you'll find the 2024 budget appropriation  
16 total of \$1,306,000. Includes adding accounts payable  
17 on 12/31/2023 for \$345,897.21 as well as 2024 budget  
18 amendments for \$31,500, results in a total in 2024  
19 total appropriation of \$1,683,397.21.

20 Cash disbursements for the eight months ended  
21 August 2024 totaled \$620,973.69. On your Claims Docket  
22 for September 19, 2024, we have a total of \$47,379.65  
23 bringing your unused budget for \$2024 to \$1,015,043.87.

24 MR. FEKETE: Thank you. Well, that was  
25 great. Okay. Approval of the Accounting Consultant

1 Report. Do I have a motion?

2 MR. RODRIGUEZ: Make a motion.

3 MR. FEKETE: A second.

4 MR. ROBINSON: Second.

5 MR. FEKETE: All in favor signify by saying  
6 "aye".

7 (A CHORUS OF AYES)

8 MR. FEKETE: Any oppositions or abstentions?  
9 Hearing none, the motion is approved. I guess we're  
10 back to the approval consideration for the accounts  
11 payable voucher.

12 MR. TREVINO: The claims docket.

13 MR. FEKETE: I'll entertain a Motion to  
14 Approve.

15 MR. BAKOTA: Motion to approve.

16 MR. FEKETE: Do I have a second?

17 MR. RODRIGUEZ: Second.

18 MR. FEKETE: Let's have a roll call vote.  
19 Jalan Robinson?

20 MR. ROBINSON: Yes.

21 MR. FEKETE: John Bakota?

22 MR. BAKOTA: Yes.

23 MR. FEKETE: Henry Rodriguez?

24 MR. RODRIGUEZ: Yes.

25 MR. FEKETE: Ray Lopez?

1 MR. LOPEZ: Yes.

2 MR. FEKETE: John Fekete? Yes. That motion  
3 is approved.

4 Did I jump ahead to your Consulting Report  
5 already?

6 MR. TREVINO: The additional hours, yeah.  
7 We've approved that.

8 MR. FEKETE: Okay.

9 MR. TREVINO: We're on the ECW response  
10 letter.

11 MR. FEKETE: ECW response letter. Okay.  
12 Approval for the Chicago Waterway Management District  
13 response to the U.S. Army Corps, referring to the Canal  
14 Street Bridge underwater obstruction. Entertain a  
15 motion to approve. Motion to approve of. Have a  
16 second, 2nd. All in favor, signify by saying "aye".

17 (A CHORUS OF AYES)

18  
19 MR. FEKETE: Any Opposition or abstentions?  
20 Hearing none. The motion is approved. Next item is  
21 the 2024 User Fee deadline extension to November 1,  
22 2024. Entertain a Motion to Approve.

23 MR. LOPEZ: Motion to Approve.

24 MR. FEKETE: Do I have a second?

25 MR. ROBINSON: Second.

1 MR. FEKETE: Hearing none. We'll have a roll  
2 call, or we'll have a voice vote on that. All those in  
3 favor signify by saying "aye".

4 (A CHORUS OF AYES)

5 MR. FEKETE: Any oppositions, abstentions?  
6 Hearing none. The motion is approved.

7 Okay, approval consideration assigned  
8 duplication of the FMT Consulting Great Lakes Legacy  
9 Cost Share to ARBP. I think Fernando explained in his  
10 presentation, so I'll just basically accept a voice  
11 vote on this. I need a motion.

12 MR. ROBINSON: Motion to approve.

13 MR. FEKETE: Have a second?

14 MR. RODRIGUEZ: Second.

15 MR. FEKETE: All those in favor signify by  
16 saying "aye".

17 (A CHORUS OF AYES)

18 MR. FEKETE: Any abstentions or objections?  
19 Hearing none, the motion is approved. Okay. The Canal  
20 Street Bridge Project Update.

21 MR. TREVINO: Yes, I think I provided an  
22 update during my Executive Director's Report, but  
23 basically we've been working with the Corps and AECOM  
24 to try to identify the source of this underwater  
25 obstruction. So we're kind of waiting on early October

1 when the Corps is planning on to remove the  
2 obstruction, get it up on land. So the Corps and  
3 Waterway Management District and our engineering firm  
4 AECOM could inspect it. If there aren't any questions,  
5 that's -- and Mr. Vaughn Coolman, Project Manager from  
6 the Corps, if he wants to provide any additional  
7 updates during his report, he can.

8 MR. FEKETE: Okay. Vaughn?

9 MR. TREVINO: Well, we keep.

10 MR. FEKETE: Okay, we're not there yet. I'm  
11 just kind of leafing through all this stuff here.  
12 Okay. Okay.

13 The Great Lakes Legacy Grand Cal Junction  
14 Reaches Remedial Design Project update.

15 MR. TREVINO: Jim, you on?

16 MR. WESCOTT: So, Jim Wescott, TetraTech.  
17 Fernando discussed -- kind of summarized his  
18 discussion. We're still doing a little bit of work,  
19 waiting for some field work both for EPA. We're doing  
20 some geotechnical sampling along the river. And the  
21 City is trying to finish some of their work next to the  
22 landfill, which we've discussed in the past. Both of  
23 those are still ongoing. And the expectation still, as  
24 I discussed before, is to have the design with both  
25 phases for the Junction Reach completed in the next

1 couple months so that EPA can fit it out. And that  
2 scene is still on track.

3 MR. FEKETE: Are there any questions? Thank  
4 you, Jim. Appreciate your report. Next order is the  
5 BMO Trust Report.

6 MR. SANTORI: Yes. Hello, everybody. They  
7 should have two pages available to you. The first one  
8 is the Money Market CD Holdings Report. This page  
9 shows the combined balances of your Money Market  
10 account and your CD, Certificate of Deposit. Current  
11 value combined with those two accounts is  
12 \$4,026,076.82. There were two interest credits. One  
13 for the CD of \$31,020.45 and the Money Market, \$373.94  
14 for a total in interest credits for the month of August  
15 of \$31,394.39.

16 The second page is the Trust Historical  
17 Withdrawal Data. And for the year 2024, current  
18 distributions are \$280,283.25.

19 If you have any questions, otherwise that  
20 should cover the two reports.

21 MR. FEKETE: Any questions? Thank you very  
22 much, Bob.

23 MR. SANTORI: You're welcome. And good  
24 evening, everybody.

25 MR. TREVINO: You too, Bob.

1           MR. FEKETE: U.S. Army Corps Board Report.  
2           Vaugh?

3           MR. COOLMAN: Does anyone need a copy? For  
4           the Wastewater Treatment Plant, the treatment will  
5           resume again. Oh, well, we're getting into the fall  
6           now, so I don't know if this summer actually is  
7           correct. But the contract is almost awarded. It's in  
8           its final stages and the Phase II Dyke Raise, we just  
9           have a little bit of ongoing work addressing some punch  
10          list items to button up that project. But the  
11          construction is pretty much complete.

12          For the dredging, Roen Salvage has had 24  
13          hours dredging. I think they're taking a break  
14          starting right about now actually over the weekend.  
15          They'll be back to it, I think, either Monday morning  
16          or Monday afternoon. And they've dredged about 7200  
17          cubic yards. That was as of the 25th of September when  
18          we got an update from Roen. And we've had dam safety  
19          and other safety briefings have been held. And there's  
20          ongoing safety meetings and checks that they're doing.  
21          And we're still waiting on the final analysis results  
22          from the sediment sampling and moorings that were  
23          conducted in August. And as soon as we have those,  
24          you'll have those.

25          And then for the CDF, we have the oil boom

1 coordination. ARBP employees did a little instruction  
2 with Roen Salvage personnel that would be working on  
3 opening and closing that oil boom so that we won't have  
4 any other incidents of it being left open and any oil  
5 sheen or anything escaping that area. And that effort  
6 is ongoing to make sure that that doesn't happen again.

7 MR. LOPEZ: Could you explain that? What  
8 happens?

9 MR. COOLMAN: Yeah, I think we had that one  
10 incident a couple months ago where I think it was  
11 either a Corps employee or contractor that had failed  
12 to close the boom and then some oil sheen particles  
13 leaked out into a different reach. And BP had to clean  
14 it up, from my understanding. So a little extra time  
15 and effort on their part that was unnecessary. We  
16 should have been able to keep that closed, keep it  
17 secure. And parkway as usual, ongoing maintenance, and  
18 we expect it once a month and clean and remove debris  
19 as needed.

20 The tipping fee dispute, we do have a final  
21 resolution. All the signatures up to the top are  
22 completed. And the Finance Center, the Corps Finance  
23 Center, if they haven't done it already, they'll be  
24 issuing a check and it'll get here by mail as soon as  
25 they're done with whatever they need to do. But I've



1 seen all the stuff on our end and that is going through  
2 for that 316 and 343 and -- I think Fernando probably  
3 has that number memorized by now.

4 MR. TREVINO: Yeah, I think it was part of my  
5 report.

6 MR. COOLMAN: Yeah. We've got that exact  
7 amount headed your way. And then for the obstruction  
8 removal, there was the Notice of Abandonment and  
9 possible permit violations in the September 6th letter  
10 mailed to the City of East Chicago and ECWMD, care of.  
11 We also copied the EPA, Coast Guard, and Indiana  
12 Department of Environmental Management.

13 I just wanted to assure everybody that  
14 although that letter may have had, I believe, Fernando  
15 mentioned, kind of a -- seemed like a harsh tone, but I  
16 think that was just a result of different things  
17 procedurally that had to go in there and maybe not  
18 enough care was taken by the author of the letter to  
19 make sure that it was -- it was no reflection on you  
20 guys as non-federal sponsors and partners that we've  
21 worked with for a long time. It's just, you know how  
22 sometimes things need to go. You need to go to ABC  
23 before you can go to D. And now we'll go to D.

24 I did provide the video. We had to do -- we  
25 couldn't send it over email. The files were too big.

1 So there's a -- kind of like a host site that Fernando  
2 and others can access. If you need access for anyone  
3 else, just send me the email address and I can add to  
4 the list. I believe there's twelve videos. Some of  
5 them are like seven minutes long. Some of them are a  
6 minute long. So there's a variety there. And we  
7 did -- where it says the Request for Proposal will be  
8 sent this week, it was sent today. We sent that off  
9 earlier today. And we'll wait for their response to  
10 see if they agree to the price and everything.

11 I believe that's it. And like it says here,  
12 we will be notifying ECWMD and the City of East Chicago  
13 so that relevant personnel can be there to observe the  
14 removal. And that's it for me.

15 MR. TREVINO: Does anyone have any questions?

16 MR. FEKETE: Okay. Thank you very much. And  
17 the next order is the Attorney, Ellen Gregory's Report.

18 MS. GREGORY: Yes, Ellen Gregory with Ellen  
19 Gregory Law. In terms of the legal matters that have  
20 been working on in the past month, the Great Lakes  
21 Legacy Act modification of the project review, and  
22 ongoing Cost Share discussions with BP. As Fernando  
23 mentioned, we have a call next week with BP and then  
24 the following week a tentative in person meeting on the  
25 PA in Northwest Indiana.

1           Also been working with Mr. Trevino on the  
2 response to the September 6th Army Corps of Engineers'  
3 letter regarding the underwater obstruction that  
4 Mr. Coolman just mentioned. The draft response letter  
5 is in the Board packet. And Mr. Trevino has discussed  
6 that earlier in the meeting.

7           And finally, a fairly recent User Fee appeal  
8 was submitted. I'll be working with Mr. Trevino to  
9 follow the User Fee appeal procedures that were updated  
10 last year and will be meeting with the company that's  
11 filed that User Fee appeal. And that's all I have.

12           MR. FEKETE: Any questions for Miss Gregory?  
13 Thank you very much. Any other business to come before  
14 the Board? Any other comments from the Public? Okay,  
15 hearing none. Our next Board meeting is October 17th.

16           MR. TREVINO: It's on the backside.

17           MR. WESCOTT: It's on the back side.

18           MR. FEKETE: Oh, October 17, 2024 at 5:00  
19 p.m. at this building. At this point in time, I'll  
20 entertain a motion for adjournment.

21           MR. LOPEZ: Motion to adjourn.

22           MR. FEKETE: Hear a second?

23           MR. ROBINSON: Second.

24           MR. FEKETE: All in favor, signify by saying  
25 "aye"

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(A CHORUS OF AYES)

MR. FEKETE: This meeting is concluded.

Thank you.

(WHEREUPON the meeting was  
adjourned at 5:45 p.m.)

1 STATE OF INDIANA )

2 )

3 COUNTY OF LAKE )

4

5

C E R T I F I C A T E

6

7

The within and foregoing meeting was taken before GWENDOLYN BEDFORD, Certified Shorthand Reporter in the City of Gary, County of Lake and State of Indiana.

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11

The undersigned is not interested in the within meeting, nor of kin or counsel to any of the members.

12

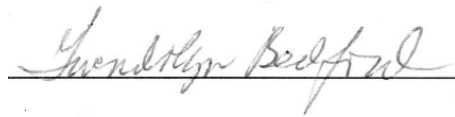
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14

IN TESTIMONY WHEREOF, I have hereunto set my hand this 9th day of October, 2024.

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GWENDOLYN BEDFORD, C.S.R.

18

No. 084-003700

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<b>&amp;</b>	<b>16,550.19.</b> 15:9	<b>2025</b> 8:7 9:16	<b>30,316.09.</b>
<b>&amp;</b> 15:10	<b>160,805.64</b>	9:20	16:10
<b>0</b>	16:23	<b>2026</b> 9:20	<b>300,000</b> 6:4
<b>063</b> 5:5 <b>084-003700</b> 29:18 <b>0898</b> 17:7	<b>160,805.64.</b> 15:3 <b>16th</b> 9:18 <b>17</b> 5:4 27:18 <b>17th</b> 27:15	<b>20th</b> 12:19 <b>21,010.34.</b> 15:12 <b>21st</b> 5:1 <b>22nd</b> 5:1	<b>30th</b> 5:1 <b>31</b> 4:3 5:7 15:25 16:8,17 17:4,11
<b>1</b>	<b>17th</b> 27:15	<b>236,194.76.</b>	<b>31,020.45</b> 22:13
<b>1</b> 5:24 15:24 16:9,20 17:7 17:10 19:21	<b>19</b> 4:5 5:16 17:22 <b>19th</b> 5:23 12:22 <b>1st</b> 6:24	<b>24</b> 6:22 23:12 <b>240,000</b> 6:21	<b>31,394.39.</b> 22:15 <b>31,500</b> 17:18
<b>1,015,043.87.</b>	<b>2</b>	<b>24th</b> 5:10	<b>31,667.22.</b>
17:23	2 15:1	<b>25th</b> 23:17	15:19
<b>1,092,801.61.</b>	<b>2,363,200.99.</b>	<b>26</b> 1:6 3:8 4:10	<b>316</b> 25:2
16:3,18	17:8	4:11 5:8 17:14	<b>316,463.30</b> 7:10
<b>1,121,983.80.</b>	<b>2,400.80.</b> 15:17	<b>26th</b> 11:1	<b>328,495.15.</b>
16:9	<b>2.25</b> 12:6	<b>280,283.25.</b>	15:18
<b>1,181.25.</b> 15:21	<b>20,035</b> 15:8	15:4 16:11	<b>343</b> 25:2
<b>1,306,000</b> 17:16	<b>2022</b> 10:3	22:18	<b>345,897.21</b>
<b>1,683,397.21.</b>	<b>2023</b> 9:22 10:3	<b>281,130.16</b>	17:17
17:19	<b>2024</b> 1:6,10 3:8	16:12	<b>346,724.56.</b>
<b>10,486.67.</b>	4:1,3,5,9,10,11	<b>29,182.19.</b>	15:3
15:17	4:14,19,21 5:4	16:16	<b>373.94</b> 22:13
<b>12/31/2023</b>	5:7,8,11,14,16	<b>2nd</b> 11:25	<b>4</b>
17:17	5:18,23,24	19:16	4 17:13
<b>13,790,520.70.</b>	6:19 9:13,24	<b>3</b>	<b>4,026,076.82.</b>
16:1,5	13:13 15:24,25	3 16:6	22:12
<b>140,519.60.</b>	16:8,9,10,17,20	<b>3,204</b> 15:16	<b>4,031,192.16.</b>
15:11	16:21 17:4,7,8	<b>3,437,206.37</b>	17:2
<b>15</b> 4:1 5:14	17:11,14,14,15	16:5	<b>4,036,013.38.</b>
<b>15,575</b> 15:8	17:17,18,21,22	<b>3,437,206.37.</b>	17:3
<b>15123</b> 29:17	17:23 19:21,22	17:12	<b>4,767.30.</b> 15:13
<b>15th</b> 1:10 13:5	22:17 27:18	<b>3,894</b> 15:12	<b>4,860.67.</b> 15:14
	29:15		

<p><b>4,913,996.81.</b> 15:5 <b>4.5</b> 12:3 <b>444</b> 1:12 <b>4444</b> 1:4 <b>4494</b> 16:22 <b>47,379.65</b> 17:22</p>	<p><b>6th</b> 5:20 10:24 25:9 27:2</p>	<p><b>account</b> 4:21 4:23 5:4 6:8 12:5 16:2,3,7,8 16:19,24 17:3 17:4,7 22:10</p>	<p>21:4 <b>affiliated</b> 6:12 7:21 12:3,9 <b>afternoon</b> 23:16</p>
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<p><b>5</b> 12:17 <b>5,080,836.57.</b> 15:23 <b>5,224,499.34.</b> 16:20 <b>5,701,810.26.</b> 15:6 <b>5,894</b> 15:10 <b>500,000</b> 17:10 <b>506,208.33.</b> 16:22 17:11 <b>57</b> 6:22 <b>591,729.50.</b> 16:13 <b>5:05</b> 3:8 <b>5:45</b> 28:7</p>	<p><b>7,163,996.81</b> 16:24 <b>7200</b> 23:16</p>	<p><b>accounting</b> 15:11 17:25 <b>accounts</b> 12:21 14:7 17:16 18:10 22:11</p>	<p><b>ago</b> 11:6 24:10 <b>agree</b> 26:10 <b>agreed</b> 7:11,12 11:13 <b>agreement</b> 6:10 6:13,13 7:5,8 8:9,14,14 9:16 12:2,4,9 15:5 16:23</p>
<p><b>6</b></p>	<p><b>8</b></p>	<p><b>act</b> 6:1,10 7:18 15:19 26:21</p>	<p><b>agreements</b> 8:17</p>
<p><b>6</b> 4:14 <b>60</b> 7:23 <b>608</b> 4:21 <b>616</b> 4:23 6:8 <b>620,911.69</b> 16:15 <b>620,973.69.</b> 15:22 17:21</p>	<p><b>8,067,205.54.</b> 16:25 <b>8,400</b> 15:13 <b>8,709,684.13.</b> 15:24 <b>80,213.71.</b> 17:9 <b>87.50.</b> 15:16</p>	<p><b>action</b> 5:12 <b>activities</b> 8:25 <b>activity</b> 16:7 <b>actually</b> 23:6 23:14 <b>add</b> 26:3 <b>adding</b> 15:23 17:16 <b>additional</b> 4:9 5:17 8:3 9:7,14 10:13 13:13 19:6 21:6 <b>address</b> 26:3 <b>addressing</b> 8:23 23:9 <b>adjourn</b> 27:21 <b>adjourned</b> 28:7 <b>adjournment</b> 27:20 <b>aecom</b> 6:14 11:15,15 20:23</p>	<p><b>ahead</b> 19:4 <b>allow</b> 10:9 11:14 <b>allowed</b> 10:7 <b>amend</b> 8:16 <b>amending</b> 8:8 <b>amendment</b> 7:4 <b>amendments</b> 7:5,8 17:18 <b>amount</b> 25:7 <b>analysis</b> 23:21 <b>ancillary</b> 12:8 <b>annex</b> 1:3,12 <b>annual</b> 9:22 <b>answer</b> 10:13</p>
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	<p><b>9,260,512.72.</b> 16:4 17:5</p>	<p><b>abc</b> 25:22</p>	
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	<p><b>able</b> 24:16</p>	<p><b>access</b> 9:8 11:10 26:2,2</p>	
	<p><b>above</b> 1:10 6:22</p>	<p><b>accompany</b> 11:16</p>	

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	<b>b</b>		<b>c</b>
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