

1 EAST CHICAGO WATERWAY MANAGEMENT DISTRICT  
2 BOARD OF DIRECTORS MEETING  
3  
4  
5

6 Moderated by John Fekete, President  
7 Thursday, December 19, 2024  
8 5:00 p.m.  
9

10  
11 The East Chicago Waterway Management District  
12 4444 Railroad Avenue  
13 East Chicago, IN 46312  
14  
15  
16  
17  
18  
19  
20  
21  
22

23 Reported by: Vanessa Gonzalez  
24 Job No.: 6690224  
25

A P P E A R A N C E S

LIST OF ATTENDEES:

FERNANDO M. TREVINO, Executive Director

JOHN FEKETE, Board President

RAY LOPEZ, Board Member

JOHN BAKOTA, Board Member

JAYLAN ROBINSON, Board Member

HENRY RODRIGUEZ, Board Member

ALSO PRESENT:

VAUGHN COOLMAN, Army Corps of Engineers

ELLEN GREGORY, Ellen Gregory Law

VANESSA VARGAS, CliftonLarsonAllen

JIM WESCOTT, TetraTech

CAROL NISSEN, TetraTech

BOB SANTORE, BMO Harris Bank

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

2 MR. FEKETE: I'd like to call to order  
3 the East Chicago Waterway Management District Board of  
4 Directors' Regular Public Board Meeting. Today's date  
5 is December 19, 2024, and the time is five o'clock.  
6 All right. First order of business is a roll call.

7 Jaylan Robinson?

8 MR. ROBINSON: Here.

9 MR. FEKETE: John Bakota?

10 MR. BAKOTA: Here.

11 MR. FEKETE: Henry Rodriguez?

12 MR. RODRIGUEZ: Here.

13 MR. FEKETE: Ray Lopez?

14 MR. LOPEZ: Here.

15 MR. FEKETE: John Fekete is here. We  
16 have a quorum. Next order of business is the  
17 Executive Director's report.

18 Mr. Trevino?

19 MR. TREVINO: Yes. Fernando Trevino  
20 with FMT Consulting. I'd like to start off by going  
21 over the contents of your Board packet.

22 You have a copy of today's agenda. You  
23 have a copy of the public meeting posting for today's  
24 meeting. You have a copy of the Board minutes for the  
25 November 23, 2024, board meeting. You have a copy of

1 today's claim docket dated December 19, 2024, along  
2 with copies of purchase orders and a check register.

3 You have a copy of the Clifton Larson  
4 Allen financial report dated November 30, 2024, for  
5 the month of November, which was emailed earlier today  
6 and hard copies provided at today's board meeting.

7 You have a copy of the BMO trust report  
8 dated November 30, 2024. You have an email from Bob  
9 Santore of BMO dated December 17, 2024, summarizing  
10 the latest CD rates.

11 You have First Merchants' bank  
12 statements for the month of November 2024 for accounts  
13 ending in 608 and 616. Also included is a copy of two  
14 First Merchants' CD reports for accounts ending in 063  
15 and 321, both with a run date of December 16, 2024.

16 Also included are documents related to  
17 one User Fee deposit and one deposit of \$146,373.32  
18 that were made into account ending with 616. The  
19 \$146,000 deposit was related to reimbursement payment  
20 from BP related to agreements that the District has  
21 with BP.

22 You have an email from Debbie Milne of  
23 First Merchants dated December 17, 2024, related to  
24 penalty fees affiliated with early fund withdrawals  
25 from the two CDs that the District has with First

1 Merchants.

2           You have TetraTech's monthly progress  
3 report, invoice, and budget summary for November dated  
4 December 13, 2024.

5           You have a letter from me to Natalie  
6 Mills of the Corps dated December 16, 2024, asking for  
7 confirmation of Cleveland-Cliffs' SEP cost share  
8 credits -- and SEP is S-E-P -- cost share credits for  
9 prior years and future spending related to the Great  
10 Lakes Legacy Act projects.

11           You have the Army Corps of Engineers'  
12 report to the Board dated December 19, 2024. And  
13 last, but not least, you have attorney Ellen Gregory  
14 report to the Board dated -- with a revision date of  
15 December 18, 2024.

16           Going over a few items. Regarding the  
17 action items on today's agenda, we have the two  
18 traditional action items of the Board minutes and the  
19 monthly claim docket, and one additional item. It's  
20 approval consideration of CD financial direction for  
21 trust and non-trust funds. So although that's one  
22 item, there'll be two decisions made under that agenda  
23 item.

24           Also on today's agenda is FMT  
25 Consulting, Inc.'s 2024 Performance Evaluation annual

1 report. And I'll go into more detail when we get to  
2 that on the agenda.

3 I'd like to congratulate Board Member  
4 Jaylan Robinson for his reappointment to the Board for  
5 a three-year term.

6 MR. ROBINSON: Thanks.

7 MR. TREVINO: And he'll continue to  
8 represent the city council, so congratulations. A lot  
9 of exciting opportunities ahead of us, and you've done  
10 an awesome job the last three years. So looking  
11 forward to continue to work with you, Jaylan.

12 And we have election of officers  
13 scheduled for our January 2025 board meeting.

14 Regarding finances, I met earlier today  
15 with the finance committee meeting -- or finance  
16 committee, and there is a recommendation on expiring  
17 CDs from BMO and First Merchants, and we'll get into  
18 those in more detail when we get to that on the  
19 agenda.

20 Regarding 2020 User Fee collections, to  
21 date we have received approximately \$425,000, which is  
22 a hundred percent of all 2024 User Fees.

23 As of our November board meeting last  
24 month, there were three companies that still had an  
25 outstanding balance. So since then, all -- all three

1 companies have paid their balances, so we're now at a  
2 hundred percent collection for 2024.

3 So -- want to congratulate the District  
4 for the continued success on -- that's 15 years in a  
5 row that we -- we're at a hundred percent collection.

6 Regarding the Great Lakes Legacy Act  
7 project, the South Tank Farm Sheet Pile Wall  
8 construction project is completed. However, design of  
9 the groundwater management system is ongoing.

10 Regarding the Lake George Canal East  
11 section, the Corps is managing the dredging project  
12 on -- on EPA's behalf. The Corps is reviewing  
13 environmental and geotechnical data that will be used  
14 to finalize the dredging design. The Phase II  
15 dredging of the Lake George Canal East area is  
16 scheduled to be done in 2025.

17 Also, the Cleveland-Cliff SEP dredging  
18 was originally expected to be done in 2025. However,  
19 we recently heard that that's being postponed beyond  
20 2025. However, per their consent decree for that  
21 project, it's -- it's scheduled to be done prior to  
22 the end of calendar year 2028.

23 Regarding the Lake George Canal CAP  
24 project, the Army Corps of Engineer is managing that  
25 part of the project for EPA as well. The project team

1 continues to evaluate a couple areas of the CAP that  
2 appeared to have oil sheens penetrating the CAP.

3           Regarding the Lake George Canal West  
4 Remediation project, that work is ongoing and that  
5 project is between BP and EPA.

6           Regarding the Grand Cal River Junction  
7 Reaches remedial design, TetraTech remedial design  
8 work is ongoing. The project team continues to have  
9 biweekly project meetings to discuss various action  
10 items and activities including the design completion,  
11 property access coordination, permit applications,  
12 coordination with the Junction Marsh property owners,  
13 coordination with the former city dump site, and  
14 community engagement.

15           And the Costa [ph] Work Plan is also  
16 being worked on and that will be submitted by EPA.  
17 Originally, I thought that was going to be sent by the  
18 District, but the latest direction is that will be  
19 submitted by EPA.

20           Regarding the schedule for the Grand  
21 Cal River Junction Reaches, in 2025 we expect to  
22 complete the remedial design and contract of  
23 procurement. Remediation construction is anticipated  
24 to start in 2025, but it may be pushed into 2026.

25           The project team continues to work on

1 an omnibus project agreement that includes the Grand  
2 Cal River Junction Marsh and certain areas of the Lake  
3 George Canal sections. The latest forecast is the  
4 project will leverage approximately 175 million in  
5 federal funds to remediate our waterways.

6           Regarding community outreach for the  
7 Grand Cal River Junction Reaches, the project team  
8 continues to meet periodically to discuss the  
9 coordination and planning of the outreach. Currently  
10 the public outreach meeting is scheduled to be held  
11 after our March 20th board meeting at 6:30 in this  
12 conference room.

13           Regarding our cost share reporting, as  
14 a reminder, on October 30th, I submitted an amended  
15 work-in-kind cost share report that removed FMT  
16 Consulting, Inc. costs from years 2021, 2022, and  
17 2023, which is consistent with board approval.

18           Also, I've been working with EPA to  
19 have them formally approve all of the updated costs  
20 affiliated with the Cleveland-Cliffs SEP Project,  
21 which will be used to help finance the omnibus project  
22 agreement. The letter from me to Natalie Mills from  
23 the Corps, which is dated December 16, 2024, it  
24 summarizes my request. It's in your Board packet

25           Jim Wescott of TetraTech is on today's

1 call, yes?

2 MR. WESCOTT: Yes.

3 MR. TREVINO: He's on today's call, who  
4 has informed us that he plans to retire in early  
5 January. So also present today is Carol Nissen, who  
6 will be taking Jim's place. And I'll let Carol  
7 introduce herself when we get to the Grand Cal River  
8 update on the agenda.

9 Regarding the Canal Street Bridge  
10 project and the underwater obstruction in that area, a  
11 reminder that the Corps' contractor, Roen Salvage,  
12 removed the obstruction in early November, and we are  
13 now awaiting the Corps' assessment of the obstruction  
14 as to where it came from. And Vaughn can let us know  
15 if there's any update on this matter during his  
16 report.

17 Regarding the old Cline Avenue Bridge,  
18 demolition assessment of that bridge is ongoing. We  
19 continue to meet with various stakeholders, including  
20 representatives from Lake County, IDEM, EPA, and  
21 NIPSCO.

22 Some of the major tasks that we've been  
23 working on includes the relocation of the NIPSCO gas  
24 line that runs along the bridge, which is forecasted  
25 to be done in 2025; the review of bridge ownership;

1 and funding for engineering and demolition of the  
2 bridge.

3           Regarding the settlement agreement  
4 between the District/City of East Chicago, the project  
5 team continues to work on various ancillary action  
6 items affiliated with the settlement agreement.

7           Regarding the 1991 agreement related to  
8 the south of South Tank Farm parcel, ARBP recently  
9 submitted a no further action recommendation to IDEM,  
10 and IDEM is currently reviewing data and the  
11 recommendation. And so we're expected to -- to hear  
12 IDEM's position in the next few weeks.

13           The Corps' report is in your Board  
14 packet. Project manager Vaughn Coolman will be  
15 providing update report to the Board.

16           Attorney Ellen Gregory will give an  
17 update on various legal matters. And that concludes  
18 my report.

19           MR. FEKETE: Any questions for  
20 Mr. Trevino?

21           Thank you very much.

22           The next order of business is the  
23 approval consideration of the Board meeting notes for  
24 November 21st. Motion to approve.

25           MR. RODRIGUEZ: Second.

1 MR. FEKETE: Do we have a second?

2 MR. RODRIGUEZ: Second.

3 MR. FEKETE: Second. Okay. All in  
4 favor signify by saying "aye."

5 MULTIPLE SPEAKERS: Aye.

6 MR. FEKETE: Any abstentions or  
7 objections? Hearing none, the motion is approved.

8 The next order of business is the  
9 accounting consultant report.

10 MS. VARGAS: Good afternoon, everyone.  
11 Vanessa Vargas with CLA. Can you all hear me okay?

12 MULTIPLE SPEAKERS: Yes.

13 MS. VARGAS: Okay. In front of you,  
14 you have a copy of the financial statements on a cash  
15 basis dated November 30, 2024. If you turn to page 2,  
16 we will begin with the statement of cash receipts and  
17 cash disbursements for the 11 months ended November  
18 30, 2024.

19 You've earned interest income totaling  
20 \$462,859.17. You've collected User Fees totaling  
21 \$402,804.36. You received a trust transfer in the  
22 amount of \$280,283.25, as well as had a PCA and  
23 Tipping Fee Agreement net of a City MOU of  
24 \$5,676,833.43. This brings your total receipts to  
25 \$6,822,780.21.

1           Your total disbursements made up of the  
2 lines in front of you totals \$771,676.26. This brings  
3 you to an increase in cash in the amount of  
4 \$6,051,103.95. Your cash balance as of January 1,  
5 2024, was \$8,709,684.13. Your cash balance as of  
6 November 30, 2024, is \$14,760,788.08.

7           If you turn to page 3, we will continue  
8 with the schedule of cash account activity for the 11  
9 months ended November 30, 2024.

10           Operating account began the year with a  
11 cash balance on January 1st of \$1,121,983.80. You've  
12 earned interest totaling \$39,691.22. Cash  
13 disbursements have totaled \$771,614.26.

14           You received a trust transfer in the  
15 amount of \$280,283.25, as well as a budget transfer in  
16 the amount of \$281,130.16. This brings your operating  
17 cash balance as of November 30, 2024, to \$951,474.17.

18           Your User Fee account began the year  
19 with a cash balance of \$5,224,499.34. You've earned  
20 interest totaling \$326,206.69. You've had cash  
21 disbursements, which include CD and CDARS, as well as  
22 City MOU and bank fees, as well as a budget transfer,  
23 totaling \$4,031,192.16.

24           You redeemed a CDARS for a total of  
25 \$506,208.33. You've collected User Fees in the amount

1 of \$402,804.36, as well as had deposits for the PCA  
2 and Tipping Fee Agreement totaling \$7,926,833.43,  
3 bringing your User Fee account balance as of November  
4 30th to \$10,355,359.99.

5 You began the year with a CD balance of  
6 \$2,363,200.99. You've earned interest totaling  
7 \$96,961.26. You purchased a CD in the amount of \$1  
8 million and a CDAR in the amount of half a million  
9 dollars, and redeemed one CDAR for \$506,208.33. This  
10 brings your CD balance as of November 30th to  
11 \$3,453,953.92.

12 If you turn to page 4, we will continue  
13 with the schedule of 2024 available budget as of  
14 December 19, 2024.

15 Your 2024 budget appropriation totaled  
16 \$1,306,000. Adding back in accounts payable dated  
17 12/31/2023 in the amount of \$345,897.21, as well as  
18 2020 budget amendments netting to \$31,500, brings your  
19 2024 total appropriation to \$1,730,776.86.

20 Cash disbursements for the 11 months  
21 ended November 2024 totaled \$771,676.26. In front of  
22 you, you have a claims docket dated December 19, 2024,  
23 totaling \$61,664.69. This brings your total unused  
24 budget for 2024 to \$897,435.91. Does anyone have any  
25 questions?

1 MR. FEKETE: Thank you.

2 The next order of business is the FMT  
3 Consulting Performance Evaluation report.

4 MR. ROBINSON: You want to do the claim  
5 docket first?

6 MR. FEKETE: Huh?

7 MR. ROBINSON: The claim -- the claim  
8 docket.

9 MR. FEKETE: Oh. Let's do this first.

10 MR. ROBINSON: Okay.

11 MR. FEKETE: We'll come back to it.

12 MR. TREVINO: All right. So you  
13 have -- so I handed out the 2024 FMT Consulting, Inc.  
14 Performance Evaluation, the final results summary  
15 report.

16 So all board members were able to  
17 submit their evaluation scores. I appreciate your  
18 feedback. The report summarizes major progress and  
19 success stories for 2024. The overall average score  
20 for all categories and -- and all scores comes to 4.8  
21 out of a possible 5.0, which reflects a performance  
22 above expectations.

23 Just to kind of go over some of the  
24 highlights of 2024, the District finalized the  
25 accounting and payments related to amending the 2000

1 Project Cooperation Agreement between the District and  
2 the Army Corps of Engineers. As a result,  
3 approximately 2.7 million was received in the first  
4 quarter of 2024.

5 Also, the District finalized the  
6 accounting and payments from Cleveland-Cliffs Steel,  
7 LLC related to an amended Tipping Fee Agreement. Part  
8 of that agreement was to amend the CDF Tipping Fee,  
9 which was revised from \$71 per cubic yard to \$89.17  
10 per cubic yard.

11 As a result, the District received a  
12 payment of approximately 3.3 million in early 2024,  
13 plus accumulated interest payments of 1.2 million and  
14 9,500. And that was received in the first quarter of  
15 2024.

16 Also affiliated with that amended  
17 Tipping Fee Agreement, the District successfully  
18 argued that Cleveland-Cliffs had underpaid the  
19 District approximately 316,000. And after various  
20 meetings and discussions, Cleveland-Cliff agreed that  
21 we were underpaid. That payment was received and  
22 deposited in October of this year.

23 Also in 2024, the District started  
24 working with the EPA and ARBP on an omnibus Great  
25 Lakes Legacy Act project agreement that will include

1 remediation of the Grand Cal River Junction Reaches  
2 and parts of the Lake George Canal.

3 This approach will leverage accumulated  
4 work-in-kind funds that is estimated to authorize  
5 approximately 175 million in federal dollars towards  
6 remediation of the East Chicago waterways.

7 Also in 2024, the District continued to  
8 work and -- on follow-up action items affiliated with  
9 a complex multi-year \$4.5 million settlement agreement  
10 with ARBP and the City of East Chicago.

11 Per the District's MOU with the City of  
12 East Chicago, the District split the 4.5 million 50/50  
13 with the City, and the 2.25 million was transferred to  
14 the City in April of this year.

15 And also in 2024, the Corps notified  
16 the City and the District of an underwater obstruction  
17 near the former Canal Street Bridge abutments that was  
18 causing navigation concerns from shippers. That  
19 obstruction has been removed and the District  
20 continues to work with the Corps on assessing the  
21 source of the obstruction.

22 In 2024, the Corps completed the CDF  
23 Dyke Raising project and resumed federal navigation  
24 dredging. Over 84,000 cubic yards of sediment were  
25 dredged and disposed of in the local CDF.

1           Also this year, the District  
2 participated in the State Board of Accounts audit  
3 process that included a five-year period from 2019  
4 through 2023. The objective of the audit was to  
5 assess compliance with applicable Indiana Law,  
6 regulations, and the Uniform Compliance Guidelines  
7 established by the State Board of Accounts.

8           The State Board of Accounts audit  
9 concluded without any reportable instances of  
10 non-compliance. This accomplishment is a testament of  
11 the District's hard work, focus, and priority that's  
12 given to management of our finances while working on  
13 complex projects and agreements.

14           Also, this year marked the 15th year in  
15 a row that the District successfully collected a  
16 hundred percent of assessed User Fees.

17           And also this year, the District and  
18 various stakeholders continued to make progress toward  
19 the possible demolition of the old Cline Avenue  
20 Bridge. NIPSCO began the initial phases of rerouting  
21 their active pipeline that runs along the bridge, and  
22 in 2025 we're expected to have NIPSCO reroute that  
23 line.

24           And we're also -- hopefully we'll  
25 identify viable funding sources for the demolition of

1 the bridge.

2 That -- that summarizes the report. I  
3 want to thank the Board for their continued support  
4 and confidence in my management and leadership. Your  
5 evaluation and feedback are very important to FMT  
6 Consulting's mission to provide the best services  
7 possible.

8 We have some very exciting  
9 opportunities in 2025 and beyond, and I look forward  
10 to continuing to provide the best and highest quality  
11 services possible in the future. And that concludes  
12 the FMT report.

13 MR. FEKETE: Any questions for  
14 Mr. Trevino?

15 I want to thank you for your report and  
16 speaking on -- for myself and I think for the Board,  
17 we look forward to a successful 2025.

18 MR. TREVINO: Thank you.

19 MR. FEKETE: Okay. The next order of  
20 business is the approval of the Accounts Payable  
21 Voucher.

22 MR. ROBINSON: Motion to approve.

23 MR. FEKETE: We have a motion. And a  
24 second?

25 MR. RODRIGUEZ: Second.

1                   MR. FEKETE: And a second. Jaylan  
2 Robinson, he made the --

3                   MR. ROBINSON: Yeah -- I'm sorry.

4                   MR. FEKETE: Yeah -- for the court  
5 reporter's -- okay. We have a roll call vote.

6                   Jaylan Robinson?

7                   MR. ROBINSON: Yes.

8                   MR. FEKETE: John Bakota?

9                   MR. BAKOTA: Yes.

10                  MR. FEKETE: Henry Rodriguez?

11                  MR. RODRIGUEZ: Yes.

12                  MR. FEKETE: Ray Lopez?

13                  MR. LOPEZ: Yes.

14                  MR. FEKETE: John Fekete, I vote yes.  
15 That motion is approved.

16                  The next item for approval  
17 consideration is the trust and non-trust reinvestment  
18 decisions and direction.

19                  Mr. Trevino, you want to summarize for  
20 us?

21                  MR. TREVINO: Yes. So the finance  
22 committee met prior to our -- our meeting today and  
23 reviewed various options related to the BMO expired CD  
24 and also a couple CDs that expired from First  
25 Merchants. So I'll -- I'll cover the BMO first.

1                   So approximately 3.7 million expired  
2 yesterday on December 18th. The finance committee  
3 recommends that 3.4 million be put into an 18-month CD  
4 at the rate of 4.351 interest rate, and the balance be  
5 moved to the money market.

6                   Mr. Santore, did I summarize that  
7 as -- as you got it as well?

8                   MR. SANTORE: Yes, you did. And if you  
9 want exact figures, I -- I do have those available for  
10 you. You know, once reducing that CD down to 3.4  
11 million, the balance that would be moved over to the  
12 money market would come out to \$352,073.03. So that's  
13 what we'll -- we'll move over after renewing that CD  
14 for 3.4 million for another 18 months.

15                  MR. TREVINO: Okay. So that's the  
16 recommendation. So I'll ask the Board to approve that  
17 direction.

18                  MR. FEKETE: Okay. I'll entertain a  
19 motion for approval.

20                  MR. BAKOTA: Motion to approve.

21                  MR. FEKETE: John Bakota. Have any  
22 second?

23                  MR. RODRIGUEZ: Second.

24                  MR. FEKETE: Henry Rodriguez, second.  
25 Okay. Roll call vote.

1 Jaylan Robinson?

2 MR. ROBINSON: Yes.

3 MR. FEKETE: John Bakota?.

4 MR. BAKOTA: Yes.

5 MR. FEKETE: Henry Rodriguez?

6 MR. RODRIGUEZ: Yes.

7 MR. FEKETE: Ray Lopez?

8 MR. LOPEZ: Yes.

9 MR. FEKETE: John Fekete, I vote yes.

10 That motion is approved.

11 MR. TREVINO: Okay. Also on a  
12 separate -- the First Merchants part. There are two  
13 CDs that we discovered had expired: the CD ending in  
14 063 and the CD ending in 321. The -- the CD ending in  
15 063 is approximately 2.4 million. The CD ending in  
16 321 is approximately 1.02 million.

17 And after analyzing -- I guess what  
18 happened, these two CDs rolled over from two prior CDs  
19 that automatically extended themselves without us  
20 being notified.

21 So because the interest rate that it's  
22 at -- one is at 0.17 percent and the other is 0.1  
23 percent -- the finance committee thought it was worth  
24 moving it into the money market that's earning a  
25 minimum of 3.35%.

1                   And the penalty for the CD ending in  
2 063 for 2.4 million is \$4,127.90. The penalty for the  
3 CD ending in 321 -- the penalty is \$505.74. So after  
4 analyzing the pros and cons of leaving it there and  
5 the fact that once it's moved to a higher rate, the --  
6 the higher rate will pay off any -- any penalties  
7 within the first month or two.

8                   And so the recommendation is to have  
9 these two CDs transferred to the money market. And  
10 there's two money markets: one is for 3.35 -- 3.55.  
11 So of course we'll transfer it to the higher CD -- or  
12 the -- the higher rate.

13                   And then also, as part of going  
14 forward, we'll -- we're going to ask First Merchants  
15 if they can waive those penalties.

16                   So the recommendation is to move these  
17 two CDs into one of our money market accounts and then  
18 with the possibility of asking for the penalties to be  
19 waived. But even if they don't get waived, it's still  
20 a good idea to take them out of these low bearing  
21 funds. So that's the recommendation.

22                   MR. FEKETE: Okay. I'll entertain a  
23 motion to approve this direction.

24                   MR. RODRIGUEZ: Motion to approve.

25                   MR. LOPEZ: Second.

1 MR. FEKETE: Henry Rodriguez.

2 Have a second, Ray?

3 MR. LOPEZ: Yes, second.

4 MR. FEKETE: Okay. Roll call vote.

5 Jaylan Robinson?

6 MR. ROBINSON: Yes.

7 MR. FEKETE: John Bakota?

8 MR. BAKOTA: Yes.

9 MR. FEKETE: Henry Rodriguez?

10 MR. RODRIGUEZ: Yes.

11 MR. FEKETE: Ray Lopez?

12 MR. LOPEZ: Yes.

13 MR. FEKETE: John Fekete, I vote yes.

14 That motion has been approved.

15 The next order of business is the Great  
16 Lakes Legacy Act, Grand Cal River Junction Reaches  
17 Remediation project update.

18 MR. TREVINO: Jim, you want to start  
19 off?

20 MR. WESCOTT: Sure. Good evening,  
21 everybody. Fernando covered a lot of the tasks  
22 already in his opening summary.

23 We continue to work on the permits and  
24 the design kind of in tandem with the project  
25 agreement, which should be approved, I guess, in a

1 couple months. So things look like we'll have the  
2 design finish probably late summer or -- I mean late  
3 spring/summer.

4 We're also waiting on the results from  
5 the EPA-lead field investigation. The field sampling  
6 was completed in November, but a lot of the analysis  
7 of that data won't get completed until early 2025. So  
8 we're also waiting on that.

9 I'm retiring -- obviously, Fernando  
10 mentioned that -- in a couple weeks, but I don't think  
11 there will be any hiccups in terms of the project.  
12 Carol Nissen, who's also in the call -- and I'll let  
13 her introduce herself in a minute -- I've been working  
14 with her for 20 years.

15 She's done a lot of work in East  
16 Chicago and with EPA. A lot of it was more on the USS  
17 lead project that went on for years. She worked with  
18 the housing complex -- the West Calumet Housing  
19 Complex demolition project. So she's very familiar  
20 with the area. She's been working on the field  
21 investigation recently the EPA is leading.

22 So I don't really expect there to be  
23 any significant derailment of the project. It should  
24 continue to go pretty seamlessly. And then I'll just  
25 kind of segue to Carol.

1           If you're on, if you want to just take  
2 a few minutes to introduce yourself.

3           MS. NISSEN: Sure. Hi, everybody. I'm  
4 Carol Nissen from TetraTech. And, as Jim mentioned,  
5 I've been with -- I have about 30 years' experience  
6 leading remediation projects, doing design, doing  
7 sediment remediation, and camping projects.

8           So Jim has been transitioning much of  
9 the work over to me already, and -- yeah. I'm very  
10 excited to be a part of this project.

11          MR. TREVINO: Yeah. I'd like to thank  
12 Jim Wescott for all of his expertise and hard work and  
13 dedication to remediation of the AOC in East Chicago.  
14 His institutional knowledge of our AOC will be sorely  
15 missed, but I'm sure Carol will be able to do a great  
16 job and hold the fort.

17          And, Jim, on behalf of -- of the East  
18 Chicago Waterway Management District, I'd like to wish  
19 you good health and happiness on your well-deserved  
20 retirement.

21          MR. WESCOTT: Okay. Thanks.

22          MR. LOPEZ: Good luck on your  
23 retirement, Jim.

24          MR. WESCOTT: All right. Well, you  
25 guys have a good Christmas.

1 MR. TREVINO: Yeah, merry Christmas.

2 MR. FEKETE: Hard work over the years  
3 and it's been a pleasure working with you, and wish  
4 you well on your future endeavors.

5 MR. WESCOTT: All right. Thanks, guys.

6 MR. FEKETE: Next order of business is  
7 the Army Corps Board Report.

8 MR. COOLMAN: Vaughn Coolman from the  
9 Corps. My apologies. I neglected to print out the  
10 report this month.

11 MS. GREGORY: Let me -- let me make  
12 sure she can -- can you hear?

13 THE REPORTER: I can hear. Who was  
14 that speaking?

15 MS. GREGORY: Yeah, it's Vaughn Coolman

16 MR. TREVINO: Vaughn, you might want  
17 to --

18 MR. FEKETE: Yeah, yeah. Come up here.

19 MR. TREVINO: -- up here closer to the  
20 donuts.

21 MR. FEKETE: Yeah. She's the important  
22 one.

23 MR. TREVINO: Sitting right by the  
24 donuts. Don't worry about that.

25 MR. COOLMAN: Okay. So the CDF water

1 treatment will resume once a new contract is awarded.  
2 It is -- that contract is in its solicitation period  
3 right now, so we're accepting proposals. And I  
4 believe it's -- 30 days will be another -- almost  
5 another month before we have the bids and can pick the  
6 correct one.

7 Dyke Raise is still ongoing. There's  
8 some back and forth between the Corps and the  
9 contractor on different punch list items and other  
10 things that will eventually get worked out.

11 And as Fernando said, Roen Salvage has  
12 dredged over 84,000 cubic yards; drilling is complete  
13 with that. And the sediment sampling and borings,  
14 we -- it might be tomorrow, I think, we'll get the  
15 final analysis. I know they're still working on it,  
16 but it's almost a complete for the final analysis  
17 report.

18 And the oil boom coordination, we  
19 awarded the contract back in late September, and we're  
20 getting all the submittals, schedules, work plans from  
21 the contractor and we're reviewing them.

22 And again, we still -- or I don't  
23 think, you know, anyone's out there recently, but to  
24 make sure that our people and any of our contractors  
25 are being responsible in closing the oil boom there

1 every time that they go through.

2 Parkway, as usual, we inspect it once a  
3 month and clean it up as needed. The obstruction  
4 removal, Fernando and I talked about this earlier  
5 today, and I spoke with some people at the office.  
6 They're finalizing the report on that.

7 Again, hopefully, that one's this week.  
8 I imagine it will be because I believe the person  
9 that's finalizing it is going on vacation for -- for  
10 the holidays. But we'll have it done before they  
11 leave.

12 And then Fernando had -- had not  
13 mentioned this earlier, but we are aware of the  
14 sinkhole on -- I believe it's Canadian National Rail's  
15 property that abuts the channel. And we're tracking  
16 that and currently exploring our options to  
17 potentially address the situation.

18 It is on private property, so very --  
19 there's very specific circumstances where we can kind  
20 of intervene. And we will be, like I said, exploring  
21 those options and determine a way forward within our  
22 possibly regulatory authority or other authority to  
23 make sure that that doesn't become a bigger problem.

24 And that's it. Anyone have any  
25 questions?

1 MR. FEKETE: Where -- where is that  
2 sinkhole?

3 MR. COOLMAN: I -- Fernando said it's a  
4 Canadian National Rail area.

5 MR. TREVINO: Yeah. So there's a -- so  
6 it's the area where the former Canal Street Bridge,  
7 you know, runs basically north and south, and then  
8 right west of it is the railroad bridge. And it's  
9 basically right in the middle of the railroad bridge  
10 property. You know, there's like -- they have a sheet  
11 pile wall also, and you can see a sinkhole, like,  
12 right in the middle of it.

13 MR. COOLMAN: Is it right behind the  
14 sheet pile wall there?

15 MR. TREVINO: Yeah, it's -- it's on the  
16 land side, right, of -- of the sheet pile, and then  
17 you could see it. I -- I could -- I could bring it up  
18 and show it to you here in a second.

19 MR. FEKETE: Yeah, let's -- I'm just  
20 curious what it was. You know, what's the reason for  
21 it?

22 MR. TREVINO: Yeah. Yeah.

23 MR. FEKETE: Is that railroad property?

24 MR. TREVINO: Yeah, that's -- yeah,  
25 it's railroad property.

1 MR. FEKETE: Are they aware of it?

2 MR. TREVINO: I'm assuming they are.

3 MR. FEKETE: Okay.

4 MR. TREVINO: Because I think the  
5 Corps -- I think -- I thought the Corps notified them.

6 MR. COOLMAN: I'm not sure if they  
7 notified them or not. I -- I didn't ask. I can -- I  
8 can follow that up tomorrow --

9 MR. TREVINO: Okay.

10 MR. FEKETE: I just wonder if it's a --  
11 what caused the sinkhole? Is it a -- a pipe leaking  
12 underneath or --

13 MR. TREVINO: Right.

14 MR. FEKETE: It could be any -- could  
15 be a utility, you know.

16 MR. TREVINO: Could be material leaking  
17 under --

18 UNIDENTIFIED SPEAKER: Pulling out,  
19 yeah.

20 MR. TREVINO: -- under and out into the  
21 channel.

22 MR. FEKETE: Would that affect the  
23 integrity of the -- of the railroad bridge?

24 UNIDENTIFIED SPEAKER: Oh yeah. It --

25 MR. TREVINO: It could if it's -- if

1 it's substantial.

2 MR. FEKETE: Shifting sideways and let  
3 it fall into the canal. Another obstacle. Oh wow.  
4 Okay.

5 Well, thank you very much. Appreciate  
6 your attendance and -- and your reports.

7 MR. TREVINO: Okay.

8 MR. FEKETE: The next order of business  
9 is the attorney Ellen Gregory report.

10 MS. GREGORY: Yes. Ellen Gregory with  
11 Ellen Gregory Law. Primarily, I've been working with  
12 Fernando on the documentation related to the Great  
13 Lakes Legacy Omnibus PA and statement of work moving  
14 into 2025 as the Grand Cal River work moves forward.

15 We expect legal work to -- involving  
16 that project, including review of contracts, et  
17 cetera. And that's all I have for tonight.

18 MR. FEKETE: Okay. Any questions?

19 Thank you very much.

20 Any other new business to come before  
21 the Board? Any public comments?

22 MR. LOPEZ: Yeah, I have a public  
23 comment. I want to thank everybody that has  
24 participated in our Board, And also, the whole year  
25 has been pretty good for us. We did a lot of work

1 with a lot of cooperations, and I'm glad everybody  
2 reports to us. It keeps us informed and I think we're  
3 doing real great. I want to thank everybody and wish  
4 everybody a merry Christmas and a happy New Year.

5 MR. FEKETE: Thank you, Ray. I -- I  
6 think your comments echo the -- the sentiments of all  
7 the Board members. Appreciate it.

8 The next board meeting will be January  
9 16, 2025.

10 MR. TREVINO: What did I have there?  
11 Yeah. Okay. Yeah. It's 2025. You're right.

12 MR. FEKETE: Motion for adjournment.

13 MR. RODRIGUEZ: Motion.

14 MR. FEKETE: Second?

15 MR. BAKOTA: Second.

16 MR. FEKETE: All in favor, signify by  
17 saying "aye."

18 MULTIPLE SPEAKERS: Aye.

19 MR. TREVINO: Hey. Ask the court  
20 reporter if she has any questions on any spellings if  
21 she could, you know, contact me.

22 MS. GREGORY: Did you hear that,  
23 Vanessa?

24 THE REPORTER: I did, yes. Thank you  
25 very much. I don't -- I think the majority were

1 numbers -- lots of numbers, which I will listen back  
2 and I'll get that. I think everything else I pretty  
3 much have.

4 Let me just double check since I have  
5 you all here. The only thing I -- the only thing I  
6 was missing were the names of everybody that is  
7 present. So that was it. So if you want email me  
8 that later --

9 MS. GREGORY: I'll just shoot her an  
10 email since I have her --

11 THE REPORTER: Yeah. Yeah, that would  
12 be very helpful.

13 MS. GREGORY: Okay. I'll do it.

14 THE REPORTER: But other than that,  
15 yeah, we're good.

16 MULTIPLE SPEAKERS: Thank you.

17 THE REPORTER: Thank you. Happy  
18 holidays.

19 (Whereupon, at 5:45 p.m., the  
20 proceeding was concluded.)

21

22

23

24

25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

CERTIFICATE

I, VANESSA GONZALEZ, the officer before whom the foregoing proceedings were taken, do hereby certify that any witness(es) in the foregoing proceedings, prior to testifying, were duly sworn; that the proceedings were recorded by me and thereafter reduced to typewriting by a qualified transcriptionist; that said digital audio recording of said proceedings are a true and accurate record to the best of my knowledge, skills, and ability; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.



VANESSA GONZALEZ  
Notary Public in and for the  
State of Indiana

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

CERTIFICATE OF TRANSCRIBER

I, LISA OUIMETTE, do hereby certify that this transcript was prepared from the digital audio recording of the foregoing proceeding, that said transcript is a true and accurate record of the proceedings to the best of my knowledge, skills, and ability; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.



LISA OUIMETTE