



CARE Meeting Summary – February 27, 2020

Thursday, February 27, 2020, 1:00 PM – 3:00 PM CST
Student Union and Library Building, Room 321
Purdue University Northwest – Hammond Campus

In Attendance: Michelle Caldwell, Michael Spinar (IDEM); John Fekete (CARE Co-chair); Paul Labus, Matthew Beatty (TNC); Emily Stork (IDNR); Maureen Turman (NiSource); Jennifer Birchfield (NWI Urban Waters); Peg Donnelly (U.S. EPA); Leslie Dorworth (IL/IN Sea Grant); Natalie Johnson (Save the Dunes); Fernando Treviño (City of East Chicago)

Via phone: Jim Bailey, Dav Parry, Anne Remek (IDEM); Brenda Scott-Henry (City of Gary); Dan Sparks (USFWS); Carl Wodrich (IDNR)

Public Attendees:

None

1. Introductions:

John Fekete opened the meeting at 1:08 pm and took roll of those in person and on the phone.

2. January 2020 CARE Meeting Summary/Action Items Follow-up

- **January 2020 CARE Workgroup Summary**

There were no corrections to, or comments regarding, the summary from the January 2020 CARE Workgroup Meeting

- **Confirm with the U.S. Army Corps whether the CDF will be maintained as a ponded/open water facility during the dike raise.**

Michael Spinar (IDEM) followed up with the U.S. Army Corps of Engineers, who confirmed that there will not be a cap/cover over the facility and it will be maintained as a ponded/open water facility during the dike raise.

- **Inquire as to whether there have been any studies or documentation regarding the effectiveness of the wildlife deterrence program at the CDF.**

Michael shared that USDA does keep a log of oiled and deceased birds on site; however, there have not been any onsite since the deterrent program has been employed. The only notable bird was an injured ring-billed gull that was taken to a rehabilitation center (Indiana Humane) for a broken wing. The injury most likely wasn't caused by anything on site and was most likely a collision to a powerline.



Michael circulated an example of a report on the deterrence activities from December 2019 for review by the CARE Members.

- **Inquire with U.S. EPA as to next steps with respect to East Branch Phase II.**

Michael reported that EPA is working with the Gary Sanitary District to determine whether additional work may be credited as non-federal match. The agency is not currently aware of any additional non-federal sponsors that may be found to support the remedial portion of the project. It is therefore currently unknown whether sufficient nonfederal match will be available to proceed into the project phase.

- **Provide additional information regarding the economic development center being built in the City of Gary.**

Several CARE Members conducted further research on this topic. They found that the Northwest Indiana Information Sharing and Security Alliance (NIISSA) has plans to construct a multi-agency coordination center on nine acres of property at the Gary Airport. CARE Members inquired as to the exact location of the development center and its location relative to the Airport and Cline Avenue. Michael agreed to take the lead in attempting to determine the location of the NIISSA facility.

- **Respond to Request for Information on Project Participation by the U.S. Army Corps.**

At the January meeting, Kay Nelson advised the group that leadership within the Chicago District of the U.S. Army Corps of Engineers is requesting information on participation in activities throughout Northwest Indiana other than the dredging of the Indiana Harbor Ship Canal. She also suggested that, as projects have recently been transferred to the Chicago District from neighboring ones, it would be useful for CARE members to think of ways to better engage the agency. CARE members agreed to try to gather information on current projects that they are aware of that have USACE Chicago District involvement.

John and Fernando added that they met with the new deputy engineer with the Chicago District to review project planning efforts. He indicated that he is receptive to a tour of AOC projects to get the big picture of AOC restoration efforts. They reported that he is also familiar with various wetland and harbor issues in the area.

John and Fernando then mentioned that several changes are occurring at the Chicago District. First of all, the current Commander of the Chicago District will be rotating out and a new one instilled in his place. Secondly, the Army Corps has been changing the various district boundaries to better align with watershed boundaries. The Chicago District now has a significantly expanded area of responsibility. John agreed to provide



a map to CARE Members. (See a comparison of the district areas in Attachment A of this meeting summary.)

Finally, John and Fernando mentioned that, due to the interest in high lake levels impacting the AOC and elsewhere, the East Chicago Waterway Management District invited a speaker from the National Oceanic and Atmospheric Administration (NOAA) to provide a presentation on Great Lakes water levels on March 18 at 5:30 pm, following the regularly-scheduled board meeting.

- **Discuss potential format and venues for informal AOC Coffee Chats with local stakeholders.**

Save the Dunes has found coffee chats to be useful in its outreach efforts. Michael suggested speaking with Victoria offline during the January 2020 CARE Workgroup Meeting to gather additional information and has not yet followed up.

3. Sediment Management Actions (BUIs #1-2, #4-7) Update

a. Dredging of Navigational Channel

Michael reported that the contractor for the U.S. Army Corps of Engineers expected to resume dredging in April. The project includes both the work to clear the dredging backlog of the Congressionally-authorized federal navigation channel and the dredging of selected berthing areas outside the federal channel at the request of local property owners. All dredged materials are deposited in the Indiana Harbor Confined Disposal Facility (CDF) in East Chicago.

The Army Corps has estimated that the remaining sediment backlog will be cleared with this year's dredging. Thereafter, a three-year hiatus in dredging activities is planned through 2023 to allow for the CDF's dikes to be raised 11 feet, which will double its capacity to 4.8 million cubic yards from the current 2.7 million cubic yards. The Army Corps reported that it has recently received funding to conduct this project and currently expected to award a contract for the construction in June.

Routine maintenance dredging of the federal channel is expected to commence in 2024 following the dike raise. The additional capacity of the CDF will be utilized to store sediments dredged over the next 30 years (through approximately 2053).

b. Lake George Branch Middle & East

Michael reported that the East Portion of the Lake George Branch project extends from Indianapolis Boulevard in East Chicago to the CSX railroad bridge. Approximately 40 percent of the Lake George East project area is within the federal navigation channel. The Middle Portion extends from the CSX bridge to the BP land bridge.



The Great Lakes Legacy Act Project Agreement between EPA and the non-federal sponsors (the East Chicago Waterway Management District, Atlantic Richfield Co., and BP) has been approved and the US Army Corps is currently working to complete the project design for the canal. In the meantime, ARCO/BP has begun source control work on the South and West Tank Farm parcels at the former ECI refinery site and has already removed numerous pipelines from the South Tank Farm.

ARCO/BP held a public meeting on February 19 to discuss the draft Basis of Design Report. The contractor for the project is currently working to complete the 30 percent design by May and is anticipated to complete the 90 percent design by September 2020. A barrier wall system is being designed for the South Tank Farm to minimize migration of contaminants into the canal, while providing bank stabilization to support dredging of the East project area. Construction is currently anticipated for the first half of 2022. A bank stabilization system is being designed for the West Tank Farm to tie into the planned cap in the Middle project area. Construction is anticipated to occur from late 2021 through mid-2022.

Because this source control work will not be completed prior to the end of the 2020 dredging season, the Army Corps will not be able to dredge along the South Tank Farm without risking the stability of the south bank prior to initiating the CDF dike raise. Thus, the Army Corps has proposed splitting the dredging into two phases, with the first phase consisting of dredging and disposal of the majority of the sediment into the CDF, but leaving a buffer along the South Tank Farm parcel. The smaller second phase would then consist of dredging and more costly off-site disposal of the remaining material.

The first phase dredging is anticipated to occur this year, with capping of the middle portion to occur in 2021, completion of BP's source control measures at the South and West Tank Farms in 2022, the CDF dike raise in 2023, and the second phase dredging of the East project area in 2023 or 2024.

Fernando (ECWMD) added that the USACE is working with IDEM and U.S. EPA to determine whether the planned dike raise will trigger the need for modifications of existing permits/approvals.

c. East Branch, Phase II

East Branch Phase II project includes the dredging and capping of 2.5 miles of the East Branch of the Grand Calumet River between Cline Avenue and the US Steel Reach in Gary, as well as closure of the Ralston Street Lagoon in Gary.

The 30% Remedial Design for this project has been completed. As referenced earlier, in response to a question, Michael inquired on next steps from U.S. EPA. EPA staff stated



that the agency is working with the Gary Sanitary District to determine whether additional work may be credited as non-federal match. As of the February CARE meeting, the agency was not aware of any additional non-federal sponsors that would be found to support the remedial portion of the project. It is therefore currently unknown whether sufficient nonfederal match will be available to proceed into the project phase.

CARE Members inquired about the approximate project cost for East Branch Phase II. Michael stated that it was estimated at approximately \$80 million.

d. Junction Reach

The Junction Reach includes approximately 1.5 miles of the Indiana Harbor Ship Canal south of Columbus Drive and approximately 1.4 miles of the Grand Calumet River between Indianapolis Boulevard and Kennedy Avenue. Michael reported that EPA anticipates that only containment will be utilized for the portion of the Grand Calumet River from the Junction to Kennedy Avenue. Both removal and containment are anticipated for the remainder of the project area.

A 70% design of the Junction Reach was completed in 2015, with the report being released in early 2016. EPA, IDEM, and the East Chicago Waterway Management District are still working to identify non-federal cost share for the project. The agreement signed between AR/BP and the ECWMD includes the provision of a portion of the non-federal cost share overmatch on the Lake George Branch Middle and East Project to this reach.

John and Fernando added that the ECWMD and EPA have been discussing whether a new Great Lakes Legacy Act Project Agreement (PA) or a modification of the existing PA should be the next step in the process. They also expressed a timing concern for the \$8.1 million of the ArcelorMittal Supplemental Environmental (SEP) Project Dredging – the funds need to be utilized by the end of 2023. If those funds are not able to be timely spent, that will put this project another two or three years out. EPA and the ECWMD are also exploring whether they can capture SEP funds that had already been spent while the ECWMD was a local Great Lakes Legacy Act (GLLA) project sponsor.

In response to a question from Peg Donnelly (U.S. EPA) regarding acceptable forms of nonfederal match, Michael discussed the various nonfederal match tiers listed in the 2006 issue of the Federal Register that sets forth implementation guidance for the GLLA. CARE Members then discussed the history of the use of SEP funds as match.

e. BUI #7 Removal Target Update

Michael relayed that IDEM continues to work to revise the removal target for BUI #7: Restrictions on Dredging Activities. Once the draft target has been further refined, it



will be vetted through the CARE Committee. IDEM currently plans to complete revision of this BUI removal target in 2020.

4. Habitat Management Actions (BUI #3 & BUI #14) Update

a. Management Action #1 – Dune, Swale, and Riverine Restoration

Emily Stork (IDNR) reported that crews have been working on bush removal at Ivanhoe South and Pine Station and are currently wrapping up the season's winter work. One difficulty encountered has been the lack of firm ice cover, which has hampered buttonbush removal efforts and work that involves accessing the swales.

Staff from IDEM, IDNR, and Lake County Parks met with staff from U.S. EPA's Great Lakes National Program Office (GLNPO) on January 10, 2020 to discuss progress made to date on the Dune and Swale project. Due to several factors, which include delays in woody clearing efforts caused principally by abnormally warm winters in 2016-2017 and 2017-2018, hydrologic changes to portions of several properties, and poor native seedbank quality in heavily modified areas, the parties made an informal request of GLNPO for an extension to the existing grant and new funding. The parties have since provided EPA with additional information, including non-federal resources that have been provided to support AOC habitat restoration, and are currently awaiting a determination from the agency.

b. Management Action #2 – River Corridor Establishment

Michael stated that IDEM updated the draft river corridor grant application/workplan in November 2019 and held a meeting with several City of Gary departments in December to discuss the access agreements for several parcels, most notably for those within the footprint of the Gary Airport. IDEM subsequently provided Gary staff with a draft of an updated agreement in early January and resolved the remaining issues. The Gary-Chicago International Airport Authority subsequently signed the agreement at its February 12 meeting. IDEM is working with the Gary Sanitary District and Gary Redevelopment Commission to obtain signed access agreements for the remaining City of Gary parcels.

c. Management Action #3 – Lake George Branch Wetlands Restoration

Carl Wodrich (IDNR) informed CARE Members that the contractor for the Lake George Branch Wetlands Project will be retained through the end of 2020 and the contract change order was sent earlier in the day.

d. Management Action #4 – Prescribed Fire Plan/Contractual Burns

Carl Wodrich and Emily Stork (IDNR) gave an update on the implementation of the prescribed burn plans project. The weather conditions have not been supportive of



conducting burns in the last month; however, field staff have been preparing fire breaks and conducting other work in anticipation of future burns. In response to questions from CARE Members, Paul Labus (TNC) clarified that controlling smoke impacts is the main factor in determining appropriate burn days.

e. Management Action #5 – Pine Station Ponds and Oxbow

Carl Wodrich (IDNR) stated that the design work for this project was awarded to TetraTech. The IDNR Division of Public Works plans to process the contract during the week of February 24, and the contract is expected to be executed before the State fiscal year closeout.

f. Early Detections

No early detections have been reported since the January 2020 meeting.

g. BUI #3 and BUI #14 Removal Targets

Staff from IDEM, U.S. Fish and Wildlife Service, and IDNR held a meeting on January 28 to discuss the BUI 3 (Degradation of Fish and Wildlife Populations) and 14 (Loss of Fish and Wildlife Habitat). Michael characterized the conversation as very thoughtful and stated that he felt there was more interest in revising the removal target for BUI #14 than BUI #3. The current plan for revising the BUI #14 removal target is to convene separate fish and wildlife habitat workgroups and then bring the proposed revisions before the CARE Committee. IDEM plans to develop revised removal targets for these BUIs in 2020.

Peg Donnelly (U.S. EPA) noted that IDEM, IDNR, and East Chicago Marina staff participated in a discussion of fish stocking and *E. coli* levels at the East Chicago beaches on February 7. Peg suggested that IDEM contact IDNR's Lake Michigan Biologist, Ben Dickinson, for fish community data that might be useful in evaluating BUI status.

5. Aesthetics (BUI #11) Update

There are no major updates with respect to this item. IDEM continues to work with local partners to address aesthetics issues noted during previous rounds of monitoring.

6. AOC Plankton Monitoring Presentation (BUI #8 and #13)

With agreement from CARE Members, Michelle Caldwell postponed her Beach Closings BUI presentation until the next CARE Meeting. Michael Spinar presented on the AOC Plankton evaluation project initiated in 2018 and completed in 2019. This presentation ran long and further discussion and questions were postponed until the next meeting. Some of the questions and comments that arose during the meeting included:



- Questions as to whether areas of clearer water and high pH might be due to weathering of slag deposits.
- Did the pH probe autocorrect for temperature and pH?
- What is the depth at which samples were collected?
- What is the state standard or average for specific conductivity and turbidity?

Michael agreed to research the answers to these questions prior to the next CARE Meeting.

7. Outreach/Education Activities and Table Talk

- Michael reported that IDEM's Northwest Regional Office was beginning the annual outreach season. Michelle and Michael attended the Portage Fish-ON event on February 22, where, among other topics, they discussed the Grand Calumet River AOC RAP Program with attendees.
- Save the Dunes is planning to make a visit to Washington, D.C. during the week of March 2.
- The Grand Calumet Stewardship Day in 2020 is planned for May 19. This program brings students from East Chicago to Seidner Dune and Swale to conduct observations and interact with the river.

8. Public Comment

There were no public comments.

9. Meeting Adjournment

John Fekete adjourned the meeting at approximately 3:10 pm.

Next Workgroup Meeting: Thursday, March 26, 2020, 1:00 pm – 3:00 pm
Purdue Northwest's Hammond Campus

Attachment A: Army Corps District Maps

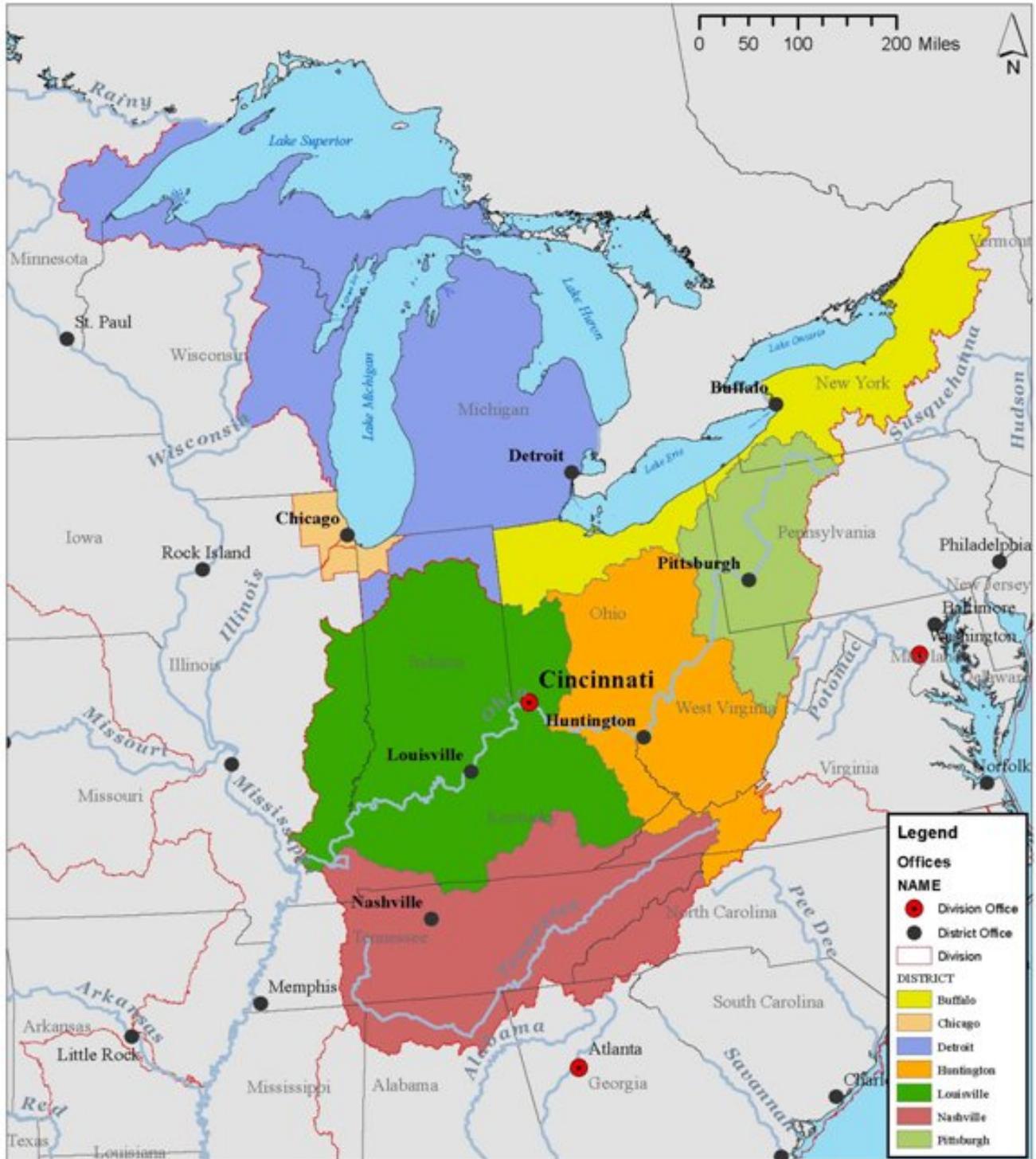


Figure 1. Great Lakes and Ohio River Division Army Corps Boundaries Prior to the 2020 Reorganization.

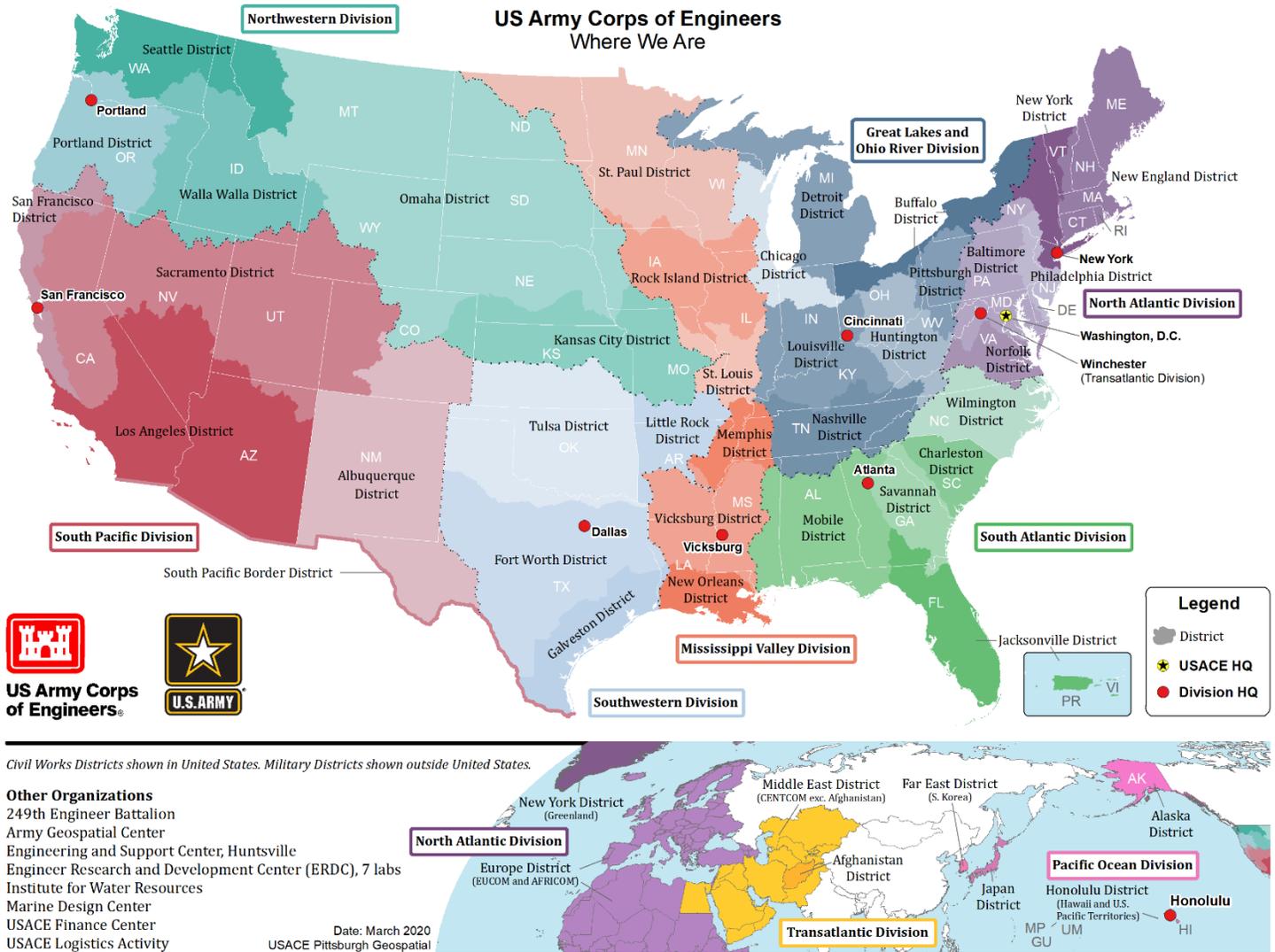


Figure 1. Army Corps Division and District Boundaries Following the 2020 Reorganization.