

**MINUTES OF
SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY-EAST
OPERATIONS COMMITTEE MEETING
HELD ON JANUARY 5, 2012**

PRESENT: Louis Wittie, Chair
Dave Barnes, Committee Member
Timothy Doody, Committee Member
Stephen Estopinal, Committee Member

The Operations Committee of the Southeast Louisiana Flood Protection Authority-East (SLFPA-E or Authority) met on January 5, 2012, in Meeting Room 221, Orleans Levee District Franklin Administrative Complex, 6920 Franklin Avenue, New Orleans, Louisiana. Mr. Wittie called the meeting to order at 9:30 a.m.

Opening Comments: None

Adoption of Agenda: The agenda was approved.

Approval of Minutes: The minutes of the December 1, 2011 Operations Committee meeting were approved.

Public Comments: None.

New Business:

A. Discussion of a Supplemental Agreement with Design Engineering, Inc. for the Lakeshore Drive Erosion Protection Design Phase and Bidding Phase for Reach 1 and Reaches 4 and 5.

John Holtgreve with Design Engineering, Inc. (DEI) provided a presentation on the project. He explained that over years aerial subsidence, sea level rise and subsidence of the seawall structure itself have occurred. He reviewed the various alternatives implemented by the Orleans Levee District (O.L.D.) over the years to protect the area between Lakeshore Drive and the seawall, as well as several alternatives that were not pursued. Slides were shown of the various alternatives and the erosion protection projects previously constructed. The O.L.D. has performed extensive backfilling behind the seawall along its entire length because of erosion from wave overtopping; however, it is difficult to determine whether the fill material filtered to the bottom of the seawall steps. Inspection holes were drilled in the steps in some locations in order to determine the amount of fill material at that location. The inspection holes are not continuous throughout the length of the seawall. DEI recommended pile support in areas where there is wave impact.

Mr. Holtgreve showed a slide of the slab design between the seawall and Lakeshore Drive that is currently being proposed. The project includes 35-ft. support piles, sealing

of the seawall expansion joints, sheetpile in back of the seawall, drainage revisions, benches, safety lighting, ADA accessible observation locations, trash receptacles, decorative paving and plantings at limited locations. Reach 1B and Reaches 4 and 5 are each approximately 3,500-feet long. The initial cost estimate for Reach 1B of \$6.7 million has been reduced by about \$600,000. The cost estimate for Reaches 4 and 5 is \$4.5 million. The O.L.D. has budgeted funding in 2012, 2013 and 2014 for seawall erosion protection. Construction of the reaches will be staggered. Reach 1B will be constructed first and then Reaches 4 and 5.

Gerry Gillen, O.L.D. Executive Director, recommended that a resolution be presented to the Board authorizing the execution of a Supplemental Agreement with DEI so that the firm can proceed with the design and bid of the project.

Mr. Estopinal commented on the importance of the seawall during common storm events that would otherwise place wave energy against the levee toe and mid-reach of the levee, as well its importance during extreme storm events in breaking wave energy. Therefore, the project is necessary for flood protection. A motion was offered by Mr. Estopinal, seconded by Mr. Doody and unanimously adopted, to forward the proposed resolution to the Board for approval.

B. Discussion on Bayou Dupre Control Structure Gate.

Robert Turner, SLFPA-E Regional Director, explained that vibrations were noticed as leafs of the structure were being tested. The U.S. Army Corps of Engineers (USACE) hired a vibrations expert to verify the origin of the noise. It was agreed that the problem seemed to be originating in the greaseless bearings or the hinge and the pintle of the structure. The USACE is now determining the best path forward, which may include replacement of the greaseless bearings with regular greased-type bearings. The repair may delay completion of the project for some time. The USACE has not yet determined an official path forward.

Chris Gilmore with the USACE advised that potential solutions and courses of action are being considered. A recommendation will be supplied to the Commander before an official position is taken. The sector gate constructed near Caernarvon is a different type of system and is not expected to experience this kind of problem. The Bayou Dupre Control Structure Gate is operational and does open and close. Should the structure not be repaired before the upcoming hurricane season, the recommendation will be that the Lake Borgne Basin Levee District (LBBLD) continues its operation of the existing Bayou Dupre Control Structure, and the new structure would be operated only during major storm events. The elevation of the old structure is 15.5-ft. and the elevation of the new structure is 31-ft. He stated that the SLFPA-E will be kept informed on this matter.

C. Discussion of Levee Districts' Master Drainage Plans and SLFPAE policy regarding future drainage structures.

Mr. Estopinal explained that in the 1980's a drainage study was performed that resulted in a Master Drainage Plan for St. Bernard Parish, which was recorded in the Clerk of Courts' Office. The Master Drainage Plan designated proposed drainage canals in certain locations through private property throughout the Parish. The landowners were not notified that there was a proposal for a canal on their property and there was no recordation against their property concerning a proposed canal. The plans existed in the Office of the Department of Transportation and Development (DOTD) on Lakeshore Drive. He explained that he became aware of two subdivision development situations involving portions of land in the Meraux area. The first situation involved an entrepreneurial group who had a market study performed for a proposed subdivision development, purchased land, performed a title examination, received the appropriate approvals, executed contracts and started construction. The second situation involved a canal abandoned by the LBBLD on an adjacent development. The abandoned canal was converted into a detention system by the landowner in order to meet regulations relative to storm water release. When the landowner approached the LBBLD for approval of the detention system, he was informed by DOTD that he had to donate land and construct a canal in order to conform to the Master Drainage Plan. The property owner fought DOTD's decision and a compromise agreement was reached. DOTD then reconsidered the subdivision being developed in the first situation and revoked the permit. DOTD informed the landowners that they had to build a 125-ft. wide canal through the 250-ft. wide property and donate the canal right-of-way, which caused the developers to go into bankruptcy.

Mr. Estopinal inquired about the rights and authority of the LBBLD under the Master Drainage Plan relative to regulating and permitting construction. Mr. Turner explained that a settlement agreement was executed between the St. Bernard Parish Government and FEMA in the 1980's because of problems in some of the subdivisions where flooding was continuously being experienced. Part of the requirement was that the LBBLD review all subdivision plans and issue either a letter of no objection or a letter of objection to the St. Bernard Parish government. The LBBLD never had the authority to regulate subdivision construction—it could only advise the Parish government whether or not the subdivision met the Master Drainage Plan. Once the settlement agreement was lifted, the LBBLD was no longer required to provide this information to the Parish government on subdivisions. However, the Parish still refers some cases to the LBBLD and requests this information. In these situations, the LBBLD goes to DOTD and conveys the information back to the Parish government. Mr. Estopinal commented that the LBBLD should review all drainage plans. He asked, if the Master Drainage Plan is in place, does the LBBLD have the authority to enforce these requirements? Mr. Turner advised that he would have Bob Lacour, SLFPA-E Counsel, review this matter. He noted that the St. Bernard Master Drainage Plan may no longer meet today's standards. He pointed out that the LBBLD does request information relative to outflows into the canals when approached for a permit.

Mr. Estopinal requested that an item be placed on the agenda for the March committee meeting to discuss whether or not the Master Drainage Plan should be revisited and a policy on corridor preservation for future drainage structures and canals.

LEVEE DISTRICT REPORTS:

Lake Borgne Basin Levee District (LBBLD): Stuart Williamson, LBBLD Executive Director, reviewed the highlights of the LBBLD Monthly Status Report (copy appended to minutes). He reported on the actions being taken by the LBBLD in the Digital Flood Insurance Rate Maps (DFIRM) process.

Orleans Levee District (O.L.D.): Gerry Gillen, O.L.D. Executive Director, reviewed the highlights of the O.L.D. Monthly Status Report (copy appended to minutes).

East Jefferson Levee District (EJLD): Fran Campbell, EJLD Executive Director, reviewed the highlights of the EJLD Monthly Status Report.

There was no further business; therefore, the meeting was adjourned.