

**MINUTES OF
SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY-EAST
OPERATIONS COMMITTEE MEETING
HELD ON JUNE 7, 2012**

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

The Operations Committee of the Southeast Louisiana Flood Protection Authority-East (SLFPA-E or Authority) met on June 7, 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 amended to add Item D to consider the adoption of the National Spatial Reference Center as the control mechanism for the SLFPA-E's vertical data and Item E to receive an update from the Regional Director on several problems dealing with seepage, the IHNC Surge Barrier Barge Gate and foreshore protection slippage. The amended agenda was unanimously adopted.

Approval of Minutes: The minutes of the May 7, 2012 Operations Committee meeting were approved.

Public Comments:

Mr. Wittie advised that public comments should address items listed on the agenda; however, he would at this time allow public comments on other matters until the procedures for public comments have been clarified.

Craig Berthold, a resident along the 17th Street Canal, asked for a clarification on whether the public is allowed to comment on specific agenda items during the public comments portion of the meeting or whether the public needs to wait until a particular item comes up on the agenda in order to comment. He also asked about the purpose of a separate item on the agenda for public comments. He stated that since the public is allowed to comment on agenda items that require a vote, it seems to give individuals multiple public comment opportunities at each meeting. He asked would the two minute restriction be applied to each comment opportunity. He added that the property owners present will have comments or questions relative to the agenda items under new business; however, the comments or questions cannot be formulated until after the discussions or presentations are heard.

Roy Arrigo, a resident along the 17th Street Canal, commented that according to the open meetings law the host of the meeting defines the rules for public comments; e.g., the president of the board for a board meeting and a committee chair for a committee

meeting. He asked to comment at the time that the items under new business are discussed.

Carol Byram, a resident along the 17th Street Canal, asked how the public would be able to bring up a serious concern about a matter that is not on a meeting agenda. She commented on the removal of the vegetation on the water's edge of the 17th Street Canal levee in Lakewood South. She stated that since the vegetation was removed the land has been slipping into the water every time that it rains and that this situation has been going on for five years. She stated that from four to ten feet of land has been lost in various areas along the levee and that this problem is not occurring on the Jefferson Parish side of the canal.

Gerry Gillen, Orleans Levee District (O.L.D.) Executive Director, advised that Ben C. Gerwick, Inc. was issued a task order under an Indefinite Delivery-Indefinite Quantity (ID-IQ) contract with the SLFPA-E to look into the canal erosion issue. Gerwick has been monitoring the erosion and will provide recommendations shortly. The erosion problem has been occurring along all three outfall canals. Robert Turner, SLFPA-E Regional Director, further advised that the levee districts have a Bermuda release program for spraying a selective herbicide on the canal side of the floodwalls. There will be instances where the grass will turn brown, but not die. He added that erosion is a common problem along canals and is occurring along other canals.

Cindy Siegrist-Berthold asked what will happen to existing structures within the toe plus 15-ft. zone that were properly permitted.

Mr. Wittie responded that he thought that if a structure was permitted, unless it was causing a problem with the inspection of the levee, that it would be allowed to remain and that there would be variance.

New Business:

A. Discussion of selection of surveyors for Indefinite Delivery-Indefinite Quantity (ID-IQ) Contracts from respondents to SLFPA-E's Request for Qualifications.

Mr. Turner explained that ten firms submitted Statements of Qualifications (SOQ) in response to the SLFPA-E's Request for Qualifications. The SOQ's were reviewed and the selection team recommended the four firms (Dading, Marques & Associates, C. H. Fenstermaker, Linfield, Hunter & Junius, Inc. and BFM) that were highest ranked. Negotiations will be initiated with the four firms to develop a rate structure. Work will be tasked to the firms on a rotating basis and task orders will be issued under an ID-IQ contract. Mr. Estopinal noted that real property boundary surveys must be done by registered land surveyors and in accordance with State law. He added that the goal of the proposed surveys is to definitively set the rights-of-way acquired by the levee districts and to document and monument the rights-of-way in such a way so as to avoid questions in the future.

Craig Berthold asked whether the surveys along the 17th Street Canal would be held up until the litigation is completed. Amy Sins asked whether it is anticipated that the toe of

the levee will be in a different location than shown on previous surveys as a result of the remediation work. Roy Arrigo commented that there will be a new levee toe because of the fill that has been added as a result of the remediation work, which is a way for the Board to acquire more land. He commented that a large portion of his property from 50 to 60 feet deep has been affected. He asked that the SLFPA-E not survey the 17th Street Canal right-of-way until the lines are defined by the court. He stated that in looking at the daily reports from the past remediation project, it is clear that there was a lot of missing data and information, but the project proceeded. He commented that the contractor was told to go by what they could visually see in the field for the construction of the remediation project and then do a survey with unlicensed surveyors. The data collection points would then be used to re-define the foot of the levee. He asked that until this issue is resolved by the courts that the surveyors be instructed to stay off of his property at 6724 Bellaire.

Mr. Estopinal commented that the 17th Street Canal right-of-way would probably not be involved in the initial surveys. He offered a motion, which was seconded by Mr. Barnes and unanimously adopted, to begin the procedure for the development of ID-IQ contracts with the four highest ranked survey firms.

Amy Sins asked that her property not be surveyed until the issue is out of litigation.

B. Discussion of solicitation of Requests for Proposals (RFPs) for post-hurricane debris removal on levee rights-of-way for ID-IQ contracts.

Mr. Turner discussed the need to be proactive and secure services for the removal of post-hurricane debris on a standby basis. FEMA has procedures in place to allow the solicitation of contracts for post-hurricane debris removal on a competitive basis prior to a hurricane. The contracts are in two parts—the first part deals with debris removal and the second part deals with monitoring the debris removal. The contractor that removes the debris is paid based on the monitoring performed by the second contractor. Should the State and Federal governments declare an emergency, the funds expended under such contracts are reimbursable through FEMA public assistance grants. Coordination will be needed with the municipalities on the availability and use of disposal sites.

Mr. Estopinal offered a motion, which was seconded by Mr. Barnes and unanimously adopted, to recommend to the Board that the SLFPA-E issue a request for proposals for post-hurricane debris removal as discussed.

Epsie Hennesy asked how much land has the Board acquired. Mr. Estopinal responded that the reason for the surveys discussed earlier is to determine what land has been purchased in fee and how much has been acquired by acquiesce or other means.

C. Discussion of extension of ID-IQ contract with Halcrow, Inc. relative to continued review of outfall canal remediation work.

Mr. Turner explained that there is a distinct possibility of additional remediation work along the outfall canals that could perhaps involve the driving of sheetpile. Halcrow, Inc. was tasked with the review of the analysis, calculations and design of the

remediation work performed thus far; however, the ID-IQ contract with Halcrow expires on June 30, 2012. He requested that the contract be extended for one year in order for Halcrow to continue its review until all of the work along the outfall canals is completed. The U.S. Army Corps of Engineers (USACE) has not yet provided the new information for review. Stevan Spencer, SLFPA-E Regional Chief Engineer, advised that approximately \$50,000 remains in Halcrow's prior task order budgets, which can be transferred into a budget for a new task order for the review of the additional remediation work. The SLFPA-E is waiting on an up-to-date geotechnical report from the USACE. Mr. Turner added that a resolution will be drafted to extend Halcrow's contract for one year and to move residual task order monies to a new task order to continue the work. Board approval will be sought later should additional funding be needed, which will depend on the magnitude of the USACE's proposed work.

Mr. Estopinal offered a motion, which was unanimously adopted, to recommend that the Board approve the extension of the Halcrow contract and the issuance of a new task order as discussed.

Craig Berthold commented that sheetpile was previously driven by barge on the canal side of the levee. He expressed concern about the possibility of sheetpile being driven on the landside of the levee.

Mr. Turner reiterated that the SLFPA-E is not aware at this time of what working is being proposed or the location of the work.

Roy Arrigo commented that the new ETL (Engineer Technical Letter) defining floodwall standards will require the reconstruction of most of the I-wall along the 17th Street Canal.

Cindy Siegrist-Berthold commented that she went through the proper procedures to file a claim relative to property damages sustained during the first remediation work approximately three months ago. She stated that she has been unable to get in contact with the USACE's contractor and that pictures had not been taken before and after the work was done. She expressed concern about a second round of remediation work and potential damages. She asked if current permits for structures will be respected relative to the toe plus 15-ft. zone or would property owners have to reapply for a new permit.

Mr. Wittie responded that he did not know whether the SLFPA-E had the authority to enforce the toe plus 15-ft. zone. He added that if a structure was permitted with the toe plus 6-ft. zone, then he thought that the structure was permitted and should remain. Ms. Berthold commented that what she was hearing was that standing permits should be respected. Mr. Wittie pointed out that this was his opinion; however, it may not be the Board's opinion.

Mr. Estopinal offered a motion, which was seconded by Mr. Barnes and unanimously approved, to place an item on the Board Agenda for a complete, open and full discussion of the meaning of the law relative to the toe plus 15-ft. zone and the point from which the 15-ft. zone is to be measured.

D. Discussion of adoption of the National Spatial Reference Center as the control mechanism for the SLFPA-E's vertical data.

Mr. Estopinal explained that he would like to present a proposed resolution to the Board for the adoption of the National Spatial Reference Center system as the SLFPA-E's reference system. The resolution would also designate the Louisiana State University Center for GeoInformatics as the SLFPA-E's network and foundation for establishing its height modernization program. He commented on the need for preciseness in tracking vertical movement and verifying elevations. He anticipated that municipalities and other agencies would eventually have the same type of system so that their data would mesh with the SLFPA-E's data.

Mr. Estopinal offered a motion, which was seconded by Mr. Barnes and unanimously approved, to recommend the adoption of the proposed resolution to the Board.

E. Update from SLFPA-E Regional Director on problems dealing with seepage, the IHNC Surge Barrier Barge Gate and foreshore protection slippage.

Mr. Turner explained that three major Hurricane and Storm Damage Risk Reduction System (HSDRRS) problems are currently being tracked:

- 1) Seepage problem near the Parish Line Pump Station in East Jefferson -- The problem was discovered by EJLD levee crew several weeks ago. The USACE has been investigating the problem since its discovery. The initial thought is that the problem may be associated with a misplaced water stop or water seeping through some of the sheetpile interlocks. The fix will depend on the determination of the exact problem and several options have been discussed.
- 2) Displacement of foreshore protection rock material along Reach 1 in East Jefferson – A significant displacement of the rock material occurred in an area along Reach 1. The USACE began the work with the knowledge that the subsurface soils in the lake were poor and planned to keep adding rock until movement stopped. He expressed concern about this approach and suggested that additional investigation should be done to determine the magnitude of the significance of the failure and what should be done to stop this from happening in the future.
- 3) IHNC Surge Barrier Barge Gate compartment crack – On May 25th the Barge Gate was swung into place and filled with water so that it would sink into the trough as designed. The USACE noticed after the Barge Gate was in place that the concrete inside one of the compartments had spalled and a crack had developed allowing water into the bottom of the compartment. Divers found rock along the sill on the outside of the trough. Therefore, the barge may have encountered rock on the inside of the trough that could have placed point stresses on the concrete bottom causing the spalling and cracking. An exact cause of the problem must be determined. A considerable amount of problems had been encountered with the bottom of the barge with regards to the placement of the concrete during its construction. Temporary repairs can be done for this hurricane season with permanent repairs to be done at a later date. A meeting is scheduled for today during which the problems will be outlined and a path forward projected.

Mr. Turner explained that the SLFPA-E agrees with the USACE that the barge should not be removed from the site for repairs during the hurricane season. Temporary repairs should be done on-site without moving the barge off the hinge. The divers have determined that the flexible seal is in place and functioning; therefore, as long as the barge remains in place, it is providing protection. The problems associated with leaving the barge in place have to do with the current velocities going through the GIWW Sector Gate. The Barge Gate closes off a 150-ft. wide channel; therefore, higher velocities flow through the GIWW Sector Gate, which could present a problem for navigation, particularly since the Seabrook Gate will open on July 4th. He suggested that the risk reduction capabilities of a barge gate should be reevaluated if the gate must be operated according to current thoughts; e.g., allowing the gate to remain open except in the event of a storm. The original intent was to have the Barge Gate closed at all times and to open it only outside of hurricane season for maintenance of the Sector Gate. The Barge Gate was to serve as a detour route while the Sector Gate was being serviced. The risks involved with operating the Barge Gate during hurricane season were discussed. Mr. Turner suggested that if there is sufficient confidence in the Barge Gate to continue its use, that the repairs be done at a dry dock and not while the barge is in the water so that it can be adequately inspected.

Mr. Turner explained that the GIWW Sector Gate can be closed in about half an hour; however, it takes a minimum of eight hours to close the Barge Gate because it must be swung into place and filled with water. The USACE is proposing to close the Barge Gate a minimum of 72 hours in advance of a storm. The risks involved in closing the Barge Gate in advance of an approaching storm were discussed.

Levee District Reports:

Lake Borgne Basin Levee District (LBBLD): Nick Nazarko, LBBLD Interim Executive Director, reviewed the highlights of the LBBLD status report. A series of exercises have been held to train all LBBLD personnel on the closure of the trolley gates. A problem with the trolley and chain fall was encountered in closing north bound gate at LPV 147 (LA Hwy 46 Floodgate) where the teeth were essentially frozen together from corrosion; however, the contractor went to the site this morning and freed the chain fall so that the gate is back in operation. Mr. Nazarko expressed concern that the trolley may not be designed for the type of outdoor exposure that it receives and advised that he will continue to address this issue with the USACE. The USACE is working on a plan to provide LBBLD personnel with access across Bayou Dupre or Bayou Bienvenue in order to close the floodgates along LPV 145 prior to a storm. The closure of the LPV 145 floodgates is the responsibility of the USACE this hurricane season; however, LBBLD staff is being trained to assist with the closures due to the USACE's limited hired labor force. The importance of verifying the closure of the gates just prior to a storm and that the gates were not reopened by hunters or other individuals was discussed. A table top exercise will be held on June 13th and a timeline will be developed for closing the system.

Mr. Barnes advised that the new Meteorologist-in-Charge of the National Weather Service Slidell office is very anxious to work with the SLFPA-E. He recommended that the SLFPA-E tap this resource.

Orleans Levee District (O.L.D.): Gerry Gillen, O.L.D. Executive Director, reviewed the highlights of the O.L.D. status report. The O.L.D. staff conducted its hurricane procedures meeting. He advised that O.L.D. personnel were instructed that the O.L.D. would be responsible for closing the new floodgates in the event of a hurricane. A USACE representative will assist with the closure of the new gates. O.L.D. police officers will monitor the closed gates. He pointed out that a NCC (Notice of Construction Complete) letter was issued by the USACE on LPV 110 (CSX Railroad Crossing); however, if the project was inspected today, it would only receive a minimally acceptable rating. Mr. Turner explained that the issues relative to LPV 110 deal with things such as gaps along the joints in the concrete. These issues would cause a minimally acceptable rating on an annual inspection using the old USACE criteria. However, the USACE is redefining some of the criteria for slope paving and transition areas and the white paper that is being developed will change the criteria. The current conditions meet the requirements of the white paper; however, it has not yet been officially published. A letter will be sent to the USACE District Engineer to make him aware of this situation.

Mr. Estopinal requested that the laws or ordinances relative to the unauthorized opening of a floodgate be investigated.

East Jefferson Levee District (EJLD): Fran Campbell, EJDL Executive Director, reviewed the EJLD status report.

Mr. Barnes advised that NOAA has forecasted a 70 percent chance of nine to fifteen tropical storms, of which four to eight will strengthen into hurricanes, and of those one to three will become major hurricanes. NOAA is also forecasting a 70 percent chance of between 65 percent and 140 percent of the normal accumulated cyclone energy compared to the medium. He pointed out that there are too many conflicting items that govern the number and intensity of storms for an accurate forecast. He stressed that the Authority must be prepared. He pointed out the recent above normal warm weather along the Gulf coast, meaning warmer temperatures than normal in the Gulf of Mexico, which could be a concern.

There was no further business; therefore, the meeting was adjourned at 11:40 a.m.