

**MINUTES OF THE  
SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY – EAST  
BOARD MEETING  
THURSDAY, AUGUST 20 2009**

The regular monthly Board Meeting of the Southeast Louisiana Flood Protection Authority - East (Authority or SLFPA-E) was held on Thursday, August 20, 2009, in the Second Floor Hall, Lake Vista Community Center, 6500 Spanish Fort Blvd., New Orleans, Louisiana, after due legal notice of the meeting was sent to each Board member and the news media and posted.

Mr. Doody called the meeting to order at 9:35 a.m. and led in the pledge of allegiance.

**PRESENT:**

Timothy P. Doody, President  
Stradford A. Goins, Vice President  
George Losonsky, PhD, Secretary  
Stephen Estopinal, Treasurer  
David P. Barnes, Jr. (left meeting at 3:00 p.m.)  
John M. Barry  
Thomas L. Jackson  
Ricardo S. Pineda  
Louis E. Wittie

**OPENING COMMENTS:**

Mr. Doody advised that a regulated navigation area has been established by the U.S. Coast Guard. The regulated navigation area is a part of the Code of Federal Regulations and is included in the Captain of the Port's Maritime Hurricane Contingency Port Plan. The plan provides that there be no floating vessels from Mile Marker 22 west of Chef Mentuer Pass to the River, the Industrial Canal and to Lake Pontchartrain. Mr. Doody explained that after Hurricane Gustav the Authority met as quickly as possible with the Coast Guard concerning the loose barges in the Industrial Canal. A presentation was provided by the Coast Guard to the Board soon after Hurricane Gustav relative to this issue. He stated that the new order issued by Captain Stanton is precisely what the Authority has been working towards. The enforcement of the plan is crucial and the Captain of the Port will be under tremendous pressure to make changes and exceptions. Mr. Doody stated that he requested in a recent meeting with Captain Stanton that the Authority be allowed to review requests or appeals by vessel owners in the Industrial Canal area before a ruling is made. The Authority should be made aware of any vessels that remain inside of this area on the east bank of the River should an appeal be granted. He added that the Authority should be informed and made a part of this process since floating vessels inside of this area could potentially endanger the floodwalls that protect a large portion of the city.

Mr. Doody advised that he recently provided a presentation to the Gulf Intracoastal Canal Association in order to gain their support for the correction of legislation so that the U.S. Army Corps of Engineers (USACE) would be directed to operate and maintain the IHNC surge protection barrier. The Authority's primary responsibility is flood protection; however, the coordination of navigation is mandated to the USACE. Therefore, the Authority's operation and maintenance of the surge barrier could potentially impact not only intrastate and international commerce, but also national security since a tremendous amount of jet fuel used by the military travels this waterway. Since the waterway extends from Florida to Texas, the Authority is attempting to gain support from a larger population. The proper vehicle for this change in legislation must be determined. This legislative change could potentially be accomplished through three methods: a WRDA bill, the Fiscal Year 2011 Budget or an emergency appropriations bill. He stated that Mr. Barry will work closely with the Congressional delegation in Washington, D.C. on this issue. He added that the Authority has the support of General Walsh and Karen Durham-Aguilera, USACE Director of Task Force Hope.

Mr. Doody reported that at the request of Council President Fielkow he attended the New Orleans City Council during which the USACE provided a status of construction of the 100 year protection system. The Council was advised that the completion of approximately six of the projects would extend beyond July, 2011, and that three or four of the projects may be completed in June or July, 2011. The position of the Authority and the City Council was that they did not want the USACE to change the goal which was set for completion of the system.

Mr. Doody advised that he was a panelist on the St. Bernard Parish Community Forum on the MRGO Wetland Restoration sponsored by the MRGO Must Go Coalition. Other panelists included Greg Miller, USACE Senior Project Manager for the MRGO Wetland Restoration Study, and John Lopez, Lake Pontchartrain Basin Foundation Coastal Sustainability Director. The discussions included observations made since the closure of the MRGO, the restoration of the Chandeleur Islands, the beneficial use of dredged material and the Violet Diversion. The restoration of the Chandeleur Islands is not currently a part of the State's Master Plan. At issue is whether the Chandeleur Islands are too far off the coast to provide protection. He stated that this issue should be resolved, and if it is determined that the Chandeleur Islands provide a value in the protection of the coast, the Authority should work towards having this element included in the State's Master Plan.

Mr. Doody reported that meetings are currently being held between the Authority and representatives of the Louisiana Recovery Authority (LRA) to develop a scope for additional modeling inside of the Hurricane Storm Damage Risk Reduction System. The scope will include a study of the potential for establishing polders. The Authority is currently drafting a scope of services in order to determine what work can be performed and funded by the LRA.

Mr. Doody commented on a recent site visit to the IHNC Surge Barrier Project.

Mr. Doody advised that a letter was drafted by the Counsel for the Authority in response to a letter from Ms. Hilda Iverson relative to the Bohemia Spillway litigation.

Mr. Doody explained that he sent a draft of the Coastal Protection and Restoration Authority's (CPRA) concerns and proposed solutions regarding hurricane/flood protection and coastal restoration issues to be submitted to the Congressional delegation. The CPRA requested input and letters of support prior to August 27<sup>th</sup>. Mr. Barry recommended that the Board adopt a resolution to authorize the President to send a letter to the CPRA. Mr. Pineda suggested that Louisiana may wish to team with other states to encourage the change that is needed.

Mr. Pineda stated that he provided the Board members with a copy of the August news letter of the Association of State Floodplain Managers (ASFPM). The ASFPM is possibly the largest flood organization in the country. The newsletter is available on line and provides a national perspective on the activities of FEMA and the USACE.

### **ADOPTION OF AGENDA:**

The agenda was amended to include the following items:

- A resolution recognizing Ms. Abril Sutherland for her service to the Board.
- A resolution recognizing Ms. Sara Lee St. Vincent for her service to the Board.
- Item XIII.D.2 – a resolution to authorize the award of a contract to the lowest responsive and responsible bidder pursuant to Louisiana law for State Project No. DSR 087-05-054K & DSR 087-05-058K - Blue Bird and Artillery Ditch Project.
- Item XIII.A.2 - a resolution to authorize the President to use his discretion and submit a letter in support of the CPRA's draft letter to the Congressional delegation outlining concerns and proposed solutions associated with implementing hurricane/flood protection and coastal restoration activities in Louisiana.

Mr. Barry reserved the right to raise a point of order relative to Item XIII.A.1.

A motion was offered by Mr. Barry and seconded by Mr. Witte to adopt the agenda, as amended. The Board voted unanimously by roll call vote to adopt the amended agenda.

Mr. Doody explained that the Board at prior meetings had discussed at length the legislation that became effective August 15, 2009, which clearly set out the Authority jurisdiction in five parishes. Therefore, as a result of this legislation, the Board of Commissioners of the Southeast Louisiana Flood Protection Authority-East became a nine member Board on August 15, 2009. He stated that the Board wished to recognize Ms. Abril Baloney Sutherland and Ms. Sara Lee St. Vincent for their significant contributions to the Board. It was noted that Ms. Sutherland served as Vice President for her entire tenure on the Board and had drafted the Bylaws for the Board.

On the motion of Mr. Barnes, Mr. Barry, Mr. Doody, Mr. Estopinal, Mr. Goins,

Mr. Jackson, Mr. Losonsky, Mr. Pineda and Mr. Wittie, the following resolution was offered:

**RESOLUTION #08-20-09-01**

“A resolution recognizing the commitment and contributions of Ms. Abril Baloney Sutherland to the Southeast Louisiana Flood Protection Authority-East and to the citizens of Southeast Louisiana.”

**WHEREAS**, after the devastation resulting from Hurricane Katrina, the Southeast Louisiana Flood Protection Authority-East was created by the Louisiana State Legislature to provide regional flood protection for the Lake Pontchartrain Basin area; and

**WHEREAS**, due to her outstanding qualifications and professional experience Ms. Abril Baloney Sutherland was selected to serve as a founding member on the Board of the Southeast Louisiana Flood Protection Authority-East; and

**WHEREAS**, Ms. Sutherland has served the citizens of the region, and in particular St. John, St. Charles, Orleans, Jefferson and St. Bernard Parishes, striving to achieve the best flood protection possible; and

**WHEREAS**, Ms. Sutherland’s leadership as Vice President of the Board and as Chairperson of the Legal Committee has resulted in many positive achievements for the entire region.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority-East hereby expresses its gratitude and appreciation to Ms. Abril Baloney Sutherland for her dedication and contribution during her tenure as a Board member, Vice President and Chairman.

The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: Mr. Barnes, Mr. Barry, Mr. Doody, Mr. Estopinal, Mr. Goins, Mr. Jackson, Mr. Losonsky, Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: None

Ms. Sutherland was presented with a framed copy of the resolution, which was offered and adopted by acclamation. Ms. Sutherland commented that it had been a pleasure serving on the Board and that she had learned much about flood protection.

Mr. Barry commented that among Ms. St. Vincent’s contributions to the Board was her aggressive pursuit of the development of a vision statement for the Authority. Mr. Doody advised that Ms. St. Vincent was unable to attend the meeting. The resolution recognizing Ms. St. Vincent was offered and adopted by acclamation.

On the motion of Mr. Barnes, Mr. Barry, Mr. Doody, Mr. Estopinal, Mr. Goins, Mr. Jackson, Mr. Losonsky, Mr. Pineda and Mr. Wittie, the following resolution was offered:

**RESOLUTION #08-20-09-02**

“A resolution recognizing the commitment and contributions of Ms. Sara Lee St. Vincent to the Southeast Louisiana Flood Protection Authority-East and to the citizens of Southeast Louisiana.”

**WHEREAS**, after the devastation resulting from Hurricane Katrina, the Southeast Louisiana Flood Protection Authority-East was created by the Louisiana State Legislature to provide regional flood protection for the Lake Pontchartrain Basin area; and

**WHEREAS**, due to her outstanding qualifications and professional experience Ms. Sara Lee St. Vincent was selected to serve as a founding member on the Board of the Southeast Louisiana Flood Protection Authority-East; and

**WHEREAS**, Ms. St. Vincent has served the citizens of the region, and in particular St. John, St. Charles, Orleans, Jefferson and St. Bernard Parishes, striving to achieve the best flood protection possible; and

**WHEREAS**, Ms. St. Vincent served as a member of the Finance Committee and contributed much time in the early days organizing the Authority.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority-East hereby expresses its gratitude and appreciation to Ms. Sara Lee St. Vincent for her dedication and contribution during her tenure as a Board member.

The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: Mr. Barnes, Mr. Barry, Mr. Doody, Mr. Estopinal, Mr. Goins, Mr. Jackson, Mr. Losonsky, Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: None

**RESOLUTION #08-20-09-03 – APPROVAL OF MINUTES**

On the motion of Mr. Barry,

Seconded by Mr. Goins, the following resolution was offered:

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority-East hereby approves the minutes of the Board Meeting held on July 16, 2009.

The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: Mr. Barnes, Mr. Barry, Mr. Doody, Mr. Estopinal, Mr. Goins, Mr. Jackson, Mr. Losonsky, Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: None

## **PRESENTATIONS:**

### **1. Presentation by U.S. Army Corps of Engineers on mitigation funding and projects.**

Mr. Doody explained that Greg Miller of the USACE was unable to attend the meeting and requested that the presentation be deferred to the next meeting.

### **2. Presentation by U.S. Army Corps of Engineers on MRGO closure.**

Andrew MacInnes, USACE Project Manager, explained that the Water Resources Development Act (WRDA) of 2007 directed the effort to carry out the de-authorization studies, identify efforts to restore the ecosystems and prevent the intrusion of saltwater into the waterway, and implement the closure structure.

Mr. MacInnes reviewed the timeline for the closure project. The Chief's Report, which recommended the closure structure at Bayou la Loutre, was signed and submitted on January 29, 2008. The construction contract was advertised on August 28, 2008. The Memorandum of Agreement with the State of Louisiana was signed on October 31, 2008. The Construction Contract was awarded to Pine Bluff Sand and Gravel Company on November 5, 2008. The notice to proceed with construction was issued on December 15, 2008. In January, 2009, rocks were dropped into the channel and the bedding layer effort was initiated. The channel was officially closed on April 22, 2009, due to the elevation of the rocks. The USACE closely coordinated the closure efforts with U.S. Coast Guard. Flyers were distributed at area marinas and Coast Guard Auxiliary teams notified mariners that the channel was officially closed. Physical construction of the closure was completed on July 9, 2009. The final site inspection with the State of Louisiana and the contractor occurred on July 28, 2009. The project was completed approximately three-and-a-half weeks ahead of schedule.

Mr. MacInnes explained that the Bayou la Loutre site was chosen because it is located along the natural ridge that existed before the MRGO was cut and provides a firm foundation for the construction of the structure.

Mr. MacInnes reviewed some of the construction statistics. Approximately 352,000 tons of rock were required for construction. About 126,000 tons of rock were removed from the south jetty at the end of the channel and the remainder of the stone was barged from an Arkansas mountain quarry. The structure has a 12 foot wide crown and a 450 foot wide base. The structure is built to an elevation of +8; however, due to the water level at this location the rocks rise about 7 feet above the surface of the water. The tie-ins extend approximately 250 feet onto the north bank and 150 feet onto the south bank. The final construction cost of the closure structure is \$11.2 million.

Mr. MacInnes explained that the structure will be turned over to the State of Louisiana upon completion of the Operations and Maintenance (O&M) Manual and certification of as-built drawings. The State would assume full ownership of the structure and be

responsible for the O&M. Transfer of ownership to the State is scheduled for September, 2009.

Mr. MacInnes explained that prior to the design of the structure the USACE had noted that there was a higher rate of erosion and shore line loss on the north side of the channel. Dredge material from the channel had previously been placed on the south side; therefore, the south side had been significantly built up.

The Board discussed the importance of documenting both the positive and negative environmental and ecological changes due to the channel closure. Mr. MacInnes advised that the USGS is actively monitoring some of the environmental issues, such as salinity, dissolved oxygen and sediment. The USGS has established a base line and has placed monitors on existing channel markers in the MRGO both above and below the structure.

Mr. MacInnes explained that originally 430,000 tons of rock was estimated to be required for the closure structure; however, only about 352,000 tons of rock was needed. Measurements were taken by the contractor during construction and by the USACE since its completion, and thus far no settlement has occurred.

Mr. MacInnes advised that the USACE has coordinated closely with the U.S. Coast Guard concerning signage and lighting at the closure structure. In addition, the USACE construction team is tracking the punch list that was developed and is working with the contractor to assure that all unresolved issues are accounted for and properly closed out for the closure structure and the rock jetty where the excavation took place. He pointed out that the entire channel was de-authorized; therefore, the Federal government will no longer maintain the channel. The U.S. Coast Guard will maintain the signage and markings at the jetties even though the jetties are a part of the channel and have been de-authorized,.

Mr. MacInnes advised that the MRGO Ecosystem Restoration Study is nearing the draft plan recommendation. He explained that about a two to three million acre area, which encompasses almost the entire Pontchartrain Basin, has been preliminarily identified as having been potentially affected by the construction of the MRGO. He stressed that this does not mean that restoration projects would cover the entire area. However, this is the area that is being looked at, monitored and studied to come up with the initial list of recommended project features under the ecosystems restoration effort.

Mr. Turner explained that the Authority went through the expropriation process to acquire several rights-of-way for the construction of the closure project. He pointed out that part of the close out for the project may include the transfer of these rights-of-way to the Department of Natural Resources.

Mr. MacInnes stressed that the USACE is 100 percent committed to safety and that the overriding priority has been to coordinate as much as possible with the U.S. Coast Guard. He recognized the project partners and resource agencies, including the State

of Louisiana, SLFPA-E, CPRA, St. Bernard Parish, U.S. Coast Guard and Lake Pontchartrain Basin Foundation. He also thanked the Authority for acquiring the necessary rights-of-way, which were essential to move forward with the project.

Mr. MacInnes indicated that the O&M Manual will probably provide a target date of about five years for a maintenance lift of the structure. This maintenance lift would be needed should the structure settle to an elevation of +4. However, after reviewing measurements taken during and after construction, and considering the fact that the structure has not had any settlement, the need for a maintenance lift may be significantly after the target date. The maintenance lift is a part of the O&M and would be the State's responsibility.

Mr. Doody recognized Colonel Robert Sinkler, Commander of the USACE Hurricane Protection Office.

Mr. Goins commented on the fact that the floodwalls along the outfall canals are not being replaced. Mr. Barry pointed out that the legislation authored by Senator Vitter stated "modified the canals". However, according to USACE attorneys, the legislation does not authorize the USACE to modify the canals. Colonel Sinkler indicated that there is an effort between the Administration, the Congress and the USACE to make sure that there is a clear understanding of what the Congress actually intended. Colonel Sinkler added that the USACE is trying to act in an open and transparent manner. Commissioner Jackson commented on the lack of communication from the USACE to the Board members. Colonel Sinkler responded that he would expand communications by e-mail to the entire Board and stated that he is willing to talk with any of the Board members.

Colonel Sinkler advised that over 90 percent of the 100 year level of protection has been completed in Orleans Parish. This protection is primarily located along the Lakefront. There was a discussion about risk maps and development of data relative to flooding that could be expected in events that exceed the 100 year level of protection. Mr. Estopinal commented that a next step for the Authority could be to approach local government with the risk maps. The local governments could address construction requirements for permits in order to achieve a survivable infrastructure.

The Board discussed the resiliency requirements for the flood protection system. Mr. Barry explained that funding planned for armoring was shifted to fund cost overruns for other parts of the system. The Authority has been assured that there would be funding for armoring when the system is completed. Board members stressed that the definition of armoring for the system should not be changed, nor should an inferior solution be selected, in order to fit the budget. Mr. Turner pointed out that the design criteria should meet the 500 year resiliency check and not only the bare minimum requirements of the 100 year level of protection.

### **3. Presentation by Lake Pontchartrain Basin Foundation on multiple lines of defense.**

Carlton Dufrechou, Executive Director of the Lake Pontchartrain Basin Foundation (Foundation), showed a replication of the Louisiana coast and habitats before the hydrological changes took place. He explained that Bayou la Loutre was a relic distributary of the Mississippi River and had distributed fresh water along the ridge and into the Biloxi marshes. He explained that this replication of a self-sustaining habitat became the basis for the Foundation to look at environmental and ecological projects. The Foundation recognized that certain features of the coast, such as ridges, barrier islands and marsh land bridges, provide surge reduction benefits. Mr. Dufrechou provided a handout with the ten projects that the Foundation determined should be a priority in the USACE MRGO Ecosystem Study. He pointed out that the first two projects, the restoration of the land bridge between the MRGO and Lake Borgne and the Bayou la Loutre Ridge, were already in progress.

Mr. Dufrechou commented that salinities north of the MRGO closure structure have already dropped about two parts per thousands. However, the dissolved oxygen levels on the south side of the structure are also dropping.

Mr. Dufrechou showed computerized images of the 1932 and 2005 Louisiana coast. Computerized images developed by the USGS and LSU about three months ago projected a one foot and two foot change in relative sea level primarily due to subsidence. The opinion of the Foundation is that the projected timeline for the one foot rise in relative sea level is 2030 to 2040.

Mr. Estopinal commented on the need for bold and aggressive action in order to begin the coastal restoration that is needed. However, he feared resistance from environmental groups to bold and aggressive action because of the unknown impact to the ecology.

Mr. Dufrechou agreed that bold and aggressive action will be needed and that change will take place. He stressed the need for the re-creation of a self-sustaining system.

Mr. Barry commented on a concept which would deploy Mississippi River sediment further upriver. Mr. Dufrechou agreed that the strategic placement of the sediment should be further upstream. He added that the Foundation's opinion is that 200 to 300 square miles should be re-established. The estimate for these critical land forms is just under three billion dollars.

Mr. Dufrechou reported that a grant was received from the Greater New Orleans Foundation for the Bayou St. John monitoring equipment. The Lake Pontchartrain Basin Foundation is the administrator of the grant. The instrumentation should be installed in a couple of weeks.

The concept of a barrier in the eastern part of Lake Pontchartrain was discussed. Mr. Dufrechou reiterated that the concept that drives the Lake Pontchartrain Basin Foundation is the re-creation of a self-sustaining system. However, he added that public safety would trump this concept.

Mr. Goins offered a motion to amend the agenda to add a resolution in support of the Lake Pontchartrain Basin Foundation's Pontchartrain Basin Multiple Lines of Defense Program. The motion to amend the agenda was seconded by Mr. Estopinal and unanimously adopted by a roll call vote.

The President called for a recess for lunch.

The Board reconvened and the meeting was called to order.

### **COMMITTEE REPORTS:**

**Finance Committee:** Chairman Estopinal reported that the Finance Committee met on August 7<sup>th</sup> and received a status report on the audit of the Authority and the levee districts. No problems were identified that would prevent the audit from being completed by the deadline.

**Operations Committee:** Chairman Wittie reported that the Operations Committee met on August 7<sup>th</sup>. The Committee discussed the issuance of task orders under an ID-IQ contract for engineering work for the Bayou St. John and Bayou Bienvenue structures, servitudes that are needed by the Orleans Levee District for flood protection projects, and the correction of a resolution adopted by the former Lake Borgne Basin Levee Board. He explained that during the monthly reports by the levee districts the Committee's attention was called to fact that levee inspections were conducted in October, 2008; however, the levee districts did not receive the inspection reports until July, 2009. Levee districts are then given 30 days to respond to the inspection report. The USACE was requested to provide a representative at the next Committee meeting to discuss this issue. Mr. Wittie advised that a meeting was held with representatives of the USACE and Office of Coastal Protection and Restoration (OCPR). The USACE agreed to improve the time frame for issuing the inspection reports and to possibly provide a draft of the report to the levee districts. The USACE also agreed to review the language in the report's cover letter and to better define the parties that are responsible for addressing the deficiencies.

**Legal Committee:** Chairman Goins reported that the Legal Committee met on August 6<sup>th</sup>. In addition to reviewing legal invoices, the Committee discussed changes to the Bylaws due to the change in Board membership, the possibility of retaining additional counsel to assist Mr. Lacour in monitoring legal work, and future reports to the Committee to be provided in Executive Session giving the status of litigation and the potential for settlement. The Committee also received information from Gerry Gillen, Orleans Levee District Executive Director, concerning signage placed on the 17<sup>th</sup> Street Canal levee by a property owner which obstructed maintenance crews. The Committee

recommended that for safety reasons the Orleans Levee District Police be called when that area of grass is cut.

**Special Issues Committee:** Chairman Jackson reported that the Special Issues Committee met on August 6<sup>th</sup> and received information from Leo Richardson with the Lake Catherine Civic Association on the status of the Orleans Land Bridge. The Authority had applied for use of the twin span rubble material for the land bridge. Peter Hopkins represented the Office of Coastal Protection and Restoration at the Committee meeting and offered to set up a meeting with the OCPR to discuss this issue.

**CPRA Report:** Mr. Barry reported that presentations were provided at the CPRA meeting by Dr. Harry Roberts and Dr. Robert Twilley. Dr. Roberts discussed substrata issues and Dr. Twilley discussed surface issues. The CPRA also discussed the harvesting of Mississippi River sediment, subsidence and the rise in sea level. A presentation was also provided on the beneficial use of dredge material.

Mr. Barry advised that he had participated in the CPRA's Corps reform efforts over the past several months. He noted that the agenda was amended to include a resolution that would authorize the President to submit a letter in support of the proposed solutions associated with implementing hurricane and flood protection and coastal restoration activities in Louisiana.

Mr. Barry commented on problems caused due to the fact that priorities are not set in a legislative vehicle. He stated that a proposal that could be addressed in the future deals with the creation of a commission similar to the Base Closing Commission. The commission would set priorities on water projects and would go straight to the Congress to be voted up or down.

**Legislative Report:** Mr. Barry reported that House Bill (HB) 796, which removes St. Charles and St. John Parishes from the Authority's jurisdiction and reduces the Board's membership, was passed by the State Legislature. He explained that although the legislation concerning the study of the Orleans Levee District's non-flood assets and the Bohemia Spillway issues did not pass, both studies will probably go forward under the auspices of the CPRA. Mr. Doody added that Garrett Graves, Chairman of the CPRA, is exercising his authority to appoint a blue ribbon committee to primarily study the non-flood assets and their future operation. He stressed that the study must include not only the assets, but also the liabilities that go along with the assets.

Mr. Barry advised that a major international symposium will be held in October in Baton Rouge sponsored by the Greek Orthodox Church. The Church has sponsored major symposia around the world in the last decade on various environmental issues. He stated that he is working with the organizer of this symposium and hoping to draw national attention to this area.

Mr. Doody announced plans for a levee summit which would be held at the end of the current hurricane season. The summit would provide an opportunity to review the

status of the protection system and to address the remaining challenges to the completion of the 100 year level of protection by 2011.

Mr. Barry advised that plans are being formulated for a meeting to be held in New Orleans in November with a delegation from Cuba in follow up to a recent trip to Cuba by officials and representatives from the United States on hurricane protection. He suggested that the timing of the summit and the meeting with the Cuban delegation be coordinated so that they could perhaps be conducted back-to-back.

**RESOLUTION #08-20-09-04**

On the motion of Mr. Goins,  
Seconded by Mr. Estopinal, the following resolution was offered:

**WHEREAS**, the Lake Pontchartrain Basin Foundation has developed a Pontchartrain Basin Multiple Lines of Defense Program, which articulates their strategy to secure the region's future; and

**WHEREAS**, said Pontchartrain Basin Multiple Lines of Defense Program includes seven restoration and three rebuilding projects.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority-East recognizes the value of the Lake Pontchartrain Basin Foundation's Pontchartrain Basin Multiple Lines of Defense Program toward improving flood protection systems in the region, and therefore the Southeast Louisiana Flood Protection Authority-East expresses its agreement with the principles of the program, and supports its implementation.

The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: Mr. Barnes, Mr. Barry, Mr. Doody, Mr. Estopinal, Mr. Goins, Mr. Jackson,  
Mr. Losonsky, Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: None

**REGIONAL DIRECTOR'S REPORT:**

Robert Turner, Regional Director, introduced Timothy Jarquin, the newly appointed Executive Director of the Lake Borgne Basin Levee District. Mr. Jarquin is a resident of St. Bernard Parish. He is retired from the Air Force Reserve and was affiliated with the Civil Engineering Squadron. Mr. Jarquin has a B.S. in Civil Engineering from UNO and has been working in the private sector for an engineering consulting firm. Since Hurricane Katrina Mr. Jarquin has volunteered his services to work on the rehabilitation of the sanitary lift stations, water towers and waste water collection system in St. Bernard Parish.

Mr. Turner reported on his recent trip to Cuba. Participants in the trip included General Honore, Garrett Graves, Director of the Governor's Office of Coastal Activities, and

David Waggoner. Cuban officials and representatives discussed civil defense and emergency management, hurricane evacuation and evacuation drills, evaluation of structures for integrity to withstand storm winds, methods to limit financial loss in flood prone areas and emergency medical response.

Mr. Turner reviewed the Regional Director's Report (copy appended to the minutes).

The Board discussed performance evaluations for the Regional Director and the Executive Directors of the levee districts.

### **OLD BUSINESS:**

#### **1. Report by David Barnes concerning status of St. Tammany Levee District.**

Mr. Barnes reported that a meeting was held on August 12<sup>th</sup> concerning the possibility of activating a levee district. SLFPA-E participants included Timothy Doody, Stradford Goins, Robert Turner, Robert Lacour, Wilma Heaton and Assistant Attorney General Irys Allgood. St. Tammany Parish participants included Kevin Davis, Parish President, a representative of the Parish Council, the Chief Administrative Officer, the Director of Engineering, the Executive Legal Counsel and the Public Information Officer.

Mr. Barnes provided a summary of the meeting. The session was opened by Mr. Davis and the participants were introduced. He stated that Mr. Davis seemed enthusiastic and anxious to discuss the Parish's problems dealing with flooding and to develop a close working relationship with the Authority. The group discussed current and possible future flood problems, flood protection projects, and the threat of flooding from a hurricane storm surge. Mr. Davis discussed a number of proposed concepts for a barrier in Lake Pontchartrain. It was pointed out in the meeting with St. Tammany Parish officials that the policy of the CPRA is that some type of a barrier or weir should be included in the overall plan; however, such a project would be costly and would take time to complete. Mr. Barnes also pointed out that consideration should be given to the environment in the formulation of a barrier plan.

Mr. Barnes explained that a levee district has been established for St. Tammany Parish; however, the levee district would not come under the jurisdiction of the Authority unless it receives ad valorem taxes for the district that would be applied towards its flood control efforts. The precise area for taxation must be ascertained and the tax assessor's office must determine the property owners that would be subject to taxation. St. Tammany Parish officials must decide whether to move forward with the actions necessary for an election for the ad valorem taxation. An overview was provided at the meeting on how the Authority could provide assistance and about the Authority's successes. Mr. Barnes stated that St. Tammany Parish representatives were advised that the Authority would provide assistance whether or not a levee district was activated.

Mr. Barnes added that this was his second formal meeting with the St. Tammany Parish officials and representatives. He also met informally with representatives on three other

occasions. In addition, a presentation was provided to the Board by Mr. Davis at a prior Board meeting.

**RESOLUTION #08-20-09-05 – AMENDMENT OF BYLAWS**

Mr. Doody advised that thirty days’ written notice of this amendment to the Bylaws had been provided.

On the motion of Mr. Wittie,  
Seconded by Mr. Estopinal, the following resolution was offered:

**WHEREAS**, the Bylaws of the Board of Commissioners of the Southeast Louisiana Flood Protection Authority-East states under Article IV, Section 5 – Duties of the Secretary that the Secretary is empowered “(1) To attest to any official document of the board with his/her signature and, when required, with the impress of the board's official seal.”

**WHEREAS**, the Secretary may from time to time be unavailable to attest to official documents that may be needed for an immediate purpose.

**BE IT HEREBY RESOLVED**, that the Bylaws of the Board of Commissioners of the Southeast Louisiana Flood Protection Authority-East are hereby amended to include the following provision under Article IV, Section 3 – Duties of the President:

(9) The President shall on behalf of the Secretary attest to any official document of the board with his/her signature and, when required, with the impress of the board's official seal in the absence of the Secretary when such document is needed for an immediate purpose.

The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: Mr. Barry, Mr. Doody, Mr. Estopinal, Mr. Goins, Mr. Jackson,  
Mr. Losonsky, Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: Mr. Barnes

**RESOLUTION #08-20-09-06 – TO AMEND RESOLUTION #05-21-09-08**

On the motion of Mr. Barry,  
Seconded by Mr. Goins, the following resolution was offered:

**WHEREAS**, the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) issued a Request for Qualifications for special legal services to supplement its previously approved list of attorneys and law firms to provide legal services on an as needed basis for the SLFPA-E and levee districts under its jurisdiction; and

**WHEREAS**, by Resolution No. 05-21-09-08 the Board approved the selection of the firm of Panzeca & D’Angelo, L.L.C. for a contract to provide complex real estate litigation services; and

**WHEREAS**, subsequent to the adoption of Resolution 05-21-09-08, the SLFPA-E was advised that Mr. Panzeca had retired and that the firm would be continued as Gregory G. D'Angelo and Associates.

**BE IT HEREBY RESOLVED**, that Resolution No. 05-21-09-08 is hereby amended to substitute Gregory G. D'Angelo and Associates in lieu of Panzeca & D'Angelo, L.L.C. in each instance where said name appears in the resolution.

The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: Mr. Barry, Mr. Doody, Mr. Estopinal, Mr. Goins, Mr. Jackson,  
Mr. Losonsky, Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: Mr. Barnes

### **NEW BUSINESS:**

**Motion to provide that a Board member shall declare notice of his/her intent to apply for an additional term on the Board two months prior to the expiration of his/her current term.**

Mr. Barry raised a point of order. He stated that the motion as written directly relates to requirements and responsibilities of the Board members and should be handled by an amendment to the Bylaws. Mr. Lacour provided an opinion that the requirement could be handled by way of a resolution; however, he question the authority to enforce such a requirement.

Mr. Goins explained that the intent of the motion is to eliminate the potential for a vacancy on the Board. The two month period was intended to provide time for the selection and appointment process to fill a potential vacancy.

The Board discussed the possible substitution of verbiage, such as "urge and request members to declare notice" or "agree to make an earnest attempt to declare notice", in lieu of the phrase "shall declare notice". It was pointed out that the current law provides that a member must serve on the Board until he/she is replaced. The law does not provide the nominating committee with the ability to make an interim appointment in the event of a vacancy. This issue should be addressed by future legislation.

Mr. Goins withdrew the motion until such time as it could be revised to reflect all of the issues involved.

### **RESOLUTION #08-20-09-07**

Mr. Doody requested that the member of the Board provide input by e-mail. He noted the suggestion previously offered relative to reaching out to other states.

On the motion of Mr. Losonsky,  
Seconded by Mr. Goins, the following resolution was offered:

**WHEREAS**, Kyle Graham of the Coastal Protection and Restoration Authority has prepared a draft letter to the Congressional delegation outlining concerns and proposed solutions associated with implementing hurricane/flood protection and coastal restoration activities in Louisiana.

**BE IT HEREBY RESOLVED**, that the members of the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) authorize the President of the SLFPA-E to sign and submit a letter in support of the above-mentioned concerns and solutions to Kyle Graham and Garrett Graves, Chairman of the Coastal Protection and Restoration Authority.

The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: Mr. Barry, Mr. Doody, Mr. Estopinal, Mr. Goins, Mr. Jackson,  
Mr. Losonsky, Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: Mr. Barnes

#### **RESOLUTION #08-20-09-08 – UNO SERVITUDE AND RIGHT-OF-ENTRY**

Mr. Gillen advised that the servitude and right-of-entry agreement is still being reviewed and will be voted on by the Board of Supervisors of the Louisiana State University and Agricultural and Mechanical College. The final language of the agreement will be subject to the approval of the Counsel to the Authority.

On the motion of Mr. Wittie,

Seconded by Mr. Goins, the following resolution was offered:

**WHEREAS**, the London Avenue to IHNC Lake Pontchartrain, Orleans Parish, LPV 104.02 Project includes construction and improvements to the levees surrounding the University of New Orleans campus; and

**WHEREAS**, a Servitude and Right-of-Entry is required between the Orleans Levee District and Board of Supervisors of the Louisiana State University and Agricultural and Mechanical College, on behalf of the University of New Orleans, for the construction of said project; and

**WHEREAS**, Counsel to the Authority will review the final form of the Servitude and Right-of-Entry.

**BE IT HEREBY RESOLVED**, That the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) approves the Servitude and Right-of-Entry between the Orleans Levee District and the Board of Supervisors of the Louisiana State University and Agricultural and Mechanical College.

**BE IT FURTHER RESOLVED**, That the Orleans Levee District Executive Director is hereby authorized to execute the aforementioned Servitude and Right-of-Entry, subject to the approval of the Counsel to the Authority.

**BE IT FURTHER RESOLVED**, That the Southeast Louisiana Flood Protection Authority-East expresses its appreciation to the University of New Orleans and the Board of Supervisors of the Louisiana State University and Agricultural and Mechanical College for their cooperation and assistance in granting this Servitude and Right of Entry for this vital flood protection project.

The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: Mr. Barry, Mr. Doody, Mr. Estopinal, Mr. Goins, Mr. Jackson,  
Mr. Losonsky, Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: Mr. Barnes

**RESOLUTION #08-20-09-09 – SERVITUDES AND RIGHTS-OF-ENTRY FOR LPV 109.02, LPV 111.01 AND LPV 111.02**

On the motion of Mr. Wittie,  
Seconded by Mr. Goins, the following resolution was offered:

**WHEREAS**, temporary construction and permanent servitudes and rights-of-entry are required from the U.S. Fish and Wildlife Service and private land owners for the construction of Lake Pontchartrain and Vicinity (LPV) Hurricane Protection Projects LPV 109.02a, Southpoint to CSX Railroad Floodgate, and LPV 111.01 and LPV 111.02, extending from the CSX Railroad Floodgate to Pump Station No. 15 on the GIWW; and

**WHEREAS**, Counsel to the Authority will review the final form of the temporary construction and permanent servitudes.

**BE IT HEREBY RESOLVED**, That the Southeast Louisiana Flood Protection Authority-East approves and authorizes the execution by the Orleans Levee District Executive Director of the temporary construction and permanent servitudes with the U.S. Fish and Wildlife Service and private land owners and rights-of-entry, upon approval by the Counsel to the Authority, required to construct LPV 109.02a, LPV 111.01 and LPV 111.02.

The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: Mr. Barry, Mr. Doody, Mr. Estopinal, Mr. Goins, Mr. Jackson,  
Mr. Losonsky, Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: Mr. Barnes

**RESOLUTION #08-20-09-10**

Mr. Doody noted that the requirement for a correction to a resolution adopted by a prior Lake Borgne Basin Levee District Board in 1990 was discovered during a review of the levee district's servitudes.

Mr. Turner advised that the motion on the agenda was incorrectly stated and that the words "in Lot A, Section 92, T14S R14E" should be stricken. However, there was no change to the resolution. The motion as stated on the agenda was amended by a unanimous roll call vote to strike the words "in Lot A, Section 92, T14S R14E".

On the motion of Mr. Wittie,  
Seconded by Mr. Barry, the following resolution was offered:

**ACT TO REVOKE AND CORRECT RESOLUTION #R-154-90 ADOPTED BY THE BOARD OF COMMISSIONERS OF THE LAKE BORGNE BASIN LEVEE DISTRICT ON NOVEMBER 20, 1990**

**WHEREAS**, in 1990, the St. Bernard Fire Department sought to construct a fire station in Verret, Louisiana, on Lot A, a portion of section 92, T14S-R14E (17,593.23 sq. ft.) as shown on the map prepared by Eugene I. Estopinal, L.S., dated August 20, 1990, and revised August 28, 1990; said property being at the time encumbered by a right-of-way interest in favor of the Lake Borgne Basin Levee District;

**WHEREAS**, the fire station construction matter came for hearing during a regular meeting of the Board of Commissioners of the Lake Borgne Basin Levee District held in their office in Violet, Louisiana, on November 20, 1990;

**WHEREAS**, during the November 20, 1990 meeting, two resolutions were voted on and adopted by the Board of Commissioners: 1) Resolution #R-154-90, recorded in the Parish of St. Bernard in COB 491, Folio 539, and 2) Resolution #R-155-90;

**WHEREAS**, Resolution #R-154-90 was adopted in order to affect a relinquishment by the Lake Borgne Basin Levee District of the right-of-way interest to the aforementioned property sought by the St. Bernard Fire Department in order to construct its fire station;

**WHEREAS**, Resolution #R-155-90 was adopted and acknowledges that, subject to certain conditions, the Lake Borgne Basin Levee District had no objection to the issuance of a permit in connection with the proposed construction of the fire station;

**WHEREAS**, as shown by the attached respective affidavits of George E. Lopez and Daniel S. Caluda, Sr., in adopting the aforementioned resolutions, it was the Board majority's intention to only relinquish its right-of-way interest to the aforementioned property necessary for construction of a fire station; it was never the Board majority's intention to relinquish any additional right-of-way interests to any other properties in the vicinity acquired by the appropriation resolution of April 14, 1970 or otherwise;

**BE IT HEREBY RESOLVED**, that, to the extent that Resolution #R-154-90 can be interpreted as having the Lake Borgne Basin Levee District relinquishing any right-of-way interests in addition to that concerning the above-described property on which the St. Bernard Fire Station was constructed, that the Lake Borgne Basin Levee District, through its governing authority, the Board of Commissioners of the Southeast Louisiana Flood Protection Authority-East, does now revoke and/or

correct Resolution #R-154-90 to reflect the Board of Commissioners' true majority intent to relinquish, on behalf of the Lake Borgne Basin Levee District, only the right-of-way interest to the above-described property on which the St. Bernard Fire Department Station was built, and nothing else.

The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: Mr. Barry, Mr. Doody, Mr. Estopinal, Mr. Goins, Mr. Jackson,  
Mr. Losonsky, Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: Mr. Barnes

**RESOLUTION #08-20-09-11 – STATE PROJECT NO. DSR 087-05-054K,  
DSR 087-05-058K BLUE BIRD AND ARTILLERY DITCH PROJECT**

Mr. Turner advised that this project was previously bid in April; however, only one bid was received. The Natural Resources Conservation Service (NRCS) advised that the contract award could not be made since only one bid was received. The project was re-bid and bids were received on August 18<sup>th</sup>. The Louisiana Department of Transportation and Development and the NRCS are reviewing the bids and will determine the lowest responsive and responsible bidder for award of the contract.

On the motion of Mr. Losonsky,  
Seconded by Mr. Goins, the following resolution was offered:

**WHEREAS**, the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) adopted Resolution No. 03-19-09-20, which authorized the execution of an agreement with the United States Department of Agriculture, Natural Resources Conservation Service (NRCS) for the Blue Bird Ditch (DSR 087-05-054K) and the Artillery Ditch (DSR 087-05-058K) Project; and

**WHEREAS**, the Lake Borgne Basin Levee District (LBBLD) advertised State Project No. DSR 087-05-054K & DSR 087-05-058K Blue Bird and Artillery Ditch Project and seven bids were received on August 18, 2009; and

**WHEREAS**, the bids are currently being reviewed by the Louisiana Department of Transportation and the NRCS.

**BE IT HEREBY RESOLVED**, that the SLFPA-E Regional Director is hereby authorized to award a contract to the lowest responsive and responsible bidder pursuant to Louisiana law, for State Project No. DSR 087-05-054K & DSR 087-05-058K Blue Bird and Artillery Ditch Project, subject to approval by the NRCS.

**BE IT FURTHER RESOLVED**, that the SLFPA-E President is authorized to execute the aforementioned contract with the lowest responsive and responsible bidder.

**BE IT FURTHER RESOLVED**, that SLFPA-E Regional Director is authorized to execute all minor change orders costing under \$20,000 or other documents concerning ancillary matters in connection with the administration of the contract for

State Project No. DSR 087-05-054K & DSR 087-05-058K Blue Bird and Artillery Ditch Project.

The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: Mr. Barry, Mr. Doody, Mr. Estopinal, Mr. Goins, Mr. Jackson,  
Mr. Losonsky, Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: Mr. Barnes

Mr. Lacour requested that Board members review and provide comment on the drafted changes to the Bylaws that were provided.

The next Board meeting will be held on September 17, 2009, and hosted by the Lake Borgne Basin Levee District.

There was no further business; therefore, the meeting was adjourned at 3:30 p.m.

SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY - EAST

REGIONAL DIRECTOR'S REPORT

August 20, 2009

**100 Year Level of Protection**

**Inner Harbor Navigation Canal Hurricane Storm Surge Barrier:**

Design work on the project continues. The overall design of the entire project is approximately 73% complete. Our emphasis continues to be Operation & Maintenance considerations and the necessity to "design in" reasonable O&M features early in the process.

The towers on the proposed Bayou Bienvenue lift gate are currently shown as being constructed with steel framing. We have requested the USACE consider concrete towers to reduce maintenance costs. We are awaiting the results of an evaluation to resolve this issue.

About 55% of the 66" diameter concrete piles (700 piles) have been driven with no major difficulties. Driving of steel batter piles started last month and more than 50 are already in place. Placement of the precast caps should begin soon.

The piles for the Barge Gate foundation have been driven and sand placement for future cofferdam construction has begun. Fill operations in the MRGO segment of the project are scheduled for completion this month.

A tour of the project site is scheduled for Friday, August 21, 2009, at 9:00 am. The Corps has offered to arrange for additional site visits for SLFPAE Commissioners and staff.

The Project Team has begun meeting weekly to discuss hurricane preparedness and evacuation plans. There are more than 140 marine vessels working on the Project.

**East Jefferson Levee District:**

Reach 1 and Reach 4:

Work is scheduled to start in mid September 2009.

Reach 2 and Reach 3:

Contracts have been awarded and work should begin in early September 2009.

Reach 5:

Work on this Reach continues. The scheduled completion date is December 24, 2009.

Bonnabel Breakwater Project:

Work is progressing and the scheduled completion date is December 2009.

LPV 017.2 (Causeway Crossing):

The USACE is reviewing compensability issues for utility and facility relocations. A CEA or MOU will be required at some point to define O&MRRR responsibilities for the various parts of the project.

West Return Levee (Airport Runway):

A meeting will be scheduled with the Airport and OCPR to discuss construction and safety issues associated with the reconstruction of the levee segment located at the west end of the east-west runway, and to develop a strategy to move forward.

**Orleans Levee District:**

LPV 102.01, 103.01, and 104.01 Projects are 100% complete.

LPV 101.02 (17<sup>th</sup> St. Canal to Topaz Street):

A construction contract was awarded on July 31, 2009. Work includes demolition of the existing floodwall and replacement with a new concrete T-Wall with a top elevation of +16.0 (NAVD88.2004.65). The Project is scheduled for completion in June 2011.

LPV 109.02A (South Point to CSX Railroad)

The Permanent Servitude Agreement with USFWS has been drafted and is under review by all parties.

LPV 111.01 (North Side GIWW)

The USACE awarded a \$3.1 million pre-construction services contract (ECI Contract) last month. The contract includes three options for construction of levee sections, and a T-wall from the end of the earthen levee to the Inner Harbor Navigation Canal tie-in. When exercised these options will account for the majority of the estimated \$295 million in project construction costs.

LPV 103.01A1 and LPV 104.01A (Bayou St. John And Ramp Crossings)

Contracts for these projects are scheduled for award within the next 60 days.

LPV 113 (NASA)

Construction is scheduled to begin in August 2009.

**Lake Borgne Basin Levee District:**

LPV 144 – Bayou Dupre Control Structure:

The 95% design submittals have been delayed to accommodate the required 500 year resiliency check. We have requested design modifications to allow for manual closure of the sector gates without having to secure the services of a tug boat.

LPV 145, 146, and 148 – Bayou Dupre to Caernarvon Levee/Floodwall:

The USACE's proposed alternative for improving the Chalmette Loop of the LPV is a T-wall floodwall atop a levee section for nearly the entire 22 mile reach. The IER is complete and was signed on May 26, 2009. Design is continuing. The ECI Contracts for LPV 145 and 146 have been let.

LPV 149 Caernarvon Floodwall – Lake Borgne Basin Levee District:

Current design requires a realignment of the Caernarvon levee/floodwall to a location east of the Caernarvon Canal. This will require a new Control Structure in the Caernarvon Canal. The St. Bernard Parish Government and the general public (particularly residences and businesses near the existing floodwall alignment) favor the USACE's proposed alignment change.

The USACE is considering use of a stop log structure as opposed to a sector gate at this location. Closure of a stop log structure will have to be undertaken well in advance of an approaching storm, thereby eliminating Caernarvon Canal as a safe harbor for marine vessels.

We will develop and execute an agreement with Plaquemines Parish Government because the new alignment for this project is located outside the jurisdictional boundaries of Lake Borgne Basin Levee District. The agreement would allow for construction of the project in Plaquemines Parish and would place the responsibility for maintenance with LBBLD. Draft language for the agreement has been prepared by Mr. Lacour and Mr. Hanna, and forwarded to Plaquemines Parish for review and comment.

### Permanent Pump Stations and Outfall Canals:

According to the USACE, they are authorized and funded to design/construct perimeter protection only (Option 1). They are authorized, but not funded, to do an engineering study, which would include modifying the outfall canals to allow for gravity flow to the new pump stations at the lake and removing the existing upstream pump stations (Option 2/2a). This study would include a risk assessment of Option 1. Funding for the study would probably have to be included in the Corps' Federal Works Appropriations Budget.

According to USACE, design and construction of Option 2/2a is neither authorized nor funded. All agree, however, that Option 2/2a is technically superior to Option 1 alone. In any case, it is imperative that the new pump stations be designed and constructed with deep sills to accommodate construction of Option 2/2a. Failure to do at least this would make conversion of the outfall canals to gravity flow low level interior drainage channels impracticable.

Development of the RFQ for design/build is continuing with input from stakeholders.

### Elevation Map:

The USACE has published a map showing the 100 year level of protection elevations for the hurricane protection levee system in the metro New Orleans area. The elevations depicted are current as of June 2009. The map can be found at the following web address:

[http://www.mvn.usace.army.mil/hps2/pdf/100-Year%20Status%20Map\\_051209\\_Final.pdf](http://www.mvn.usace.army.mil/hps2/pdf/100-Year%20Status%20Map_051209_Final.pdf)

## **Coastal Protection and Restoration**

### Lake Borgne Basin Levee District:

The Violet Freshwater Diversion siphon is in operation at 100% capacity. LBBLD is preparing specs for the purchase of a new vacuum pump. LBBLD will be reimbursed by DNR for the cost of the pump.

The MRGO closure at Bayou La Loutre ridge is complete for all practical purposes. More than 340,000 tons of rock were used to complete the closure.

Additional Coastal Restoration projects in the MRGO area are scheduled to begin during the next 12 months. The projects will be designed and constructed through the USACE and will be funded with the \$75 million dollars in federal appropriations provided after Hurricanes Katrina and Rita.

## **Flood Fight**

There are no active flood fight activities at this time. The Mississippi River is just below 5' at the Carrollton Gage in New Orleans. We are monitoring the tropics for possible tropical storm/hurricane development.

## **Design and Construction**

### East Jefferson Levee District:

The USACE has installed piezometers to monitor groundwater fluctuations for an area showing signs of seepage on Levee Reach 4. EJLD personnel are visually monitoring the area.

### Orleans Levee District:

Work is complete on the LPV 101.01 Advance Measures sheet pile contract. The USACE is awaiting the revised set of As-Builts from the contractor before turning this project over to Orleans Levee District for O&M.

The majority of the required construction (earthen embankment) on LPV 108 is complete. A design modification was required for the Collins Pipeline crossing. As a result, the scheduled completion date has been changed to January 31, 2010. The Project will bring the elevation of the levee to pre-Katrina authorized elevation, which is higher than the new 100 year elevation.

Tree removal along LPV 109 alignment (Southpoint to CSX) has been completed.

LPV 120 (West Side IHNC) work is complete.

Construction on LPV 117 Project (East Side IHNC) is continuing and nearly complete. The project involves the installation of approximately 20 relief wells. It is scheduled for completion in August 2009.

Murray Architects is proceeding with the Safe House plans and specification for Orleans Levee District. The project is scheduled for advertisement in September 2009.

Demolition of 14 Condominiums at Mariner's Cove will soon begin. Upon completion, the property will be turned over to the Orleans Levee District.

### Lake Borgne Basin Levee District:

LPV 148.01 - Verret to Caernarvon Reach is 99% complete.

The construction contract for the fabrication and installation of new trash screens at Drainage Pump Stations 2, 3 and 5 has been executed and work should begin later this month.

Bids for the Bluebird and Artillery Canal Cleaning Project came in on Tuesday, April 18, 2009 and are being evaluated by LBBLD, LDOTD and NRCS to determine the lowest responsible responsive bidder.

Work is continuing on the Taintor Gate Repairs at P.S. Nos. 1 & 4. The project is on schedule for completion in late September 2009. A punch list will be developed after a walk-thru inspection today.

An auction is being planned to dispose of vehicles and equipment destroyed by Hurricane Katrina.

### **Internal Affairs**

The end of the year audit is progressing on schedule. The auditor continues to meet with each levee district to obtain information needed to complete the audit.

The sample contract for the Safe House in EJLD has been developed. Scope of work development and fee negotiations are complete and the contract is ready for execution.

The contract for Safe Rooms at selected LBBLD pump stations has been executed. A kick-off meeting with Digital Engineering was held last month. Representatives from Digital Engineering visited the pump stations and collected construction/as-built plans and specifications from LBBLD personnel.

ID/IQ contracts for land surveying work have been drafted and sent to the surveyors for signature. Most have been returned and executed.

The USACE will issue new reports on computed Safe Water Elevations for the three outfall canals in Orleans Parish. The London Ave Canal SWE report is undergoing peer review. Review comments will be addressed before any of the reports are completed and released.

A series of meetings were held with the Dutch to develop the Scope of Work associated with the "Levee Information System" Pilot Project. A list of information that could be included in a levee information system was developed. We are beginning to gather existing available data from the USACE, LDOTD, and our own files in preparation for the upcoming work. The Dutch will conduct a

second series of meetings here in New Orleans to finalize the scope in early October.

We are awaiting the final report from Dr. Martin and Dr. Bachus on the 17th Street Canal Seepage area.