

**MINUTES OF THE
SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY – EAST
BOARD MEETING
THURSDAY, MARCH 18, 2010**

The regular monthly Board Meeting of the Southeast Louisiana Flood Protection Authority - East (Authority or SLFPA-E) was held on Thursday, March 18, 2010, at the St. Bernard Parish School Board Building, 200 East St. Bernard Highway, Chalmette, 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 9:45 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 (left meeting at 3:00 p.m.)
David P. Barnes, Jr. (left meeting at 2:10 p.m.)
John M. Barry
Thomas L. Jackson
Louis E. Wittie

ABSENT:

Ricardo S. Pineda

OPENING COMMENTS:

Mr. Doody announced that Thomas Jackson has agreed to fill the SFLPA-E's seat on the Bucktown Marina Advisory Board, which was created by the Jefferson Parish Council.

Mr. Doody reported that Robert Lacour, SLFPA-E Legal Counsel, and the attorneys for several other levee districts drafted language for legislation on issues common to levee districts statewide, such as limitation of liabilities, including liability relative to bike paths, and recognition of NAVD rather than mean sea level elevation. This legislation will be sponsored by Representative Billiot.

Mr. Doody advised that he attended the Mississippi Valley Flood Control Association meeting held last week in Memphis. A major concern of the Association is levee certification.

Mr. Doody stated that the seminar (Management of Large-scale Flood Defense Systems - Dialogue between Louisiana and the Netherlands) conducted by the Delfland Water Board and Royal Haskoning, Fugro and HKV on February 25th was well received and well attended. The seminar was held in connection with the Levee Information Management System Pilot Project being sponsored and paid for by the Dutch group.

Mr. Doody commented on the petition by 350 fishermen that was given to the St. Bernard Council. The fishermen are seeking an alternative route through or around the Mississippi River Gulf Outlet (MRGO) closure plug. He stated that coastal restoration is an essential element of flood protection and that the coast is Louisiana's first line of defense. Coastal restoration will cause some inconveniences to people who are accustomed to using current waterways. A resolution is included on the Agenda to support the MRGO closure and to recommend that any route proposed through or around the closure plug is peer reviewed by a technical team.

Mr. Doody advised that Governor Jindal requested in a letter to Nancy Sutley with the Council on Environmental Quality, Sally Ericsson with the Office of Management and Budget and Jo Ellen Darcy, Assistant Secretary of the Army, that mitigation money related to the environmental impact of the repairs to the hurricane protection system in and around New Orleans be put to immediate use in close coordination with the Coastal Protection and Restoration Authority (CPRA). The SLFPA-E's Coastal Advisory Committee (CAC) is in the process of outlining all mitigation projects in the Lake Pontchartrain Basin. He anticipated that the CAC would be meeting soon to discuss the projects currently on the books and to decide a clear paths forward. Mr. Doody stated that his opinion is that all of the mitigation that is necessary because of the currently on-going hurricane protection work in the Lake Pontchartrain Basin should remain in this basin.

Mr. Doody commented that the request for closure structures at the Orleans/Jefferson Parish lines that create a polder was underscored at the Jefferson Parish Capital Outlay Program meeting. Currently, Airline Highway is closed by sandbagging the roadway.

George Morales, Senior Loss Prevention Consultant with Louisiana Workers Compensation Corporation (LWCC), presented the LWCC Safe Incentive Award to the Orleans Levee District (O.L.D.). The award is based on loss ratios and frequency ratings within a five year period and recognizes commitment to workplace safety. The O.L.D. received a return of 30 percent of its premium (\$270,000) under the current LWCC retrospective plan due to zero losses over the past several years, along with over \$550,000 in dividends.

ADOPTION OF AGENDA:

The Agenda was amended to add Item XIII.D.2 concerning the Violet Canal Maintenance Dredging Project and Item XI.2 (Executive Session) East Jefferson Real Estate Issue. A motion was offered by Mr. Goins, seconded by Mr. Losonsky and unanimously approved by a roll call vote to adopt the amended agenda.

RESOLUTION #03-18-10-01 - APPROVAL OF MINUTES

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

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East approves the minutes of the Board Meeting held on February 18, 2010.

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

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

NAYS: None

ABSENT: Mr. Pineda

PUBLIC COMMENTS:

None.

PRESENTATIONS:

1. Presentation on Levee Information Management System Demonstration Project.

Robert Turner, SLFPA-E Regional Director, explained that the Board adopted a resolution in June of 2008 requesting the Dutch government to initiate a Levee Information Management System (LIMS) pilot project. The SLFPA-E assisted in the development of the scope of work and the pilot project was produced by a team of participants. Funding was provided by the Dutch government with investments provided by some of the participating companies. No funding was allowed or expected from the U.S. partners/agencies. A workshop to develop the scope of work was held in the Netherlands and two subsequent workshops on the project were held in New Orleans. Similar products have been developed for some of the water boards in the Netherlands. The pilot project, which was started in June of 2009, was presented to the public at a seminar held on February 25, 2010. Deliverables included a demonstration version of the LIMS for parts of the New Orleans East polder. Several reports will be forthcoming in the next six weeks. He commented that Stevan Spencer, SLFPA-E Regional Chief Engineer, spent a tremendous amount of time working with the delivery team.

Mr. Turner advised that the LIMS resides within a GIS environment. The structure consists of four basic modules: general information, inspection, permits and emergency management. The LIMS is compatible with the National Levee Database developed by the U.S. Army Corps of Engineers (USACE) and can be used with the USACE levee inspection tool. The pilot area along the east side of the Industrial Canal was selected because several types of structures, including pump stations, floodwalls and levees, are located within the area. LIDAR data available through the State of Louisiana was imported as part of the base map system. The team inspected the pilot area using the USACE's levee inspection tool to input information into the LIMS inspection module. PDF versions of permits are stored in the permits module for easy access. The emergency management module includes information on the status of floodgates (open or closed), floodgate sill elevations and real time water surface elevations reported by gages.

The importance of having accurate data and real time information, especially water surface elevations in Lake Pontchartrain, was discussed. Mr. Barnes pointed out the vulnerability of data instrumentation and reporting systems during hurricane events.

Mr. Turner explained the importance of the LIMS in dealing with future challenges: the maintenance and operation of the \$15 billion of projects being constructed by the USACE, levee certification in 2021 and as a means of providing transparent information to the public.

Mr. Turner reviewed the short term and long term path forward. Proposed actions for the short term (till 2011) include extension of the system to the entire SLFPA-E area, training, fully automated permitting and preparation for information relative to the 2011 Hurricane and Storm Damage Risk Reduction System (HSDRRS). Proposed actions for the long term (beyond 2011) include additional modules for certification and levee safety assessments. Resource requirements include a data manager and at least one GIS engineer. Costs for hardware, software and resources will need to be examined. Milestones include fully automated permitting and levee inspection at the end of 2011, incorporation of the new HSDRSS by the end of 2011 and levee certification beyond 2011.

Mr. Goins commented on the concept of structural health monitoring and the installation and use of fiber optic cables in levees.

The Board interrupted the Presentations in order to take Item XIII.A.8 as the next order of business.

RESOLUTION #03-18-10-02 - PERMANENT CLOSURE OF THE MRGO

Mr. Doody explained that the St. Bernard Parish Council was presented with a petition by a group of fishermen seeking a shorter route to their fishing grounds. The resolution, which was prepared by members of the CAC, reflects the Board's position relative to the petition and coastal restoration.

Mr. Estopinal commented that a primary problem for coastal restoration is the development of industries around deteriorating and subsiding wetlands. If the deterioration and subsidence of the wetlands is to be reversed, there will be some negative impact to people who have adjusted their living and commercial habits to match the changing environment. There will be some who will be at a disadvantage when the environment is changed again. He stated that the Authority cannot give into the idea that we can save our coast and not impact people who have adjusted to a declining coastline. Mr. Barry agreed with Mr. Estopinal's comments. He added that thus far only easy decisions have been made statewide.

Mr. Jackson pointed out that if a decision is made to excavate a different route, instead of using the natural bayous, it should not be through poor marsh soils. If a route is excavated through poor marsh soils, a 50 foot excavated route could widen to 300 to 400 feet in just a couple of years and produce the same situation that existed with the MRGO. He commended the CAC for bringing this situation to the attention of the Authority.

Mr. Goins noted that the MRGO has been addressed; however, the same situation and conditions (widening of the channel and salt water intrusion) exist with the Gulf Intracoastal Waterway (GIWW) and have not been addressed. Residents of New Orleans East are left with the same conditions that St. Bernard faced pre-Katrina with the MRGO. Mr. Barry noted that the GIWW will be able to be controlled with the gates structures in the IHNC surge barrier.

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

WHEREAS, construction of the Mississippi River Gulf Outlet (MRGO) in the late 1950s and early 1960s drastically impacted the coast of Louisiana; and

WHEREAS, dredging the channel bisected 40 miles of our coast directly destroying 20,000 acres (31 square miles) of wetlands and compromising our region's natural lines of defense against hurricanes like marsh land bridges, natural ridges and wetland forest; and

WHEREAS, the MRGO changed water flows and fundamentally altered hydrology by cutting through the Bayou La Loutre ridge and adjacent marshes, which allowed salt water to intrude further inland acting as a cancer progressively killing brackish marshes and freshwater swamps and forest; and

WHEREAS, since construction, the MRGO adversely impacted almost 618,000 acres (922 square miles or literally 1/7 of coastal Louisiana); and

WHEREAS, the MRGO also created a new pathway for storm driven tides. The channel was dubbed a "superhighway for storm surge" because of its influence in destroying coastal barriers and increasing storm surge intensity and duration; and

WHEREAS, plugging the MRGO permanently in 2009 at Bayou La Loutre was imperative to stop the hemorrhaging of our coast; and

WHEREAS, the MRGO has been closed for less than one year and initial data suggests that the project is working as anticipated. Salinity levels above (inshore) the plug and in western Lake Borgne have dropped significantly. Tidal exchanges and flow patterns seem to be replicating more historic (pre MRGO) conditions. Overall, the changes to date indicate the initial stages in reestablishment of a self sustaining coast; and

WHEREAS, about 350 individuals have petitioned the St. Bernard Parish Council to open a new route around or through the MRGO closure at Bayou La Loutre; and

WHEREAS, closing the MRGO is the cornerstone for rebuilding a robust coast to protect southeast Louisiana for the future.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) strongly supports the permanent closure of the MRGO at Bayou LaLoutre to save our coast, our region, our homes and businesses, and ourselves.

BE IT FURTHER RESOLVED, that the SLFPA-E highly recommends that any new maritime path proposed in southeast Louisiana to the Gulf, even if only for small

boats, be subject to comprehensive scientific investigation and thorough technical analysis prior to consideration by any local, state or federal agency/entity and that the analysis be subjected to a peer review team comprised of members of the academic and scientific community.

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

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

NAYS: None

ABSENT: Mr. Pineda

PRESENTATIONS: (continued)

2. Outfall Canal Remedial Work – Ray Martin

Dr. Ray Martin advised that he is serving as reviewer, along with Dr. Robert Bachus, for the USACE through ECM Consultants on the London, Orleans and 17th Street Outfall Canals and that he has served as a consultant to the Orleans Levee District on the seepage problem at the T-wall and on the London Avenue Canal load test.

Dr. Martin showed several slides from the USACE's stakeholder's report and reviewed the status of the Black and Veech (B&V) Safe Water Elevation (SWE) Reports. B&V is currently doing SWE reports for all three outfall canals (London, 17th and Orleans). The SWE reports will determine the SWEs along both sides of each canal based on USACE guidelines. The reports have the potential to change the current SWEs. The available data will be reviewed and SWE elevations will be determined for each section of the canals. Earlier this month the USACE announced that it would like to change the SWEs from the present values along the three canals to plus eight feet. A slide was shown of the draft analysis by B&V of the safe water elevations for various sections on the east and west sides of the London Avenue Canal from the pumping station to the lake. The preliminary data showed the variation of the SWEs along the canal. The USACE has announced that after completing the SWE reports for the canals, the next step would be to correct the problems so that the canals could have a SWE of plus eight feet. The USACE will drive sheetpile to correct seepage problems in two areas of the London Avenue Canal. A recommendation was made at the last review meeting for the London Avenue Canal to obtain additional geotechnical data in certain areas. B&V will issue another draft report with this additional information. John Greishaber with the USACE noted that the grade line shown on the slide is for future expansion of the pump stations and not the current capacity of the pump stations. Dr. Martin showed a similar slide for the 17th Street Canal.

Dr. Martin explained that three criterion would be used for evaluating the work needed to raise the SWE to elevation eight: 1) seepage analysis, 2) slope stability analysis of the embankment and I-wall system and 3) wall stability. Three checks will be performed on the sheetpiling: 1) ratio of minimum embedment to exposed height, 2) maximum stick-up height and 3) minimum sheetpile penetration.

Dr. Martin explained that the USACE presented four methods of remediation that could be used to raise the SWE to elevation eight:

- Relief wells to reduce any excess hydrostatic pressures that may occur.
- Press-in sheetpiling to act as a seepage cutoff.
- Deep soil mixing to increase strength of the material and the stability of the levee.
- Embankment increase to reduce the stickup to the maximum allowed for I-Walls (4 feet).

Dr. Martin provided a status of the B&V SWE Reports:

- London Avenue Canal - Two draft reports have been issued. Both reports were reviewed and comments provided to the USACE. A third report will be issued shortly.
- 17th Street Canal – A draft report was received. Comments were provided and are being reviewed today at a review meeting. Another draft will be issued. The report by Dr. Martin and Dr. Bachus on the T-wall seepage will be included in the B&V analysis.
- Orleans Avenue Canal – A report will be issued in the next couple of weeks and will be reviewed.

Dr. Martin explained that he and Dr. Bachus would like additional corroboration among the involved parties, which includes the USACE and its consultants, the technical reviewers and the stakeholders, in determining how to move forward with the designs. Issues include:

- Additional investigation and testing. Dr. Martin stated that he felt that there was not information for design.
- Agreement on stratigraphy, cross sections and profiles to be analyzed.
- The rehabilitation design approach.

Mr. Jackson asked Irys Allgood, Assistant Attorney General, what would be the SLFPA-E's and levee districts' responsibility in terms of operating and maintaining the canal floodwalls once the canals are inside of what the Federal government has deemed the hurricane protection system. Ms. Allgood responded that she did not have enough information to answer that question at this meeting and that research would be needed. Mr. Doody requested that Ms. Allgood research this question. Mr. Jackson pointed out that the Sewerage and Water Board (S&WB) has taken the position that its responsibility is from the water's edge on each side of the canal, which varies with the elevation of the water.

Mr. Goins expressed concern about the transition when the new pump station structures are tied into the existing floodwalls in the outfall canals.

Mr. Greishaber explained that IPET deemed that it had enough information to set the current SWEs. B&V deemed that it had adequate information, since the information was adequate for IPET. A consortium of reviewers was brought in. The reviewers had questions about the adequacy of the field investigations and reach identifications. IPET set SWEs from the pump stations to the lake. B&V attempted to identify the SWE in each section of the canal. The break points needed to be defined and there was need for additional information in order for this to be done. As the reviewers became involved and a new methodology of analysis (crack analysis or partial gap analysis) came up, there

was a desire to obtain even more information to refine the sensitivities in the analysis. The refinements are needed in order to set the reaches for repair.

Mr. Greishaber further explained that the USACE is moving forward to achieve a SWE of eight feet. The repair areas are critical to achieving the 8 foot SWE. The USACE is starting with the areas with the biggest discrepancies. The USACE's intent is that all parties will be in agreement when the repairs are completed and the SWE of the canals is eight feet. The USACE is attempting to achieve a SWE of eight feet in consideration of future S&WB capacities. He pointed out that in most situations there is beach sand and that potential seepage problems would be eliminated and the SWE can be raised by driving sheetpiling.

Mr. Jackson expressed concern about the determination of a maximum cross section and maximum depth for when silt is cleaned from the canals. He stated that he hoped that enough base data is being obtained for this type of determination.

Mr. Greishaber explained that the USACE is in the design phase and that the fixes have not yet been determined. The SWE reports must be completed. The data stratification methodology of analysis in the SWE reports will be used in the designs to determine the methodology of design. The USACE believes that a combination of deep soil mixing and driving sheetpiles would predominately be used to cut off seepage. In addition to the plans and specifications, the USACE will have specific design reports, which will include the basis for the design and the cross sections of the canal. The operations and maintenance process would be to not violate any of those cross sections. Part of the analysis for the design of the new pump stations will address the stability adjacent to the pump stations.

3. Quality Assurance (QA) and Quality Control (QC) policies for inspections on U.S. Army Corps of Engineers (USACE) Projects. – USACE

Bruce Terrell, USACE Chief of the New Orleans District Construction Division, explained that recently he, his deputy, a HPO representative, Robert Turner, SLFPAE Regional Director, and Stevan Spencer, SLFPAE Regional Chief Engineer, met to discuss how they could work together to manage the shared responsibility of overseeing the execution of construction.

Mr. Terrell explained that Construction Quality Management is the way that the USACE manages construction worldwide. The construction contractor is responsible for Quality Control (QC) and the Government is responsible for Quality Assurance (QA). Construction contractors must have a full time QC Manager. The QC Manager and any staff under the QC Manager must receive training provided by the USACE on its methodology for managing construction. The QC Manager must provide a written QC plan to the USACE that addresses how the contractor will achieve the quality standards required in the contract for each definable feature of work. The QC plan must be approved by the USACE before a contractor can begin work. The USACE recognized the scope of the work and put together a construction control manual which is inserted into all contracts for the New Orleans District and the Hurricane Protection Office. The manual spells out the requirements on principal areas of testing, such as soils and

concrete, in order to obtain a level of consistency throughout the District. Contractors must use laboratories validated by the USACE's Engineering Research and Development Center (ERDC) for tests.

Mr. Terrell explained the three phase inspection system employed by the USACE:

- A Preparatory Inspection is conducted to prove that the contractor is ready to start work.
- An Initial Inspection is conducted after a representative quantity of work has been performed.
- Follow Up Inspections are performed until a feature of work is completed.

Mr. Terrell advised that contractors are required to provide documentation of daily QC activities, which must be reported in the contractor's module of the USACE's resident management system.

Mr. Terrell addressed the USACE's role of QA. QA is used to ensure that the contractor's QC system is functioning properly. Adjustments are made to the QC and QA plans as needed. The minimum requirement for QA testing is at least five percent of the tests performed by the contractor. QA tests are also performed on surveys and elevations.

Mr. Terrell advised that USACE resident engineers and area engineers must be registered professional engineers. Construction project engineers deal directly with contractors and oversee on-site QA personnel. The USACE has on site inspection personnel and most of the current projects have more than one construction inspector because of the aggressive construction schedule. USACE inspectors provide written reports of their activities. Any contractor deficiencies must be documented with a follow up performed on corrective action.

Mr. Terrell explained that the USACE receives a number of contractor submittals that are required as part of the QC plan, including a safety plan and technical submittals. These submittals are generally reviewed by the designer of record. The project designer conducts periodic inspections of construction in progress. Any deficiencies that surface in the design during the construction phase are corrected by the designer of record.

Mr. Terrell advised that the USACE has created a database to capture and store test data. Laboratories must submit test data electronically so that it is available on a timely basis.

Mr. Losonsky commented that he received second hand reports from contractors about incomplete grouting of geotechnical borings in some of the post-Katrina work and asked whether anything has been done to address this type of problem. Mr. Terrell responded that the USACE evaluates each construction contractor on every project using a number of factors. This information is input into an automated system that can be accessed for determining suitability for future contractor awards. Mr. Terrell pointed out that the contractor's QC manager must have the authority to act on behalf of the contractor and to stop work if the work is not satisfactory.

Mr. Goins asked whether changes were made in the USACE's review process to adapt to design-build contracts. Mr. Terrell advised that the design-build contracts are under the HPO; however, the construction quality management is fundamentally the same.

Mr. Turner advised that the SLFPA-E currently has two inspectors. These inspectors are visiting job sites on a daily basis and looking at summary reports of tests results. He noted that there is a good working relationship and cooperation between the SLFPA-E's inspectors and the various individuals working in the field. A construction management plan is being developed in negotiation with the USACE to better define the SLFPA-E's role.

The Board thanked Mr. Terrell for providing the presentation.

At 12:33 p.m. a motion was offered by Mr. Barry, seconded by Mr. Goins and unanimously adopted, for the Board to convene in Executive Session to discuss the items listed on the amended agenda.

EXECUTIVE SESSION:

1. Yacht Homes of Gabriel, LLC and the Succession of Marie G. Krantz v the Board of Commissioners of the East Jefferson Levee District, 24th JDC No. 626-181.
2. Review of pending and potential litigation and costs.
3. East Jefferson Real Estate Issue.

At 2:10 p.m. a motion was offered by Mr. Goins, seconded by Mr. Jackson and unanimously adopted, for the Board to reconvene in regular session.

RESOLUTION #03-18-10-03 – LEGAL ACTION

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

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) authorizes action in accordance with the recommendation of SLFPA-E Legal Counsel in the litigation entitled, "Yacht Homes of Gabriel, LLC and the Succession of Marie G. Krantz v the Board of Commissioners of the East Jefferson Levee District, 24th JDC No. 626-181".

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

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

NAYS: None

ABSENT: Mr. Barnes and Mr. Pineda

RESOLUTION #03-18-10-04 – LEGAL ACTION

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

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) authorizes the SLFPA-E Real Estate Consultant to negotiate up to the authorized limit as discussed in Executive Session.

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

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

NAYS: None

ABSENT: Mr. Barnes and Mr. Pineda

COMMITTEE REPORTS:

Finance Committee: Mr. Estopinal reported that the Finance Committee met on March 4th. The Committee discussed and recommended several items for Board approval. These items are listed on the Board's Agenda.

Operations Committee: Mr. Wittie advised that the Operations Committee did not meet in the month of March.

Legal Committee: Mr. Goins reported that the Legal Committee met on March 8th. The Committee approved legal invoices and discussed several items in Executive Session.

Special Issues Committee: Mr. Jackson advised that the Committee did not meet in the month of March.

CPRA/Governmental Affairs: Mr. Barry reported that he, Mr. Doody and Mr. Turner met with Mayor-elect Mitch Landrieu. The potential gaps that may be opening in the 100 year protection system were discussed at the meeting with Mayor-elect Landrieu. This issue will also be raised by SLFPA-E representatives in Washington, DC, later this month. The IHNC Surge Barrier was also discussed with the Mayor-elect. Mr. Barry, Mr. Doody, Mark Schexnayder and Carlton Dufrechou were asked to serve on the task force on coastal restoration and levees formed by Mayor-elect Landrieu. Mr. Barry commented on the coastal, levee and non-structural components of protection and noted that he would be sending Mayor-elect Landrieu comments regarding these components. Mr. Barry advised that Mr. Doody contacted the presidents of St. Bernard, St. Tammany and Plaquemines Parishes and that all three parish presidents are traveling to Washington, DC, on Monday for meetings that have been arranged. Mr. Doody added that the SLFPA-E has been working hard to develop close working relationships with the parish presidents and local governments.

Mr. Barry advised that the CPRA approved the Annual Plan, which must be submitted to the Legislature for approval. The CPRA also received a report from the USACE on diversions.

REGIONAL DIRECTOR'S REPORT: Report appended to minutes.

RESOLUTION #03-18-10-05

On the motion of Mr. Barry,

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

WHEREAS, since the devastating events of Hurricane Katrina in August of 2005, the Dutch government has generously partnered with the State of Louisiana and the Southeast Louisiana Flood Protection Authority-East and has generously shared experience, knowledge and technical expertise on flood defense systems; and

WHEREAS, as part of the support offered by the Dutch, a cooperative project was approved for the development of a pilot Levee Information Management System for the Southeast Louisiana Flood Protection Authority-East; and

WHEREAS, an extraordinary amount of time, effort and hard work has been expended by the Dutch engineers of Royal Haskoning, Fugro, HKV in cooperation with the Delfland Water Board in developing an effective tool for use in the management and maintenance of the comprehensive and complex flood defense system that is currently being constructed by the U.S. Army Corps of Engineers; and

WHEREAS, water managers from Louisiana and the Netherlands exchanged information and knowledge on the latest developments in the management of large scale flood defense systems at the seminar, "Management of Large-scale Flood Defense Systems – Dialog between Louisiana and the Netherlands"; and

WHEREAS, a demonstration version of the digital Levee Information Management System developed for the Southeast Louisiana Flood Protection Authority-East for a levee section in New Orleans East was presented by the Dutch experts during the aforementioned seminar.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East expresses its sincerest thanks and appreciation to the Dutch government, the Delfland Water Board, and Royal Haskoning, Fugro, HKV for their efforts and contributions to help build and maintain a safe and secure flood risk management system to benefit the citizens of Southeast Louisiana.

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

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

NAYS: None

ABSENT: Mr. Barnes and Mr. Pineda

RESOLUTION #03-18-10-06 –

RENEWAL OF PUBLIC OFFICIALS LIABILITY INSURANCE COVERAGE

On the motion of Mr. Barry,

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

WHEREAS, the Public Officials Liability and Employment Practices Liability Insurance Coverage for the Southeast Louisiana Flood Protection Authority-East expired on March 16, 2010; and

WHEREAS, by Resolution No. 02-18-10-02, the Board authorized the renewal of the aforementioned coverage with A.I.G. at an annual estimated premium of \$52,389.75 for a period of one year; and

WHEREAS, A.I.G. changed the terms of the policy when the attempt was made to bind coverage; and

WHEREAS, a quotation was received to acquire said coverage from ACE through Arthur Gallagher Risk Management Services at the same annual estimated premium of \$52,389.75 with matching coverages and retro dates.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East hereby rescinds Resolution No. 02-18-10-02.

BE IT FURTHER RESOLVED, that the Southeast Louisiana Flood Protection Authority East authorizes the acquisition of Public Officials Liability and Employment Practices Liability Insurance Coverage from ACE at an annual estimated premium of \$52,389.75 for a period of one year through Arthur Gallagher Risk Management Services.

BE IT FURTHER RESOLVED, that the SFLPAE Regional Director is authorized to execute any and all documents necessary to carry out the above.

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

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

NAYS: None

ABSENT: Mr. Barnes and Mr. Pineda

RESOLUTION #03-18-10-07 – APPROVAL OF SLFPA-E FY 2011 BUDGET

Mr. Estopinal explained that booklets were distributed to the Board members containing the budgets for Fiscal Year 2011 for the Authority and three levee districts. The proposed budgets were discussed at the Finance Committee meeting.

On the motion of Mr. Barry,

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

WHEREAS, the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) has reviewed financial projections for Fiscal Year Ending June 30, 2011 including estimated operating revenues and expenditures, and

WHEREAS, funding in the following amounts is required as detailed by the line item budget for Fiscal Year Ending June 30, 2011:

SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY-EAST TWELVE MONTHS ENDING JUNE 30, 2011 BUDGET

REVENUES:

Intergovernmental	500,000.00
Investment income	1,000.00
Cost sharing allocations from affiliates	124,000.00
TOTAL REVENUES	625,000.00

EXPENSES:

Personnel services	273,100.00
Travel	63,500.00
Contractual services	104,900.00
Materials and supplies	15,000.00
Professional services	31,200.00
Other charges	7,200.00
Cost sharing allocations to affiliates	145,000.00
Machinery and equipment	39,000.00
TOTAL EXPENDITURES	678,900.00
NET CHANGE IN FUND BALANCE	(53,900.00)
FUND BALANCE IN BEGINNING OF YEAR	300,000.00
FUND BALANCE AT END OF YEAR	246,100.00

WHEREAS, the Southeast Louisiana Flood Protection Authority – East is mandated to submit an approved budget by April 1, 2010, to the Joint Legislative Committee on the Budget and other various oversight authorities.

WHEREAS, the Finance Committee at its meeting held on March 4, 2010, reviewed and recommended approval of the SLFPA-E Budget for the Fiscal Year Ending June 30, 2011.

BE IT HEREBY RESOLVED, That the SLFPA-E approves the Fiscal Year Ending June 30, 2011 General Operating Budget for the Southeast Louisiana Flood Protection Authority-East.

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

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

NAYS: None

ABSENT: Mr. Barnes and Mr. Pineda

RESOLUTION #03-18-09-08 – APPROVAL OF LBBLD FY 2011 BUDGET

Mr. Turner advised that several factors contributed to the Lake Borgne Basin Levee District's (LBBLD) Beginning of the Year Fund Balance. The LBBLD received a windfall of about \$1-1/2 million from a well that started production, as well as additional unanticipated revenues from FEMA and funding from several grants in one year in lieu of over a three year period. In addition, the LBBLD had budgeted for fully manned pump stations; however, the district is having a difficult time finding people to fill these positions.

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

WHEREAS, the Southeast Louisiana Flood Protection Authority-East (SLFPAE) has reviewed financial projections for Fiscal Year Ending June 30, 2011 for the Lake Borgne Basin Levee District, including estimated revenues and expenditures, and

WHEREAS, funding in the following amounts is required as detailed by the line item budget for Fiscal Year Ending June 30, 2011,

**LAKE BORGNE BASIN LEVEE DISTRICT
PROPOSED BUDGET
FOR FISCAL YEAR ENDING JUNE 30, 2011**

REVENUES:

Taxes	\$ 3,250,000
Intergovernmental	193,000
Insurance proceeds	
Charges for services:	
Permits	4,000
Rents and leases	
Oil and gas royalties	
Investment income	30,000
Cost sharing allocations from affiliates	
Miscellaneous	110,000
Total revenues	<u>3,587,000</u>

EXPENDITURES

FLOOD AND DRAINAGE PROTECTION:

Personnel services	2,659,800
Travel	7,000
Contractual services	156,200
Materials and supplies	333,700
Professional services	201,700
Other charges	760,000
Cost sharing allocations to affiliates	159,000
Machinery and equipment	1,452,500
Hurricane expenses	
Total expenditures	<u>5,729,900</u>
Excess of revenues over expenditures	<u>(2,142,900)</u>

OTHER FINANCING SOURCES (USES)

Sale of capital assets	0
Major maintenance	0
Proceeds from long term debt	0
Debt services	0
Collections of Algiers' taxes	0
Transfer to Non-Flood operations	0
Transfer to affiliates	0
Katrina insurance adjustments	0
Litigation payments	0
Total other financing sources (uses)	0

NET CHANGES IN FUND BALANCES	(2,142,900)
FUND BALANCE AT BEGINNING OF YEAR	6,000,000
FUND BALANCE AT END OF YEAR	\$ 3,857,100

WHEREAS, the Lake Borgne Basin Levee District is mandated to submit an approved budget by April 1, 2010, to the Joint Legislative Committee on the Budget and other various oversight authorities.

BE IT HEREBY RESOLVED, that the SLFPAE approves the Fiscal Year Ending June 30, 2011 Budget for the Lake Borgne Basin Levee District.

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

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

NAYS: None

ABSENT: Mr. Barnes and Mr. Pineda

RESOLUTION #03-18-10-09 - APPROVAL OF O.L.D. FY 2011 BUDGET

On the motion of Mr. Estopinal,

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

WHEREAS, the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) has reviewed financial projections for Fiscal Year Ending June 30, 2011 for the Orleans Levee District, including estimated revenues and expenditures; and

WHEREAS, funding in the following amounts is required as detailed by the line item budgets for Fiscal Year Ending June 30, 2011:

**ORLEANS LEVEE DISTRICT
BUDGETS
FOR FISCAL YEAR JULY 1, 2010 - JUNE 30, 2011**

	GENERAL FUND	SPECIAL LEVEE IMPR FUND	(MEMORANDUM ONLY)
REVENUES			
AD VALOREM TAXES	13,299,000	11,693,000	24,992,000
REVENUE SHARING	550,000	-	550,000
INTEREST INCOME	200,000	400,000	600,000
OIL & GAS ROYALTIES	2,000,000		2,000,000
RENTS & MISC. INCOME	125,000		125,000

TOTAL REVENUE	16,174,000	12,093,000	28,267,000
EXPENDITURES			
PERSONAL SERVICES	7,470,000		7,470,000
CONTRACTUAL SERVICES	2,815,000		2,815,000
MATERIALS & SUPPLIES	567,000		567,000
PROFESSIONAL SERVICES	759,000		759,000
COST ALLOCATIONS & OTHER	(217,000)		(217,000)
MACHINERY & EQUIPMENT	406,000		406,000
CAPITAL OUTLAYS		1,750,000	1,750,000
TOTAL EXPENDITURES	11,800,000	1,750,000	13,550,000
OTHER USES OF FUNDS	(100,000)		(100,000)
DEBT SERVICE	(213,000)	(545,000)	(758,000)
ALGIERS TAXES, NET	16,000	39,000	55,000
	GENERAL	SPECIAL	
	FUND	LEVEE	
		IMPR	(MEMORANDUM
		FUND	ONLY)
TOTAL OTHER SOURCES (USES)	(297,000)	(506,000)	(803,000)
CHANGES IN FUND BALANCES	4,077,000	9,837,000	13,914,000
FUND BALANCES, BEGINNING OF YEAR	26,797,000	22,602,000	49,399,000
FUND BALANCES AT END OF YEAR	30,874,000	32,439,000	63,313,000

WHEREAS, the Orleans Levee District is mandated to submit an approved budget by April 1, 2010, to the Joint Legislative Committee on the Budget and other various oversight authorities; and

WHEREAS, the Finance Committee at its meeting held on March 4, 2010, reviewed and recommended approval of the Orleans Levee District General Fund Budget for the Fiscal Year Ending June 30, 2011, and the approval of the Special Levee Improvement Fund (SLIP Fund) budget for that same fiscal year.

BE IT HEREBY RESOLVED, that the SLFPA-E approves the Fiscal Year Ending June 30, 2011 General Fund and SLIP Fund Budgets for the Orleans Levee District.

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

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

NAYS: None

ABSENT: Mr. Barnes and Mr. Pineda

RESOLUTION #03-18-10-10 - APPROVAL OF EJLD FY 2011 BUDGET

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

WHEREAS, the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) has reviewed financial projections for Fiscal Year 2011 for the East Jefferson Levee District, including estimated operating revenues and expenditures, and

WHEREAS, funding in the following amounts is required as detailed by the line item budget for Fiscal Year 2011:

	General Fund	Levee Improvement Fund	Total (Memorandum Only)
REVENUES			
Ad Valorem Taxes Collected	8,000,000		8,000,000
State Revenue Sharing Funds	510,000		510,000
Interest and Dividend	85,000	65,000	150,000
Permit	13,000		13,000
30% Transfer of Ad Valorem	(2,400,000)	2,400,000	0
TOTAL REVENUES	6,208,000	2,465,000	8,673,000
EXPENDITURES			
Administrative & Executive	1,004,870		1,004,870
Levee Maintenance	2,610,721		2,610,721
Police	1,875,371		1,875,371
Sheriff Pension Costs	278,000		278,000
Capital Outlays	439,500	5,610,000	6,049,500
TOTAL EXPENDITURES	6,208,462	5,610,000	11,818,462
EXCESS OF REVENUES OVER EXPENDITURES	(462)	(3,145,000)	(3,145,462)
BEGINNING FUND BALANCES	9,448,844	9,731,821	19,180,665
ENDING FUND BALANCES	9,448,382	6,586,821	16,035,203

WHEREAS, the East Jefferson Levee District is mandated to submit an approved budget by April 1, 2010, to the Joint Legislative Committee on the Budget and other various oversight authorities.

BE IT HEREBY RESOLVED, That the SLFPA-E approves the Fiscal Year 2011 General Operating Budget and the Fiscal Year 2011 Levee Improvement Budget for the East Jefferson Levee District.

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

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

NAYS: None

ABSENT: Mr. Barnes and Mr. Pineda

RESOLUTION #03-18-10-11 –

EAST JEFFERSON LEVEE DISTRICT FY'10 BUDGET REVISIONS

On the motion of Mr. Estopinal,

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

WHEREAS, a review of the operating results to date indicates that budget revisions to the East Jefferson Levee District Operating Budget for Fiscal Year ending June 30, 2010 are necessary to comply with applicable state law, which requires that budgets be changed to reflect new expectations; and

WHEREAS, funding in the following amounts is required for Fiscal Year 2010:

	General Fund	Levee Improvement Fund	Total (Memorandum Only)
REVENUES			
Ad Valorem Taxes Collected	8,000,000		8,000,000
State Revenue Sharing Funds	510,000		510,000
Interest and Dividend	85,000	65,000	150,000
Permit	13,000		13,000
Miscellaneous Income	1,000		1,000
Fema Income	6,500		6,500
30% Transfer of Ad Valorem	(2,400,000)	2,400,000	0
TOTAL REVENUES	6,215,500	2,465,000	8,680,500
EXPENDITURES			
Administrative & Executive	1,268,820		1,268,820
Levee Maintenance	2,501,445		2,501,445
Police	1,797,896		1,797,896

Sheriff Pension Costs	278,000		278,000
Capital Outlays	501,500	3,735,000	4,236,500
TOTAL EXPENDITURES	6,347,661	3,735,000	10,082,661
EXCESS OF REVENUES OVER EXPENDITURES	(132,161)	(1,270,000)	(1,402,161)
BEGINNING FUND BALANCES	9,581,004	11,001,821	20,582,825
ENDING FUND BALANCES	9,448,844	9,731,821	19,180,665

BE IT HEREBY RESOLVED, that the revisions to the East Jefferson Levee District Fiscal Year 2010 Operating Budget and the Fiscal Year 2010 Levee Improvement Budget are approved.

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

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

NAYS: None

ABSENT: Mr. Barnes and Mr. Pineda

RESOLUTION #03-18-10-12 – MITIGATION PROJECTS

Mr. Doody advised that Governor Jindal's letter to Nancy Sutley with the Council on Environmental Quality, Sally Ericsson with the Office of Management and Budget and Jo Ellen Darcy, Assistant Secretary of the Army, was brought to his attention by the CPRA. In his letter the Governor advises that another source is needed to more quickly move mitigation projects to fruition and requests that the USACE work closely with the CPRA to expedite mitigation efforts. A letter supporting the Governor's request was sent by the Louisiana Congressional Delegation to these individuals. Mr. Doody explained that the supporting documentation identifies six priority projects that the State hopes to move more quickly on and that only one of the projects is in the Lake Pontchartrain Basin. He stated that the hurricane protection system currently being constructed is the reason for the mitigation dollars that are being built up in a mitigation bank and that he hoped that the Lake Pontchartrain Basin would receive a larger slice of the mitigation dollars. He stressed that the Lake Pontchartrain Basin is the area in which the environmental impacts from the current construction are occurring and that the Basin needs attention.

Mr. Barry added that the USACE has worked with the State and is in favor of putting all of the mitigation funds in a pot at least in each basin. The USACE is tied by law to mitigating where the project is located. The USACE's past interpretation led to small projects being done basically next to the construction project. He agreed with Mr. Doody concerning mitigation projects in the Lake Pontchartrain Basin.

Mr. Doody advised that the Coastal Advisory Committee (CAC) is currently inventorying mitigation projects from all of the sponsoring entities throughout the area. The CAC anticipates meeting with these entities, developing a list of sustainable projects, prioritizing the projects and beginning construction.

Mr. Barry pointed out that the CPRA is in the process of developing a scoring system and methodology for prioritizing scoring. Since future decisions will be based on the scoring system, he urged Board members to look at the CPRA's assumptions to assure that the scoring system works properly

Mr. Losonsky asked Mr. Barry if he could bring potential decisions to be made by the CPRA to the attention of the Board. Mr. Barry explained that in the past he has forwarded e-mails from the CPRA immediately to Board members. CPRA meetings are held a week before SLFPA-E Board meetings. Big issues, such as the Annual Plan, are discussed at more than one CPRA meeting. Mr. Losonsky commented on the importance of having a structured method to provide input on CPRA decisions. Mr. Doody encouraged Board members to review information on the CPRA's web site.

Mr. Goins expressed concern about a possible conflict in the legislation that created the CPRA and the legislation that created the SLFPA-E. Mr. Barry commented that the CPRA develops the plan, tells every levee district and parish in the State what to do, and the levee districts implement those decisions. He noted that there is communication and input; therefore, the process is not as dictatorial as the legal structure sounds. Ms. Allgood advised that both of the statutes should be analyzed to determine where conflicts may exist. She added that she could advise the Board of any legal conflicts and then the Board would have to make any political or policy decisions that are necessary.

On the motion of Mr. Barry,

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

WHEREAS, when Hurricane Katrina struck on August 29, 2005, levees were overtopped and floodwalls breached devastating Southeast Louisiana and causing catastrophic damage to public and private properties in Orleans, St. Bernard and Jefferson Parishes, severely impacting the population and local economy; and

WHEREAS, hundreds of millions of dollars in impacts requiring coastal mitigation have resulted from the post-Katrina repair of the metro New Orleans region hurricane protection system and the construction of the 100-year level of protection; and

WHEREAS, coastal preservation and wetland and marsh restoration are essential to regional hurricane protection; and

WHEREAS, by letter dated February 22, 2010, Governor Bobby Jindal requested that Federal officials direct the U.S. Army Corps of Engineers cease its ongoing efforts to perform traditional mitigation measures and that the Corps of Engineers work with the Louisiana Coastal Protection and Restoration Authority to expedite mitigation efforts related to wetlands and coastal projects in south Louisiana; and

WHEREAS, the Southeast Louisiana Flood Protection Authority-East recognizes the importance of restoring the Lake Pontchartrain Basin Coastal ecosystem as a part of hurricane protection for the Greater New Orleans area.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East hereby expresses its support of Governor Jindal's letter dated February 22, 2010.

BE IT FURTHER RESOLVED, that the Southeast Louisiana Flood Protection Authority-East requests that funding resulting from mitigation for the metro New Orleans hurricane protection system (east bank) be directed/dedicated to accelerating implementation of coastal restoration projects in the Lake Pontchartrain Basin for the protection of the citizens of the Greater New Orleans region.

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

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

NAYS: None

ABSENT: Mr. Barnes and Mr. Pineda

10. Review of the duties of the Authority and levee district employees and the responsibility of Committees pertaining to engineering and scientific oversight of the design and reconstruction of the flood protection system.

Mr. Goins stated that he would like to have the duties of the Commissioners and the duties of the Regional Director, executive directors and engineering staff clearly defined on the review and approval of projects. He added that he wanted to assure that the proper engineering oversight is being done. He stated that he had envisioned the SLFPA-E's Indefinite Delivery-Indefinite Quantity (ID-IQ) contracts as an additional means for engineering reviews.

Mr. Turner explained that the SLFPA-E would not be doing very detailed design reviews, such as checking design calculations, due to its limited staff. Project designs are given a quick review to determine whether any problems stand out from a design perspective. A greater amount of time is spent in reviewing designs to determine how the final product fits into the levee district's operations and maintenance scheme. Most comments provided to the USACE concern operations and maintenance related issues.

Mr. Goins pointed out that the Board had a responsibility for oversight. Mr. Jackson commented on past attempts by Board members to participate in the USACE's project planning meetings and to have input into the decision making process, which did not happen. Mr. Jackson added that he is not practicing engineering for the Board. He clarified that he looks at projects in concept and challenges the USACE on procedures.

Mr. Goins asked whether the Board wanted to identify a formal structure for review. Mr. Turner advised that he would prepare a document describing what is currently being done.

Mr. Barry advised that in an agreement worked out between the CPRA and the USACE, the State's master plan in going forward will be identical to the USACE's plan so that the plans can be developed in concert. He commented on the road map issued by the Federal Interagency Task Force and a future not-yet-decided form of governance over the USACE.

**RESOLUTION #03-18-10-13 - AMENDING RESOLUTION NO. 03-15-07-003
NAMING ADDITIONAL CAPITAL ONE SIGNATORIES**

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

WHEREAS, the Board by Resolution No. 03-07-07-008 designated and authorized the Orleans Levee District (O.L.D.) Director of Hurricane and Flood Protection (Executive Director) and the O.L.D. Chief Engineer as signatories for any and all Capital One Bank Accounts in the name of the Southeast Louisiana Flood Protection Authority-East as Managing Authority of the Orleans Levee District; and

WHEREAS, the Board by Resolution No. 03-15-07-003 designated and authorized the O.L.D. Comptroller and the O.L.D. Operations and Maintenance Director as additional signatories for the aforementioned accounts; and

WHEREAS, the Board by Resolution No. 09-20-07-05 established and approved a policy for the SLFPA-E and the levee districts under its jurisdiction that provides that checks and other documents for the withdrawal of funds under \$500.00 shall require one signature by one of the authorized signatories of the respective levee district and further designated and authorized the SLFPA-E Regional Director as an additional signatory on O.L.D. bank accounts.

BE IT HEREBY RESOLVED, that Resolution No. 03-15-07-003 is hereby amended to designate and authorize the O.L.D. Procurement Manager, in lieu of the O.L.D. Operations and Maintenance Director, as an additional signatory on all of the aforementioned O.L.D. bank accounts.

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

YEAS: Mr. Barry, Mr. Goins, Mr. Jackson, Mr. Losonsky and Mr. Wittie

NAYS: None

ABSENT: Mr. Barnes, Mr. Estopinal and Mr. Pineda

RESOLUTION #03-18-10-14 – APPROPRIATION OF A TEMPORARY SERVITUDE

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

A resolution amending and restating Resolution # 02-18-10-10 and providing for the appropriation under the Constitution and Laws of the State of Louisiana of a five-year temporary work area servitude over Parcel No. 1-3 from Elevating Boats, LLC and/or its successors in title for the benefit of the Lake Borgne Basin Levee District for the building of levees and other water control structures including the repairing of hurricane protection levees on the alignment approved by the U. S. Army Corps of Engineers.

WHEREAS, the U. S. Army Corps of Engineers has determined that certain lands, easements, servitudes and rights-of-way situated in the Parish of St. Bernard owned by Elevating Boats, LLC and/or its successors in title are required for the construction of the Lake Pontchartrain and Vicinity, Hurricane Protection Project, Reach 148.02 and Reach 149, St. Bernard Parish, as shown on Corps of Engineers Map File No. H-4-46996, dated August 2009, Sheet Identification No. R-014; and

WHEREAS, the Louisiana Coastal Protection and Restoration Authority as the non-federal sponsor has the responsibility for providing all lands, easements, servitudes and rights-of-way determined by the U. S. Army Corps of Engineers to be required for the construction of the Lake Pontchartrain and Vicinity, Hurricane Protection Project; and

WHEREAS, the Lake Borgne Basin Levee District, pursuant to legislation and a delegation and grant of authority by the Louisiana Coastal Protection and Restoration Authority, has the responsibility of acquiring such lands, easements, servitudes and rights-of-way with funds furnished by the Louisiana Coastal Protection and Restoration Authority; and

WHEREAS, the Board of Commissioners for the Southeast Louisiana Flood Protection Authority-East at its meeting on February 18, 2010, adopted Resolution No. 02-18-10-10, which appropriated a three-year temporary work area servitude over the below-described property for Reach 148.02, but the U. S. Army Corps of Engineers has determined that a five-year servitude is needed for both Reach 148.02 and 149 of the Lake Pontchartrain and Vicinity Hurricane Protection Project.

Section 1. Be It Resolved, by the Board of Commissioners for the Southeast Louisiana Flood Protection Authority-East, that Resolution 02-18-10-10 is amended and restated in its entirety as set forth herein, and that a five-year temporary work area servitude over the following described property on the alignment approved by the U. S. Army Corps of Engineers, commencing February 18, 2010, is hereby appropriated for the benefit of the Lake Borgne Basin Levee District in accordance with the provisions of the Constitution and Laws of the State of Louisiana for the building of levees and other water control structure including the repairing of hurricane protection levees:

Parcel No. 1-3

One certain parcel of land situated in Section 7, Township 14 South, Range 13 East, Poydras Plantation, St. Bernard Parish, Louisiana, being more fully shown as Parcel 1-3 on a right of way map prepared by John E. Bonneau, John E. Bonneau & Associates, Inc., Registered Land Surveyor, dated September 14, 2009, Hurricane Protection Project LPV 148.02, Proposed Staging Area, Sheet no. 3, attached hereto, and being more fully described as follows:

Commencing at the Chalmette baseline Station 1540+16.26 situated within Hurricane Protection Project LPV 148.02 and run along said baseline north 22 degrees 40 minutes 10 seconds west for a distance of 444.94 feet to a point; thence leaving said baseline run north 68 degrees 19 minutes 46 seconds east for a distance of 237.76 feet to the point of beginning;

From the point of beginning continue north 68 degrees 19 minutes 46 seconds east for a distance of 144.77 feet to a point; thence run north 02 degrees 13 minutes 53 seconds west for a distance of 3111.12 feet to a point; thence run north 10 degrees 05 minutes 53 seconds west for a distance of 11.52 feet to a point on the southerly right-of-way of Louisiana Southern Railroad; thence run along said right-of-way north 81

degrees 37 minutes 15 seconds east for a distance of 81.27 feet to a point; thence leaving said right of way run north 86 degrees 05 minutes 39 seconds east for a distance of 31.73 feet to a point; thence run south 02 degrees 03 minutes 22 seconds east for a distance of 3284.37 feet to a point; thence run north 88 degrees 38 minutes 21 seconds west for a distance of 101.11 feet to a point; thence run south 68 degrees 19 minutes 13 seconds west for a distance of 94.53 feet to a point on the easterly right-of-way of the Hurricane Protection Project LPV 148.02; thence run along said right-of-way north 22 degrees 22 minutes 48 seconds west for a distance of 137.57 feet back to the point of beginning.

The coordinate values, bearings, and distances used herein are referenced to the North American Datum of 1983 (NAD83), Louisiana State Plane Coordinate System, South Zone, U.S. Survey Feet. Said parcel of land contains 8.35 acres (363,632.72 sq. feet) more or less.

Section 2. Be It Further Resolved, that (A) this resolution shall be published in the official journal of the Lake Borgne Basin Levee District and in the official journal of the parish where the property is located; (B) a certified copy of this resolution be sent to the public records and assessment records owner by certified mail return receipt within five (5) days of adoption; and (C) a certified copy of this resolution be registered in the conveyance records of the parishes where the property is located and the domicile of this Board.

Section 3. Be It Further Resolved, that a copy of Corps of Engineers Map File No. H-4-46996, dated August 2009, Sheet Identification No. R-014 referenced above shall be kept on file in the offices of the Lake Borgne Basin Levee District for the review and copying by any affected property owner or any other interested person.

Section 4. Be It Further Resolved, that the compensation due the affected owner as determined in accordance with applicable law shall be paid within one year of February 18, 2010.

Section 5. Be It Further Resolved, that the employees and contractors of the Lake Borgne Basin Levee District take all necessary or appropriate action, including obtaining appraisals of the property, to carry out the above resolutions.

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

YEAS: Mr. Barry, Mr. Goins, Mr. Jackson, Mr. Losonsky and Mr. Wittie

NAYS: None

ABSENT: Mr. Barnes, Mr. Estopinal and Mr. Pineda

RESOLUTION #03-18-10-15 –
VIOLET CANAL MAINTENANCE DREDGING PROJECT (PROJECT NO. PO-01)

Peggy Sembera, LBBLD Administrative Assistant, advised that bids would be received tomorrow on this interim measure to dredge the Violet Canal and that the contract would have to be awarded prior to the next Board meeting in order for work to commence. The project estimate is \$110,000 to \$140,000. Mr. Turner clarified that if bids are over \$150,000, the project must be re-bid. A copy of the bid tabulation will be provided to Board members.

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

WHEREAS, the Lake Borgne Basin Levee District (LBBLD) advertised and will receive bids on March 19, 2010 for the Violet Canal Maintenance Dredging Project (Project No. PO-01); and

WHEREAS, the work includes dredging a portion of the canal near the Siphon discharges to allow for marine navigation; and

WHEREAS, the LBBLD operates and maintains the Violet Siphon under an agreement with DNR/OCPR and the cost for the aforementioned project will be reimbursed by DNR/OCPR; and

BE IT HEREBY RESOLVED, that the LBBLD Executive Director and/or the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) Regional Director are authorized to award the contract to the lowest responsive and responsible bidder pursuant to Louisiana law for the Violet Canal Maintenance Dredging Project (Project No. PO-01).

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

BE IT FURTHER RESOLVED, that the SLFPA-E Regional Director and the LBBLD Executive Director are hereby 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 the Violet Maintenance Canal Dredging Project (Project No. PO-01).

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

YEAS: Mr. Barry, Mr. Goins, Mr. Jackson, Mr. Losonsky and Mr. Wittie

NAYS: None

ABSENT: Mr. Barnes, Mr. Estopinal and Mr. Pineda

Mr. Doody announced that the next Board meeting will be held on April 15, 2010.

There was no further business; therefore, the meeting was adjourned at 3:25 p.m.

SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY - EAST

REGIONAL DIRECTOR'S REPORT

March 18, 2010

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 86% complete. Our emphasis continues to be Operation & Maintenance considerations and the necessity to "design in" reasonable O&M features early in the process.

All of the 66" diameter concrete piles and closure piles have been driven. 77% of the batter piles (507) have been driven with no major difficulties. 51% of the precast caps (172) have been set and 2622 l.f. of the parapet wall has been erected. (146) Cast in place "gaps" have also been completed. All parts of the wall (except guard rails) are now underway.

The support piles for the by-pass Barge Gate foundation have been driven and the cofferdam has been completed and dewatered. Rebar for the sill is being placed (4th section). Three of the four sill quadrants are complete. The barge gate sill is scheduled for completion before the end of 2009.

The Contractor has started work on the T-Wall tie-ins on both the north and south side of the project.

Bayou Bienvenue lift gate location is closed to all navigation at the Project site due to lift gate construction.

East Jefferson Levee District:

Reach 1:

The Work is approximately 12% complete. Borrow operations have been impacted by recent high river levels and heavy rains. This Reach is scheduled for completion in June 2010.

Reach 2:

The Work is approximately 12% complete. Unsuitable material east of Williams Blvd. has been removed. New material will be brought in to complete the required lift. Borrow operations have been impacted by recent high river levels and heavy rains. This Reach is scheduled for completion in August 2010.

Reach 3:

The project is approximately 25% complete. Borrow operations have been impacted by recent high river levels and heavy rains. The contractor is working the second lift. This Reach is scheduled for completion in May 2010.

Reach 4:

The project is approximately 34% complete. The second lift is now underway. The work is scheduled to be complete in May 2010.

Reach 5:

The Project is more than 72% complete. Contract modifications are required for Coast Guard utility relocations, the Ridgelake ramp, and embankment work. Scheduled completion is set for May 2010.

Bonnabel Breakwater Project:

Work is progressing and is approximately 75% complete. The scheduled completion is May 2010.

Duncan Breakwater Project:

The Project is approximately 50% complete. The bridge is complete. Scheduled Project completion is May 2010.

Williams Blvd. Floodwall and Gate:

The Project is approximately 31% complete. The contractor is installing concrete piles. Utility relocation is complete. The work should be complete by April 2010.

Bonnabel Floodwall and Gate:

The Construction Contract has been awarded. Anticipated completion is July 2010.

Pump Station Fronting Protection:

Pile load testing has been completed at all four Pump Stations. The Construction Contract that was awarded was protested and the USACE solicited new proposals.

LPV 017.2 (Causeway Crossing):

The OCPR and USACE are reviewing compensability issues for utility and facility relocations. Pile load testing will be complete in mid March 2010. Construction

is scheduled to begin in late May 2010. A CEA or MOU will be required at some point to define OMRR&R responsibilities for the various parts of the project.

West Return Levee/Floodwall:

Pile Load Tests are complete.

West Return Levee (Airport Runway):

The Corps is meeting with the FAA to develop a schedule.

Orleans Levee District:

LPV 101.02 (17th St. Canal to Topaz Street):

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). Construction is approximately 28% complete and the Project is scheduled for completion before June 2011.

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

LPV 103.01 A1 (Bayou St. John):

Construction is now about 33% complete. A contract modification is being negotiated with the Contractor for de-watering the sector gate for USACE inspection and OLD maintenance.

LPV 103.01 A2 (Rail Street and Lake Terrace Flood Gate):

The 95% plans and specs are complete (March 10, 2010).

LPV 104.01 A (Ramp Crossings – Lakeshore Dr.):

The Construction Contract for this Project was awarded on October 2, 2009 and the Pre-construction meeting took place on November 2, 2009. The Contractor is working all sites and is currently removing paving at the Franklin Ave, Leon C. Simon, Elysian Fields (East and West) and Canal Blvd. roadway crossings. Construction is approximately 5% complete.

LPV 104.02 (Seabrook West Side IHNC):

This project includes the construction of a new T-Wall. The Construction Contract was awarded in January 22, 2010.

LPV 104.02A (Retrofit of Wall and Floodgate South of W-40):

The Design Contract was awarded February 24, 2010.

LPV 105.01 (Lakefront Airport T-Wall West):

Plans and specs were completed on December 11, 2009. Construction Contract Award is scheduled for the March 2010.

LPV 105.02 (Lakefront Airport T-Wall East):

Plans and specs were completed on December 11, 2009. Construction Contract Award is scheduled for April 2010. A contract modification will be negotiated with the selected Contractor for OLD utility relocations (approx. \$57,000 cost to OLD).

LPV 106 (Citrus Lakefront Levee):

A design modification has been issued to move the I-Wall to the edge of the levee crown. Plans and specs were completed on December 4, 2009. Construction Contract Award is scheduled for March 20, 2010.

LPV 107 (Lincoln Beach Floodgate):

Plans and specs were completed in January 2010. A contract modification will be negotiated with the selected Contractor for OLD utility relocations. Construction Contract Award is scheduled for mid March 2010.

LPV 108 (New Orleans East Lakefront Levee):

This project is 100% complete and awaiting final inspection. The Project brings the elevation of the levee to pre-Katrina authorized elevation, which is higher than the new required 100 year elevation.

LPV 109.2a (South Point to CSX Railroad – Levee Embankment):

The Permanent Servitude Agreement with USFWS has been finalized. Plans and specs have been completed. Construction Contract Award is scheduled for March 2010. Construction of the Project will be combined with LPV 109.02c.

LPV 109.02a1 (South Point to CSX Railroad - Wick Drain Test Section):

Construction is 100% complete. URS and USACE will monitor settlement and test to determine increases in shear strengths.

LPV 109.02a2 (South Point to CSX Railroad – Drainage Blanket):

The Construction Contract has been awarded and work is approximately 20% complete.

LPV 109.02b (South Point to CSX Railroad - I-10 Crossing):

Plans and specs were completed on December 15, 2009. Construction Contract Award is scheduled for April 2010.

LPV 109.02c (South Point to CSX Railroad – Hwy 90 and Hwy 11 Floodgates):

Plans and specs are complete. Construction will be done under LPV 109.02a.

LPV 110 (CSX Railroad Crossing):

Plans and specs were completed on December 15, 2009. The project permit with CSX Railroad is nearly complete and should be issued soon. Construction Contract Award is scheduled March 2010.

LPV 111.01 (North Side GIWW):

The USACE awarded a \$3.1 million pre-construction services contract (ECI Contract) in July 2009. The contract includes construction of levee sections using deep soil mixing, and a T-wall from the end of the earthen levee to the Inner Harbor Navigation Canal tie-in. Deep soil mixing operations are underway.

LPV 111.02 Pump Station 15 Fronting Wall:

Plans and specs are about 95% complete and are scheduled for completion in March 2010.

LPV 111.03 Tie-in to IHNC:

The Project consists of about 1000' of new T-Wall. Plans and specs are 60% complete.

LPV 113 (NASA):

Construction is approximately 45% complete. The Project is scheduled for completion in May 2010.

Seabrook Structure:

USACE awarded the Design/Build Contract to Arcadis. Protest of Contract Award has delayed the Project. Indications are that the USACE will re-awarded the Project to Arcadis. ROE for the test pile program has been issued by OLD.

Lake Borgne Basin Levee District:

LPV 144 (Bayou Dupre Control Structure):

This project will replace the existing Bayou Dupre Control Structure (sector gate) with a new sector gate. The Plans and Specs are complete. The Construction Contract was awarded on January 29, 2010. The ROE for construction has been issued. Work will begin this month. Bayou Dupre will be closed at the existing Control Structure from May 2010 to April 2011.

LPV 145 (Bayou Bienvenue to Bayou Dupre):

The project includes approximately 6 miles of new T-Wall atop the existing earthen levee. An ECI Contract has been awarded for this reach. Pile load testing is now complete. A temporary bridge across Bayou Bienvenue and an aggregate surfaced access roadway the length of the project is under construction. Pile Load Tests conducted at Site #1 generated allowable pile loads much less than expected and pile lengths have been adjusted based on test results. The Contractor has begun driving sheet piles. Approximately 9,900 linear feet of "No Work Zones" are still in effect in this reach pending final design results.

LPV 146 (Bayou Dupre to Verret):

The project includes approximately 8 miles of new T-Wall atop the existing earthen levee. An ECI Contract has been awarded for this reach. The pile load tests are nearing completion. 95% Plans and specs are complete. The Contractor is constructing an access road and has begun driving sheet piles. Approximately 7,000 linear feet of "No Work Zones" are still in effect in this reach pending final design results.

LPV 147 (LA Hwy 46 and LA Hwy 300 Flood Gates):

The project includes a new set of floodgates at LA Hwy 46 and the replacement of the existing floodgate at LA Hwy 300. An emergency by-pass ramp will be constructed at the LA Hwy 46 location. The revised ROE was issued on March 18, 2010 and the Project is ready for award.

The LA Hwy 300 Flood Gate will be constructed under the LPV 148 Project.

LPV 148.02 (Verret to Caernarvon):

The Project includes approximately 9 miles of new T-Wall atop the existing earthen levee. An ECI Contract was previously awarded (2009) for this Project, but a protest was filed by one of the proposers. The USACE decided to re-issue the solicitation, and accept new proposals. USACE awarded the ECI Contract to Cajun Constructors in February 2010.

LPV 149 (Caernarvon Floodwall – Lake Borgne Basin Levee District):

The project design requires a realignment of the Caernarvon levee/floodwall to a location east of the Caernarvon Canal. The new alignment necessitates the construction of a new Control Structure (sector gate) in the Caernarvon Canal.

Final plans include a sector gate at the Caernarvon Canal. 100% Plans and Specs are complete. Pile Load Tests are underway and the Construction Contract is scheduled to be advertised in March 2010.

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 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 the features necessary 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.

The Amendment to the LPV PPA for the permanent pump stations has been signed.

Development of the RFP for design/build of the Permanent Pump Stations 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

Coastal Protection and Restoration

Lake Borgne Basin Levee District:

The Violet Freshwater Diversion siphon is operating.

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 Hurricane's Katrina and Rita.

Flood Fight

The Mississippi River has fallen to below 8' at the Carrollton Gage. The River is forecast to rise above 11' around the end of March 2010.

Design and Construction

East Jefferson Levee District:

Work is continuing on the EJLD Safe House. The Architect has submitted a draft of the "Existing Conditions Assessment". EJLD and SLFPAE met with the Architect to discuss parameters that will be used in the planning and design of the facility. EJLD meets with the A/E about twice a month.

Seepage along River Road is being monitored daily.

Orleans Levee District:

Construction on LPV 117 Project (Phase I East Side IHNC – Relief Wells) is complete. Overall the project looks good but grass has not yet begun to grow. The project involved the installation of approximately 20 relief wells.

Construction of LPV 117 Project (Phase 2 East Side IHNC – Sheet Pile Installation) work is underway (more than 50% complete. Approximately 1400 linear feet of steel sheet pile will be installed at a location that is about 4000' south of the Seabrook Bridge.

Construction has begun on the OLD Safe House Project (NTP issued on January 11, 2010). The Project is approximately 7% complete and scheduled for completion in August 2010.

The Floodgate Seal Repairs Project has been awarded and NTP is forthcoming.

Notice to Proceed for the Franklin Ave Warehouse South Section Roof Replacement Project was issued effective January 1, 2010 and work is under way.

Dr. Lorenzo started field investigations on the 17th St. Canal failure location on January 14, 2010.

Bayou St. John Sector Gate Maintenance Cycle Contract has been executed and NTP is pending.

Lake Borgne Basin Levee District:

The Contractor for the Trash Screen Repairs/Rehabilitation Project has installed the screens at all three pump stations. All punch list items have been addressed and the Project is 100% complete.

The Contract for the Bluebird and Artillery Canal Cleaning Project has been completed. A punch list has been developed and submitted to the Contractor.

Work is nearly complete on the Tainter Gate Repairs at P.S. Nos. 1 & 4. A punch list has been developed and a change order has been issued to address problems with the existing air piping system. Project completion is scheduled for late March 2010.

The Notice to Proceed was issued to Fleming Construction for the Transition Improvements and Scour Protection at various locations along the 40 Arpent Canal. The pre-construction meeting was held on February 10, 2010. Work on the Project is underway at Pump Stations 3 and 7.

LBBLD has received proposals from A/E firms to prepare plans and specs for a remote control system to operate the pumps at Pump Station 2 from Pump Station 6, and Pump Station 3 from Pump Station 7. The proposals have been reviewed and negotiations with the selected consultant will begin this month.

Bids have been received and evaluated and a Contract for the purchase of the new Siphon Pump (for the Violet Fresh Water Diversion Siphon) will be issued before the end of March 2010. The vendor successfully demonstrated the Pump at LBBLD on March 16, 2010.

The Pre-bid conference for the Violet Canal emergency dredging project was held on March 16, 2010. Bids are due on March 19, 2010. The Work includes dredging a portion of the canal near the Siphon discharge to allow for marine navigation. The cost for the work will be reimbursed by DNR.

Plans prepared by LDOTD for the Violet Canal Closure Structure Improvement Project have been submitted to LBBLD for review. The Project involves the replacement of an old sheet pile I-Wall in the 40 Arpent Canal near its intersection with the Violet Canal. The Project is scheduled for bid in late April 2010.

Internal Affairs

The USACE will issue new reports on computed Safe Water Elevations for the three outfall canals in Orleans Parish. The London Ave and 17th Street Canal SWE reports are undergoing peer review. The USACE intends to make modification to the existing canal floodwalls to achieve a minimum safe water elevation of 8' in all three canals.

We now have two inspectors working with us provided by OCPD. Additional technical support is forthcoming. We are developing a management plan to establish procedures for interaction between the USACE, OCPD and SLFPAE during project construction.

A Workshop for the Levee Information Management System was conducted by the Dutch on February 23, 2010.

The OCPD Levee Inspector class was held on March 10, 2010 at the LDOTD Regional Traffic Management Center on Veterans Blvd.

The Mississippi Valley Flood Control Association Spring Meeting will be held in Washington DC March 20-24, 2010.

The ALBL Workshop in Baton Rouge is scheduled for May 6th and 7th, 2010.