

**MINUTES OF THE
SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY – EAST
BOARD MEETING
THURSDAY, JUNE 17, 2010**

The regular monthly Board Meeting of the Southeast Louisiana Flood Protection Authority - East (Authority or SLFPA-E) was held on Thursday, June 17, 2010, at the St. Bernard Public 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
David P. Barnes, Jr.
John M. Barry
Thomas L. Jackson
Ricardo S. Pineda
Louis E. Wittie

OPENING COMMENTS:

Mr. Doody reported on preparations for the upcoming hurricane season. A meeting was held with the levee districts' Executive Directors to discuss hurricane preparation plans, including plans in a worst case scenario to deal with oil that infiltrates the system. The discussions included hazmat training for certain individuals and adding EPA contact information to the levee districts' manuals. The Orleans Levee District has a containment cleaning station for vehicles that travel through contaminated areas. A small number of hazmat suits will be stocked for use by employees. The SFLPA-E is in the process of setting up a meeting with the U.S. Coast Guard concerning the Inner Harbor Navigation Canal (IHNC). Vessels in the IHNC should be evacuated with the exception of those that are unable to leave. Mooring plans should be in place and tugs sitting by to assist vessels that break free of their moorings. The SLFPA-E should be kept knowledgeable about vessels that receive dispensation and remain in the area.

Mr. Doody provided an update on House Bill (HB) 1324 filed by Representative Cedric Richmond. In its original form HB 1324 would have repealed the current law that defines the full value of land taken by appropriation or expropriation and does not allow for speculative value. Currently, two appraisals are obtained on the current value of appropriated or expropriated land and the higher of the two appraised values is paid. The current law also allows levee districts to appropriate or expropriate property at the time it is needed and to make payment at some point in the future when the value of the land has been worked out with the owner. In practice when appropriating or expropriating land, the SLFPA-E obtains two appraisals, files the documentation and

places the money in the registry of the court. The SLFPA-E was agreeable to the change in the current law for payment to be made at the time of appropriation or expropriation. Representative Richmond then agreed to leave the definition of the full value of the land as currently provided in the law. HB 1324 passed the House in this fashion. Senator Murray amended the bill on the Senate floor to require levee districts statewide to pay for the six-foot servitude adjacent to all levees. The Coastal Protection and Restoration Authority (CPRA) estimated the cost statewide of Senator Murray's amendment to be over one billion dollars. A rough estimate of the cost for just the three outfall canals (Orleans, London and 17th Street Canals) is \$15 million. The St. Julien Doctrine, which is the current law that provides for the six-foot servitude, has been in place since the late 1800's. Representative Karen St. Germain offered an amendment to strip out Senator Murray's amendment, which passed by a vote of 62-40 in the House. The bill was referred to a conference committee, which will meet and decide how the final bill will look. The bill will then go to the Senate and the House for a vote. Mr. Barry commented on the need for legislators to have flood protection as their highest priority.

Mr. Doody explained that the Coastal Advisory Committee (CAC) reviewed about 30 projects at its first two initial meetings. The CAC reviewed these projects again in an effort to determine which projects could offer some protection from the infiltration of oil from the Deepwater Horizon oil spill. The two projects identified by the CAC that would provide some protection and that have the support of the scientific and environmental communities are the Biloxi Marsh – Lake Borgne Shoreline Protection Project and Orleans Land Bridge Project (Alligator Bend) Project. A letter was sent by the SLFPA-E to the U.S. Coast Guard requesting immediate approval of these two projects, which are estimated to cost in total less than \$40 million. Responses were received from the U.S. Coast Guard Incident Commander at Houma, LA, and the Department of Homeland Security. Information concerning these recommended projects was provided to the St. Bernard Parish Council at its June 15th meeting by Mr. Doody and Mark Schexnayder and will be provided to the New Orleans City Council by Carlton Dufrechou and Mark Schexnayder. It is hoped that both these governing bodies will adopt resolutions in support of the SLFPA-E's letter of recommendation. The CAC, consisting of Carlton Dufrechou, Mark Schexnayder, John Lopez, Steve Mathies and Col. Robert Sinkler, were requested to determine additional projects that could offer protection and be submitted for approval.

Mr. Doody reported that the Joint Advisory Committee, which consists of a number of entities including the SLFPA-E, the U.S. Coast Guard and the Sewerage and Water Board of New Orleans, met on June 2nd to review the preparation plans of the individual agencies in advance of the hurricane season.

Mr. Doody advised that he and Robert Turner, SLFPA-E Regional Director, met a second time with representatives of the Rand Corporation. The Rand Corporation is developing information for the State on the operations and maintenance (O&M) costs of the completed 100 year flood protection projects and how these costs will be funded by the local levee districts. Funding these O&M costs will be a tremendous undertaking. Mr. Pineda asked about the fiscal planning process. Mr. Doody explained that it is difficult to plan without accurate information. According to initial estimates provided by

the U.S. Army Corps of Engineers (USACE), the Lake Borgne Basin Levee District would have to raise \$7 million for the O&M of the completed system, in addition to the \$3 million of current tax revenues for O&M of the pump stations and levees. Mr. Turner noted that he is attempting to refine some of the numbers with the USACE. He stated that AECOM has been requested to provide a scope of work for a Task Order to be issued under the SLFPA-E's Indefinite Delivery-Indefinite Quantity (ID-IQ) contract for an O&M study of the levee districts. The O&M costs for the IHNC surge barrier and Seabrook navigation gates will have to be paid by the levee districts based on current language; however, it is hoped that this language will be changed. In addition, O&M manuals have not been developed for some of the sector gates with mechanical equipment. AECOM can begin collecting base line information that could eventually be developed into estimated future costs. Mr. Turner expected that within the next 12 months a strategy will need to be developed for additional funding. He pointed out that in the near future the levee districts will need to begin sending personnel to training sessions to learn how to operate some of the features of the new system, which will take resources away from the day-to-day activities. Internal discussions have begun on how the levee districts will handle this situation. The SLFPA-E is heavily involved in O&M discussions with the USACE and participates, along with the Office of Coastal Protection and Restoration (OCPR), in weekly O&M conference calls.

Mr. Doody advised that he and Steve Mathies, OCPR Executive Director, co-authored a letter to Karen Durham-Aguilera, Director of Task Force Hope, Col. Alvin Lee, New Orleans District Commander, and Col. Robert Sinkler, Commander of the Hurricane Protection Office (HPO), requesting a response concerning the USACE's compliance with WRDA 2007 on the independent external peer review (IEPR) requirements. Several very specific triggers for projects that would need IEPR are included in WRDA 2007. These triggers include projects that require unique engineering solutions and projects that need to be expeditiously delivered. Ms. Durham-Aguilera responded advising that none of the IEPR's have been completed and transmitting a list of the procedures that are followed in order to IEPR a project. A meeting will be set up with Ms. Durham-Aguilera, Col. Lee and Col. Sinkler to discuss the USACE's response and the triggers that Mr. Doody and Mr. Mathies would like to have addressed. Mr. Jackson requested that his concern about the ability of a consulting firm hired by the USACE to provide negative comments on USACE projects be discussed at the meeting with the USACE. Mr. Estopinal asked that the mitigation efforts that will be needed to fix problems resulting from the installation of uncoated steel sheet pile and H-piles and to protect the raw steel installed in a marine environment, as well as the identity of the entity that will have to pay for these mitigation efforts, be added to the request for IEPR. Mr. Turner noted that the peer review reports will not be given to the SLFPA-E or made public until the reports are completed. The OCPR has considered hiring Battelle to conduct an IEPR on some of the projects that they have major concerns about. Mr. Goins stressed that as a partner the SLFPA-E should have input in the USACE's IEPR process. Mr. Turner commented on the IEPR process used for the IHNC surge barrier that worked well. Mr. Goins pointed out that the SLFPA-E does not have the same level of input on the IEPR for other projects.

Mr. Pineda asked that a presentation from the USACE be requested on the solutions selected to provide corrosion protection on the 100-year projects, including the reasons for selecting the methods being used.

Mr. Turner explained that the Hurricane and Storm Damage Risk Reduction System (HSDRRS) guidelines require steel sheet piles and H-piles to be coated with coal tar epoxy. The USACE HPO decided that in order to meet the schedule it needed a method other than coating, which could have added 90 days to the delivery of the piles. The HPO requested a waiver of the HSDRRS guidelines from the Mississippi Valley Division in order to add sacrificial steel in lieu of coating. The waiver was granted with certain provisions. Two of the provisions were (1) that the preferred method is to always use coating and (2) if sacrificial steel must be used, particularly in areas with potential exposure underneath the base slab, a conservative approach must be used to determine the thickness of the sacrificial steel. The SLFPA-E has been trying to obtain information from the USACE on the method used for calculating the thickness of the sacrificial steel. The HPO decided on a certain method used for the calculation and the experts hired by the SLFPA-E have disagreed with that method. The SLFPA-E has been trying to have its experts on corrosion meet with the USACE's experts to determine the pros and cons of each procedure and possibly a higher level of confidence could be developed by the SLFPA-E. Last week Col. Sinkler recommitted to trying to get this meeting called before next monthly meeting. Mr. Losonsky asked whether any testing had been done to back up the calculations. Mr. Turner explained that the USACE had examined and measured some of the T-walls that were recently taken down and did not see an issue based on those measurements. However, the SLFPA-E examined and measured sheet pile that it determined to be more representative of the areas of concern and has seen much greater rates of corrosion in those locations. Mr. Turner added that he was reluctant to give up on the attempt to obtain a better level of comfort by meeting with the USACE's experts to flesh out the issue. He commented that everything that he has seen indicates that adding less than one-eighth of an inch thickness to steel under local conditions is not a conservative or right approach. Mr. Doody pointed out that contracts have been awarded by the USACE, steel has been delivered and constructing is currently taking place. The SLFPA-E needs to find out how to mitigate for a potentially bad solution. Mr. Doody advised that a presentation would be requested from the USACE on the corrosion issues.

APPROVAL OF AGENDA:

The agenda was amended to add Item No. XIII.A.6 to approve the advertisement of a Request for Qualifications to expand the SLFPA-E Levee Information Management System and Item No. XIII.B.5 to approve the advertisement of the sale of equipment by the East Jefferson Levee District. A motion to approve the amended agenda was offered by Mr. Goins, seconded by Mr. Wittie and unanimously adopted by roll call vote.

APPROVAL OF MINUTES:

Mr. Goins requested that the tape of the May 20, 2010 Board meeting be reviewed to determine whether a vote was taken on Resolution No. 05-20-10-04, which approved

the Emergency Operations Manuals. He stated that he thought that the Board would receive a new submittal of the EOP manuals that would include information addressing the on-going construction of the 100 year protection projects. He also suggested that a plan be developed in the future to address the duties and responsibilities of Board members during an emergency. Mr. Turner explained that the intent is for the USACE's contractors' emergency plans to be included as appendices to the EOP manuals. The contractors' emergency plans will need to be revised on a continuing basis as the construction projects progress. In most cases contractors are required to have materials on site to affect a closure. In the past couple of weeks, several contractors have conducted drills on affecting closures. Mr. Goins also requested that his comments during the presentation given by the USACE relative to the inability of the MRGO to stop a surge be included in the minutes. Mr. Jackson asked that a notation be included in the minutes that he left the meeting at 1:20 p.m. in order to attend a meeting on behalf of the President with the USACE on the cost estimates for permanent protection at the outfall canals. The approval of the minutes of May 20, 2010 Board meeting was deferred until the Board's next regular meeting.

PUBLIC COMMENTS:

There were no public comments.

PRESENTATIONS:

1. Status of actions taken to monitor and mitigate the oil spill – Coastal Advisory Committee

Carlton Dufrechou advised that the CAC recommended two shoreline protection projects for acceleration: (1) the Biloxi Marsh – Lake Borgne Shoreline Protection Project and (2) the Orleans Land Bridge Project (Alligator Bend) Project. Although the impacts to Southeast Louisiana wetlands have been minimal to-date, oil is still spilling into the Gulf and the amount of oil in the Gulf grows daily. Until such time as the well is capped, it will continue to be a potential catastrophe. He stated that it appeared that the CAC's presentation to the New Orleans City Council scheduled for today may be postponed.

Mark Schexnayder stated that he and Tim Doody presented this information to the St. Bernard Parish Council. He hoped next week to go to Hopedale to meet with Craig Taffaro, St. Bernard Parish President, concerning the Parish's plans. He explained that the two projects recommended by the CAC were selected because a fair degree of the engineering has already been done and the projects could be implemented quickly. He stated that any project in the LCPR plan (State master plan) with rock jetties, even to the Rigolets and beyond, would be good in the opinion of the CAC. Mr. Dufrechou agreed with Mr. Schexnayder and added that the MRGO Ecosystem Restoration Study probably includes a number of projects that could benefit the entire area in the near term and that these projects may be farther along than others in terms of engineering. Members of the CAC will meet within the next two weeks and follow up with a written report or summary.

Mr. Schexnayder commented that the mitigation for the oil spill will be a very long process and will include inter-agency discussions. The exercise that the CAC has been going through for the SLFPA-E of looking at all of the projects in the area will assist in the mitigation process.

Mr. Doody stated that the SLFPA-E's ID-IQ coastal engineering consultants could be used should the CAC determine that additional engineering is necessary to implement the recommended projects. The SLFPA-E would request approval from the Coast Guard for any necessary engineering, as it did for the implementation of the two recommendation projects. The expenses would be submitted as legitimate claims.

Mr. Pineda inquired about the CAC's screening criteria. Mr. Dufrechou responded that the screening criteria used by the CAC at its initial meetings included hurricane protection, coastal restoration and sustainability. More recently the CAC looked at projects that could be speedily implemented and that had the potential to eliminate damages to the coastal wetlands from the oil spill.

Mr. Pineda asked who would implement the recommended projects. Mr. Dufrechou explained that the proponent of the two recommended projects is the National Resource Conservation Service (NRCS). The process for project implementation under the oil spill crisis must be ascertained. Mr. Goins noted that British Petroleum's (BP) approved list of contractors was used by some of the governmental bodies to implement the construction of the projects more quickly. He asked whether contractors from BP's approved list could be used to implement the recommended projects. Mr. Dufrechou asked whether the SLFPA-E would like to implement some of the recommended projects. Mr. Goins replied, absolutely. Mr. Doody stated that the SLFPA-E's implementation of recommended projects would be pursued.

2. Hurricane and Storm Damage Risk Reduction System Resiliency – U.S. Army Corps of Engineers.

John Greishaber, Chief of the Executive Support Division USACE HPO, defined resiliency as the ability of any Hurricane and Storm Damage risk Reduction System element to maintain its functionality even when subjected to forces greater than its intended design level. The USACE is currently designing the protection system for the one percent storm—better known as the 100-year storm. The resiliency or the ability of the system to sustain a higher event is the 500-year storm or .2 percent storm. There could be wave overtopping of .1 cubic feet per second per foot of protection in a 100-year storm in a polder. On an average there could be wave overtopping of .3 cubic feet per second per foot of polder in a 500-year event. There will be a little water coming over; however, the system is being designed to withstand that additional water. The system will be protected by some form of armoring, including grass. A 500-year event could occur and a little water could come over the top of the system, but the system would remain sound and still be functional.

Mr. Greishaber showed an example of a typical levee section (LPV 109) between Lake Pontchartrain and the MRGO. The design case is 100-year still water at elevation +12-ft. and 100-year still water with a wave at elevation +17-ft. The still water elevation for

the 500-year event is elevation +17-ft. or +17-1/2-ft. The still water elevation with a wave for the 500-year storm event is at the top of this particular embankment at elevation +19-ft. He cautioned that the elevations are polder specific. Different areas have different elevation numbers and actual different levels of overtopping waves for the 500-year event. The USACE used a 90 percent confidence level in calculations for the 100-year event and a 50 percent confidence level for the 500-year event.

Mr. Greishaber showed an example of a typical floodwall cross section along the MRGO in St. Bernard. The design case for the still water elevation for a 100-year event is +21-ft. and the still water elevation with a wave for a 100-year event is elevation is +30-ft. The still water elevation for a 500-year event is 23.5-ft. and the still water elevation with a wave for a 500-year event is 33.5-ft. This is an area where the waves would be significantly higher than the top of the wall. A picture taken during Hurricane Gustav of waves overtopping the IHNC floodwall was shown and Mr. Greishaber stated that this was an example of one percent wave overtopping.

Mr. Greishaber addressed armoring. He explained that the USACE is still conducting armoring studies. Currently, armoring will become part of the system post 2011. A good grass cover is considered armoring and is anticipated to be the armoring for most of the embankments. The embankments being constructed will have grass cover; however, there may be peculiarities within embankments that require different types of armoring. Armoring will be peculiar to the situation. The base of a T-wall acts as a splash pad. The USACE will look at the requirements for armoring and the ability of the materials used to armor to withstand various velocities. He pointed out that the materials being used to build embankments today and that were used in rebuilding the levees in St. Bernard have far more ability to eliminate traditional erosion. The fat clays being used on the surface can sustain a tremendous amount of velocities, unlike the other types of embankment materials previously used.

Mr. Greishaber advised that the IHNC surge barrier is designed to be overtopped and has the IHNC corridor to collect the overtopping water. Water will go over the surge barrier and into a retaining basin. The USACE is currently doing work to bring the entire system up to the current hurricane criteria. The USACE is making sure that under the new 100-year design criteria the IHNC floodwalls are able to sustain water to elevation +12-ft. The IHNC floodwalls are being retrofitted, using deep soil mixing, relief wells, berms and splash pads, as required, to meet the design criteria.

Mr. Goins explained that the SLFPA-E was told that with the IHNC surge barrier the IHNC floodwalls were being taken out of the equation; however, now it is hearing that the IHNC floodwalls are not being taken out of the equation. He commented that the substandard walls are being band-aided and not being replaced. Mr. Greishaber stated that he took exception to Mr. Goins comments and reiterated that the IHNC floodwalls are being brought up to current criteria and that they will meet the exact same criteria as the floodwalls in other locations. Mr. Goins asked if the design used for the existing IHNC floodwalls would be used if those floodwalls were being built today. Mr. Greishaber replied, economically, he did not know. Mr. Goins stated that the sheet piles used for the IHNC floodwalls are too short and that the floodwalls need to be redesigned. He commented that there are relief wells and deep soil mixing in the

same location in certain areas because of seepage. Mr. Greishaber explained that the relief wells did not meet the current criteria; therefore, the USACE went to deep soil mixing to meet the criteria. The IHNC floodwalls are being evaluated using crack analysis, partial gap analysis and all of the other criteria recommended for I-walls. Splash pads have already been put in place along the protected side of the IHNC floodwalls. Mr. Turner commented that he recently found out that the USACE will be looking at a more comprehensive fix for the embankment along the north side of the GIWW from the storm surge barrier to the turning basin at the IHNC. The SLFPA-E has been trying to get information on this comprehensive fix for the past two to three months. He hoped to receive better information from the USACE in the next week or two about the USACE's plan and the areas of concern.

Mr. Greishaber was asked whether the Industrial Canal floodwalls will be a primary part of the 100-year system. He responded that the Industrial Canal will serve as a retaining basin for any water that comes over the surge barrier, as well as water pumped out of the streets by the Sewerage & Water Board (S&WB).

Mr. Goins asked with the IHNC surge barrier and Seabrook navigation gates closed and water being retained in the IHNC from the surge barrier overtopping and from pumping by the S&WB is the USACE considering building a pump station to pump water out of the canal or is it going to wait until the storm is over and the gates can be opened. Mr. Greishaber reviewed the operating procedure and advised that the operating procedure worst case scenario indicates that the walls will hold back the maximum pumping and maximum overtopping for a 100-year event in the surge barrier. Mr. Goins asked about a 500-year event. Mr. Greishaber replied that he would have to obtain that information. Mr. Jackson asked about the USACE's ability to recover should unexpected circumstances, such as the delay in the closure of the navigation gates, occur. Mr. Greishaber responded that it is incumbent upon all of the entities involved, such as the Coast Guard, as well as the USACE, to make sure that operation requirements are consistent with what is needed for the design. Traffic must be out of the channel at the point indicated in the operations manual. Mr. Losonsky asked the estimated anticipated rate of the IHNC surge barrier overtopping. Mr. Greishaber replied around .1 cubic feet per second.

Mr. Barry asked what types of materials are being considered by the USACE for armoring levees that have embankments constructed of materials other than clay and the timing for this armoring. Mr. Greishaber responded that the USACE is building the 100-year projects with a goal of completion of 2011. The USACE is conducting tests and learning about the ability of products to act as armoring. The USACE will reach the point where it will be able to have the system completed and have the information to know what type of armoring should be used. The USACE will eventually have a catalog to determine what type of armoring will be needed. The traditional embankments constructed of the materials in the 100-year protection criteria are not expected to need armoring other than grass; however, there could be areas that need additional armoring, such as at a bend in the levee, transitions and utility crossings. These issues are being defined and the fixes needed to address these issues so that the system will be survivable will be determined.

Mr. Pineda asked whether the SFLPA-E could participate in a collaborative process with the USACE HPO on the armoring. Mr. Greishaber replied that the USACE is open and transparent on this issue. The USACE has a PDT (Project Development Team) that is looking into armoring. He stated that the SLFPA-E is invited to be a part of the USACE's PDTs.

Mr. Pineda asked was there a commitment as a part of the 100-year project from the USACE to make the system 500-year resilient. Mr. Greishaber replied that there is a commitment that the USACE is going to walk away from a system that will be able to sustain a 500-year storm. Mr. Pineda asked what level of protection will be in place when the project is completed. Mr. Greishaber replied that the USACE is authorized and mandated by Congress to provide a 100-year level of protection. Mr. Goins asked had Congress de-authorized the IHNC or outfall canal floodwalls. Mr. Greishaber replied, no. Mr. Goins asked, then how can those floodwalls be designed to a lower level (12-ft.) than the true 100-year level of protection (19.5-ft.). Mr. Greishaber reiterated that the floodwalls along the IHNC corridor with the surge barrier and the Seabrook gate in place, according to the USACE models, do not see water any higher than 8-ft. during a 100-year event.

Mr. Barry asked how could there be a 100-year system without armoring. Mr. Greishaber responded that the 100-year system exists with a small amount of overtopping and will function against a 100-year storm without the armoring. The USACE is committing to a resiliency such that the system will survive a 500-year event. Mr. Turner pointed out that the information has not yet been developed in response to the SLFPA-E's question about the embankment underneath the T-walls remaining intact in a 100-year event. Mr. Greishaber responded that in certain areas there could possibly be erosion of the embankment material; however, that embankment material would not put in peril the T-wall that sits atop it. Maintenance would be required after the storm. Mr. Turner stated that the USACE has not advised the scope of the maintenance. Mr. Greishaber advised that the issue of whether additional armoring is needed would be a part of the armoring team's discussions.

Mr. Estopinal asked about a 25 or 50-year event with rolling wave breakers below the splash pad. Mr. Greishaber cited the example of Hurricane Gustav. There were areas where debris eroded the grass away and there were bare areas where the grass had not taken. The USACE did not see a big problem on the newly constructed levees with the compacted clay (CH) material.

3. Expectations for Upcoming Hurricane Season – David Barnes

Mr. Barnes provided the members of the Board with a binder of information from studies and papers on various topics relating to hurricanes.

Mr. Barnes stated that the months August, September and October are the most active part of the hurricane season. He noted, however, that Hurricane Audrey struck in June of 1957 as a category 4 storm and was catastrophic, and that Hurricane Juan struck in later October-early November of 1985 and dumped ten or more inches of rain. He explained that the issues of overtopping and wind damage are important; however,

another important issue is rainfall since some storms have dumped a tremendous amount of rain. In July of 1979 a tropical depression dumped up to 40 inches of rain in two days in the Houston area and 25 inches of rain in 24 hours at the National Weather Service office located south of Houston.

Mr. Barnes explained that in the past decade there have been 151 tropical storms or hurricanes in the Atlantic Basin. This is more than 50 percent above the norm. He cautioned that we are in a long term multi-decade situation with more hurricanes than the norm. El Nino is almost completely gone. We are currently in a neutral situation and moving into a La Nina situation. In a La Nina situation both the chances for storms and the intensity of storms increase. The water temperatures in the Caribbean, South Atlantic and Gulf of Mexico are two to three degrees above normal and there is lower pressure in part of the tropics; therefore, there are all the makings of an active hurricane season. The National Oceanic and Atmospheric Administration (NOAA) forecasts an 85 percent chance of an above normal season, a 10 percent chance of near normal season and a five percent chance of a below normal season. NOAA also forecasts 14 to 23 named tropical storms with 8 to 14 becoming hurricanes and 3 to 7 becoming major hurricanes. He noted that the probability of having a tropical storm each year in the lower part of Plaquemines Parish is 50 percent, and that for hurricanes it is 25 percent and for major hurricanes it is about 10 percent. He stressed that there is a high threat this year and hard decisions will need to be made about evacuations. As a result of improved and more accurate forecasting of hurricane motion over the past 30 or 40 years, the Hurricane Center will try to give 36 hours advance notice of warning instead of the previous 24 hours advance notice. He commented that there has not been much improvement in forecasting of storm intensity.

Mr. Barry requested that David Waggoner be allowed to address the Board. There was no objection.

David Waggoner advised that Mr. Doody and Mr. Turner have agreed to represent the SLFPA-E's interest in the sustainable communities grant being offered by the Federal government (HUD, EPA and Department of Transportation). The Federal government has allotted \$100 million nationwide. This is a planning grant that must cover more than a single parish; therefore, a single application is being made from this area. The intended area of study is from Jefferson Highway through the Claiborne corridor to Judge Perez. The Regional Planning Commission would be the main grant recipient.

EXECUTIVE SESSION:

1. Union Benevolent Association v. Louisiana Department of Natural Resources through its Secretary, Scott A. Angelle, Docket No. 540151, Division B, 19th Judicial District Court for the Parish of East Baton Rouge, State of Louisiana.
2. Union Title Guarantee Company, Inc. by and through its Court-Appointed Liquidators v. Board of Levee Commissioners of the Orleans Levee District, No. 52-856, 25th Judicial District Court for the Parish of Plaquemines, State of Louisiana, Section A.
3. Board of Commissioners of the Orleans Levee District v. Louisiana Department of Natural Resources through its Secretary Scott A. Angelle and Union Title Guarantee

Company, Inc. by and through its Court-Appointed Liquidators, Docket No. 537,924, 19th Judicial District Court for the Parish of East Baton Rouge, State of Louisiana, Section 24.

4. Union Title Guarantee Company, Inc. by and through its Court-Appointed Liquidators v. Louisiana Department of Natural Resources, through its Secretary Scott A. Angelle, No. 561565, 19th Judicial District Court for the Parish of East Baton Rouge, State of Louisiana, Section 25.
5. Board of Commissioners of the Southeast Louisiana Flood Protection Authority-East on behalf of the Orleans Levee District v. Louisiana Department of Natural Resources, No. 562122, 19th Judicial District Court for the Parish of East Baton Rouge, State of Louisiana, Section 22.
6. Discussion of real estate acquisition for East Jefferson safe house.
7. Theodore W. Lange v. Southeast Louisiana Flood Protection Authority-East F/K/A Board of Commissioners of the Orleans Levee District, State of Louisiana First Circuit of Appeals No. 2009-CA-1255 c/w 2009-CA-1256.

A motion was offered at 12:28 p.m. by Mr. Barry, seconded by Mr. Losonsky and unanimously adopted, for the Board to convene in Executive Session to discuss the items listed on the agenda.

A motion was offered at 1:15 p.m. by Mr. Goins, seconded by Mr. Wittie and unanimously adopted, for the Board to reconvene in regular session.

RESOLUTION #06-17-10-01 – LEGAL ACTION

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

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East authorizes the East Jefferson Levee District to take the necessary next steps related to property acquisition for East Jefferson Levee District facilities as discussed in Executive Session.

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,
Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: None

RESOLUTION #06-17-10-02 – LEGAL ACTION

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

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East authorizes action to be taken in the case of *Union Benevolent*

Association v. the Orleans Levee District as recommended by Counsel in Executive Session.

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,
Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: None

RESOLUTION #06-17-10-03 – LEGAL ACTION

On the motion of Mr. Pineda,

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

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East authorizes action to be taken in the litigation entitled, *Union Title Guarantee Company, Inc. by and through its Court-Appointed Liquidators v. Board of Levee Commissioners of the Orleans Levee District, No. 52-856, 25th Judicial District Court for the Parish of Plaquemines, State of Louisiana, Section A*, as recommended by Counsel in Executive Session.

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,
Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: None

COMMITTEE REPORTS:

Finance Committee: Mr. Estopinal reported that the Finance Committee met on June 3rd and discussed several items which have been placed on the Board's Agenda. The Committee also discussed the possibility of an Orleans Levee District (O.L.D.) budget adjustment due to revised oil revenues that may be more or less than 5 percent of the current budget and authorized the O.L.D. to publicize a public notice concerning a possible roll forward of millage rates.

Operations Committee: Mr. Wittie reported that the Operations Committee met on June 3rd. The Committee discussed updating and consolidating the levee districts' employee hand books and reviewed the levee districts' monthly status reports.

Legal Committee: Mr. Goins reported that the Legal Committee met on June 3rd. The Committee approved legal invoices, discussed the litigation listed in Executive Session and deferred the item relative to the election of officers to this meeting.

Special Issues Committee: Mr. Jackson advised that the Committee did not meet during the month of June.

CPRA/Governmental Affairs: Mr. Barry stated that the status of HB 1324 was covered during the opening remarks and that the bill is now in the conference committee. He stressed that the first priority of any Legislative or Congressional representative from this region must be flood protection and obtaining Category 5 protection.

Mr. Barry reported that Senate Bill 804 was amended so that the proceeds of any sale of the O.L.D.'s non-flood assets would be reserved to first pay off any judgments against the O.L.D. This amendment came directly from the Bohemia litigation plaintiffs. The original version of the amendment specifically identified this case; however, it was changed so that the case would not be referenced and the amendment expanded to state "outstanding debts". He stated that this amendment is unacceptable. It was pointed out that the income from the non-flood assets is pledged to bonds and the amendment could make the bonds callable.

Mr. Barry reported that there was a lengthy discussion on sand berms at the CPRA meeting yesterday. He commented that many members of the scientific community had made him aware of their complaints concerning the sand berm project. Mr. Barry stated that he was reassured by the scientific team and the comments of Robert Twilley, chair of the scientific advisory group, that whatever is actually done would probably be consistent with the scientific advice.

REGIONAL DIRECTOR'S REPORT:

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

Mr. Barry asked the status of the evaluation on the proposed use of geo-textile materials for raising levees in St. Bernard Parish. Mr. Turner advised that the information submitted to the SLFPA-E was provided to Eustis Engineering for evaluation. In its report Eustis Engineering expressed a number of concerns about the feasibility of using geo-textile materials as proposed.

Nomination and election of officers for one year term effective July 1, 2010.

Mr. Goins requested a legal opinion relative to the vote of a Board member in a situation where the reappointment process has not been completed.

Robert Lacour, SLFPA-E Counsel, stated that he and Irys Allgood, Assistant Attorney General, have conferred, and that they both arrived at the same opinion independently. The Board's revised Bylaws state in Article IV Section 2, "An officer of the Board whose term as a Commissioner shall have expired, but who still retains the qualifications required by law to be a Commissioner, shall continue to serve as a Commissioner and as an Officer of the board, with full power, until his or her successor shall have been duly appointed and qualified." This paragraph was also included in the original version of the Board's bylaws. This conforms with opinions rendered by the Attorney General's Office that a board member serves until his/her replacement has been sworn in. He stated that he and Ms. Allgood concurred that there is one possible exception, which is found in Revised Statute 38:330.1.D (2) and

Article III Section 5 of the Board's Bylaws that "No board member shall serve more than two (2) consecutive four-year terms." If a commissioner has served eight years and his replacement has not been appointed, he may not be able to vote because having served eight years may have removed his qualification for the office. However, the qualifications for office may refer only to discipline and residence requirements in the law. Mr. Lacour stated that it is his and Ms. Allgood's opinion that since none of the Board members have served two consecutive four-year terms, unless someone has moved out of his respective district or for some other reason no longer possesses the qualifications for the office, and his replacement has not been appointed and sworn in, he is still eligible to vote.

Mr. Goins stated that the Legal Committee tried to parallel the law as provided in the Revised Statutes when they drafted the original bylaws for the Board. He stated that the statutes provide that the selection committee is supposed to approve an individual within sixty days and forward that approval to the governor, and that the governor is supposed to appoint a member within ninety days after the term has expired. He asked whether the Board is in violation of this law. Mr. Lacour replied, no, and stated that the Board is protected by the provisions of the Bylaws and the Attorney General's opinions that state that a board member serves until his replacement is sworn in. He added that there is ample precedent on the State and Federal level that a board member serves until he/she is replaced.

The floor was opened for nominations for the office of President. Mr. Barnes offered and Mr. Pineda seconded the nomination of Timothy Doody. Mr. Losonsky offered and Mr. Barry seconded the nomination of Thomas Jackson. The question was called and Mr. Doody was elected to the office of President with Mr. Barnes, Mr. Barry, Mr. Doody, Mr. Estopinal, Mr. Pineda and Mr. Wittie voting in favor of Mr. Doody as President.

The floor was opened for nominations for the office of Vice President. Mr. Wittie offered and Mr. Pineda seconded the nomination of Mr. Barry. Mr. Goins offered and Mr. Losonsky seconded the nomination of Thomas Jackson. The question was called and Mr. Barry was elected to the office of Vice President with Mr. Barnes, Mr. Barry, Mr. Doody, Mr. Estopinal, Mr. Pineda and Mr. Wittie voting in favor of Mr. Barry as Vice President.

The floor was opened for nominations for the office of Treasurer. Mr. Barry offered and Mr. Pineda seconded the nomination of Stephen Estopinal. There were no further nominations and Mr. Estopinal was unanimously elected to the office of Treasurer.

The floor was opened for nominations for the office of Secretary. Mr. Barry offered and Mr. Barnes seconded the nomination of Louis Wittie. Mr. Estopinal offered and Mr. Jackson seconded the nomination of George Losonsky. The question was called and Mr. Wittie was elected to the office of Secretary with Mr. Barnes, Mr. Barry, Mr. Doody, Mr. Pineda and Mr. Wittie voting in favor of Mr. Wittie as Secretary.

RESOLUTION #06-17-10-04 - ELECTION OF OFFICERS

“A resolution providing for the election of Officers of the Southeast Louisiana Flood Protection Authority-East for a term of one year commencing July 1, 2010.”

WHEREAS, at a regular monthly Board Meeting held on December 17, 2009, the Board adopted revised Bylaws, which provide in part for the designation and election of Officers of the Board; and

WHEREAS, Article IV, Officers, Section 1, provides for the designation of the offices of President, Vice President, Secretary and Treasurer, which shall be elected from among the members of the Board at the regularly scheduled June meeting.

BE IT HEREBY RESOLVED, that in accordance with elections held this date, the Officers of the Southeast Louisiana Flood Control Authority-East shall be as follows for the term commencing July 1, 2010:

President – Timothy P. Doody
Vice President – John M. Barry
Treasurer – Stephen V. Estopinal
Secretary – Louis Wittie

With all members of the Board being present, the vote thereon was as follows:

On the nomination of Mr. Doody, offered by Mr. Barnes and seconded by Mr. Pineda, for the Office of President: YEAS: Mr. Barnes, Mr. Barry, Mr. Doody, Mr. Estopinal, Mr. Pineda and Mr. Wittie

On the nomination of Mr. Barry, offered by Mr. Wittie and seconded by Mr. Pineda, for the Office of Vice President: YEAS: Mr. Barnes, Mr. Barry, Mr. Doody, Mr. Estopinal, Mr. Pineda and Mr. Wittie

On the nomination of Mr. Estopinal, offered by Mr. Barry and seconded by Mr. Pineda, for the Office of Treasurer: YEAS: Mr. Barnes, Mr. Barry, Mr. Doody, Mr. Estopinal, Mr. Goins, Mr. Jackson, Mr. Losonsky, Mr. Pineda and Mr. Wittie

On the nomination of Mr. Wittie, offered by Mr. Barry and seconded by Mr. Barnes, for the Office of Secretary: YEAS: Mr. Barnes, Mr. Barry, Mr. Doody, Mr. Pineda and Mr. Wittie

RESOLUTION #06-17-10-05 – SELECTION OF OFFICIAL JOURNAL FOR SLFPA-E, E.J.L.D., O.L.D. AND LBBLD

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

WHEREAS, R.S. 43:171 provides that levee districts and other political subdivisions shall have the proceedings of their board and such financial statements required by the legislative auditor published in a newspaper, which shall be selected at the first meeting in June of each year for a term of one year; and

WHEREAS, R.S. 43:171 further provides that the newspaper shall meet certain criteria relative to location and publication; and

WHEREAS, the Times Picayune meets the aforementioned criteria for the Southeast Louisiana Flood Protection Authority-East, East Jefferson Levee District and Orleans Levee District; and

WHEREAS, the St. Bernard Voice meets the aforementioned criteria for the Lake Borgne Basin Levee District.

BE IT HEREBY RESOLVED, that the Times Picayune is hereby selected as the Official Journal for publications as required under R.S. 43:171 for the Southeast Louisiana Flood Protection Authority-East, East Jefferson Levee District and Orleans Levee District for a one year term commencing on July 1, 2010.

BE IT FURTHER RESOLVED, that the St. Bernard Voice is hereby selected as the Official Journal for publications as required under R.S. 43:171 for the Lake Borgne Basin Levee District for a one year term commencing on July 1, 2010.

BE IT FURTHER RESOLVED, that the SLFPA-E President, SLFPA-E Regional Director or appropriate Levee District Executive Director are authorized to sign any and all documents necessary to accomplish the above.

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, Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: None

Motion to adopt a resolution to support Coastal Protection and Restoration Authority Resolution adopting a Policy and Acceptance Procedure for “Functionally Complete New Work”.

Mr. Barry explained that the draft resolution presented to the Board supports the CPRA’s interpretation of the partnership agreements with the USACE. The concern that certain parts of a project on the West Bank will be completed and turned over to the local sponsor before that part of the system is completed led to the CPRA issuing its interpretation. He requested that the Board consider supporting the CPRA’s interpretation and added that whether or not the USACE pays attention to it is another matter.

Mr. Goins commented that he understood the intent of the CPRA’s interpretation. He explained, however, that the USACE will accept a job from a construction contractor in accordance with the contract terms, call it substantially complete and the warranty period will begin. He added that should the Board decide not to accept a project, the warranty period is still running and the USACE is not under any legal obligation that he knew of to perform any maintenance since the contract requirements were fulfilled.

Mr. Jackson pointed out that some of the verbiage in the CPRA’s resolution may lead to problems, including problems for contractors trying to close out contracts. He explained that the definition of “substantially complete” has been debated for many years and that

the way the term is generally administered is that the project can be used for the function for which it was designed. Accepting a “partially complete” project could be in violation of Louisiana law because it does not serve the function for which the project was intended. He recommended that the Board not adopt the resolution presented.

Mr. Turner commented that the issue of a local sponsor accepting a project that does not perform the intended purpose will still need to be settled. Traditionally, a project is turned over to the local sponsor as soon as a contractor finishes a job. In constructing the 100-year system, the USACE will want to release parts of a project to the local sponsor.

Mr. Doody advised that he received a response to the CPRA’s resolution from Karen Durham-Aguilera, USACE Director of Task Force Hope; however, he did not have time to review the response. He stated that he would like to have the benefit of Ms. Durham-Aguilera response before the Board adopts a resolution.

Mr. Barry withdrew the draft resolution in support of the CPRA interpretation.

RESOLUTION #06-17-10-06 - ID-IQ CONTRACT TASK ORDER

Mr. Turner explained that the SLFPA-E has had individuals looking after its interests on the review committee for the safe water elevation reports, which should be completed within sixty days. It has been determined that Halcrow, Inc. has the technical expertise to review the designs of the remedial work that will be done by the USACE to strengthen the floodwalls along the outfall canals and determine whether the designs are being done properly. A task order will be negotiated with Halcrow, Inc. The scope of the task order must be determined after meeting with the USACE. The SLFPA-E would like to have Halcrow, Inc. begin its work as soon as possible. Mr. Goins requested that the overlap at the transitions be made a part of the scope of work.

On the motion of Mr. Goins,

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

WHEREAS, the U.S. Army Corps of Engineers (USACE) is designing remedial work on the levees and floodwalls along the Orleans Avenue, London Avenue and 17th Street Outfall Canals; and

WHEREAS, the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) currently has an Indefinite Delivery-Indefinite Quantity (ID-IQ) Contract with Halcrow, Inc., which can be utilized for the review of the aforementioned design work.

BE IT HEREBY RESOLVED, that the SLFPA-E Regional Director is hereby authorized to negotiate a task order with Halcrow, Inc. for the review of the design by the USACE of the remedial work on the levees and floodwalls along the outfall canals, and to execute and issue said task order.

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,

Mr. Pineda and Mr. Wittie
NAYS: None
ABSENT: None

RESOLUTION #06-17-10-07 - CDBG – ID-IQ CONTRACT TASK ORDER

Mr. Turner explained that the SLFPA-E had to define how the funds would be used in its application for a \$900,000 Community Development Block Grant. An amount of \$90,000 was designed for Phase 1 of a study of the area at the St. Charles/Jefferson Parish line near Airline Highway. Phase I will include determining the feasibility and risk reduction associated with extending the height of the levee across Airline Highway to the Mississippi River. One of the first tasks will be having the various stakeholders from both parishes meet to discuss the possibility of compartmentalization at that location.

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

WHEREAS, the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) applied for a grant through the Community Development Block Grant – Disaster Recovery Unit to conduct planning and study activities related to flood protection; and

WHEREAS, the SLFPA-E identified potential projects to be performed under the aforementioned grant that are extremely important to the Metropolitan New Orleans area; and

WHEREAS, the aforementioned studies are to be performed utilizing the SLFPA-E's current Indefinite Delivery-Indefinite Quantity Contracts through the issuance of task orders; and

WHEREAS, the SLFPA-E wishes to proceed with the study identified as Item I.A. Residual Risk Compartmentalization Study – St. Charles/East Jefferson Internal Levee.

BE IT HEREBY RESOLVED, that the SLFPA-E Regional Director is hereby authorized to negotiate a task order with Taylor Engineering, Inc. in an amount not to exceed \$90,000 for Item I.A. Residual Risk Compartmentalization Study – St. Charles/East Jefferson Internal Levee, and to execute and issue said task order with payment predicated upon the receipt of grant funds.

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,
Mr. Pineda and Mr. Wittie
NAYS: None
ABSENT: None

RESOLUTION #06-17-10-08 – LEVEE INFORMATION MANAGEMENT SYSTEM

Mr. Pineda requested that the Board approve the advertisement of a Request for Qualifications to expand the SLFPA-E Levee Information Management System (LIMS).

He explained that Mr. Turner stated at a previous meeting that he would like to see the LIMS expanded. The LIMS currently covers only a small portion of the system with work donated by the Dutch. Mr. Pineda stated that the Authority should expand the LIMS to include all 200-plus miles of levees and flood protection features as it can be afforded. He stated that he would work with Mr. Turner and Stevan Spencer, SLFPA-E Regional Chief Engineer, on the scope of work and the competitive selection process.

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

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East approves the advertisement of a Request for Qualifications to develop and expand the Levee Information Management System.

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, Mr. Pineda and Mr. Wittie
NAYS: None
ABSENT: None

RESOLUTION #06-17-10-09 - EAST JEFFERSON LEVEE DISTRICT RENEWAL OF INSURANCE COVERAGES

Hardie Edgecombe with Arthur J. Gallagher Risk Management Services advised that 35 markets were approached for General Liability (GL) Insurance coverage and only two responses were received. He recommended that the Board approve Option 1 GL Insurance coverage from Ace Insurance Company and Option 1 Umbrella Insurance coverage from Lexington Insurance Company. Southern Insurance Company's rate for Auto Liability Insurance coverage dropped by 13 percent and ten units were added. The renewal rate for Commercial Crime Insurance coverage is the same as the expiring rate with limits of liability of \$250,000. Mr. Edgecombe recommended remaining with the original limits on flood insurance.

Mr. Estopinal advised that the Finance Committee reviewed the renewal of insurance coverages for the three levee districts and recommended approval of the resolutions presented.

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

WHEREAS, the East Jefferson Levee District's (EJLD) General Liability, Automobile Liability, Umbrella and Commercial Crime Insurance coverages are due to expire; and

WHEREAS, Arthur J. Gallagher Risk Management Services shopped the market, received quotes for procuring the aforementioned coverages for a one year period commencing July 19, 2010, and provided recommendations to the SLFPA-E Finance Committee at its meeting held on June 3, 2010; and

WHEREAS, ACE Insurance Company, the expiring carrier, submitted a quote of \$71,754.90 for the renewal of General Liability Insurance Coverage with limits of \$1 million per occurrence and \$2 million aggregate; and

WHEREAS, Southern Insurance Company, the expiring carrier, submitted a quote of \$132,859 for the renewal of Automobile Liability Insurance coverage; and

WHEREAS, Lexington Insurance Company submitted a quote of \$50,400 for Umbrella Insurance coverage with a limit of \$3 million; and

WHEREAS, Travelers Insurance Company, the expiring carrier, submitted a quote of \$2,288 for the renewal of Commercial Crime Insurance coverage; and

WHEREAS, the Flood Insurance Coverage for the EJLD Police/Maintenance Complex (1135 Lesan Drive) will expire on July 9, 2010 and for the Sandbagging Building (1135 Lesan Drive Rear) will expire on July 7, 2010; and

WHEREAS, quotations were received for renewal of this coverage by Fidelity National Insurance Company through Arthur J. Gallagher Risk Management Services, Inc., of \$1,695 for the Police/Maintenance Complex and \$534 for the Sandbag Building at a total cost of \$2,229 for a term of one year, and

WHEREAS, the limits of coverage for the Police/Maintenance Complex are \$88,600 on the building and \$100,000 on contents and for the Sandbag Building, \$38,000 on the building and \$10,000 on contents.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East authorizes the procurement of General Liability Insurance Coverage from ACE Insurance Company, Automobile Liability Insurance coverage from Southern Insurance Company, Umbrella Insurance coverage from Lexington Insurance Company and Commercial Crime Insurance coverage from Travelers Insurance Company, at the premium rates quoted above, through Arthur J. Gallagher Risk Management Services, for a one year period commencing on July 19, 2010.

BE IT FURTHER RESOLVED, that the Southeast Louisiana Flood Protection Authority-East authorizes the renewal of the Flood Insurance Coverage for the Police/Maintenance Complex (1135 Lesan Drive) and the Sandbagging Building (1135 Lesan Drive Rear) by Fidelity National Insurance Company as stated above, through Arthur J. Gallagher Risk Management Services, at a total cost of \$2,229 for a period of one year.

BE IT FURTHER RESOLVED, that the EJLD Executive 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. Barnes, Mr. Barry, Mr. Estopinal, Mr. Goins, Mr. Jackson, Mr. Losonsky, Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: None

RESOLUTION #06-17-10-10 - EJLD-PLD

Mr. Lacour explained that about a year ago the SLFPA-E and Pontchartrain Levee District (PLD) agreed that the PLD would cede some of its jurisdiction along the West Return Levee so that the East Jefferson Levee District (EJLD) could be responsible for all of the work along that levee system. Mutual resolutions were adopted and the EJLD accepted responsibility and agreed to hold the PLD harmless. Two additional projects (Airport Runway Levee and the Floodwall West Return Levee South) have been added to that levee system. The SLFPA-E and the PLD companion resolutions have been expanded to include these two projects.

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

BE IT HEREBY RESOLVED by the Board of Commissioners of the Southeast Louisiana Flood Protection Authority-East that it does hereby accept, undertake and assume, from and on behalf of the Pontchartrain Levee District, the full exercise of all functions, jurisdictions and responsibilities which otherwise devolve upon the Pontchartrain Levee District by law in that limited portion of the Parish of St. Charles necessary for the construction and maintenance of the Jefferson-St. Charles Parish Line Floodwall between Airline Highway and Lake Pontchartrain, the Airport Runway Levee in St. Charles Parish and the Floodwall West Return Levee South in St. Charles Parish.

BE IT FURTHER RESOLVED, that the East Jefferson Levee District shall assume any and all liability and financial responsibility which might otherwise devolve upon the Pontchartrain Levee District for any reason, whether by act or omission, or otherwise, arising in any way with respect to that portion of property located in the Parish of St. Charles as described and referred to hereinabove.

BE IT FURTHER RESOLVED, that if any claims are made against the Pontchartrain Levee District for any reason, whether by act or omission, or otherwise, arising in any way with respect to that portion of property located in the Parish of St. Charles as described and referred to hereinabove, the East Jefferson Levee District shall provide legal counsel to the Pontchartrain Levee District for all matters relating to the defense of any such claim and shall further hold harmless and indemnify the Pontchartrain Levee District from any financial loss suffered by the Pontchartrain Levee District that arises in any way with respect to that portion of property located in the Parish of St. Charles as described and referred to hereinabove.

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,
Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: None

RESOLUTION #06-17-10-11 - EJLD EQUIPMENT PURCHASE

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

WHEREAS, by Resolution No. 03-19-09-03 the Southeast Louisiana Flood Protection Authority-East approved the Fiscal Year (FY) 2010 EJLD General Operating Budget; and

WHEREAS, the EJLD is need of a 15-ft. Finishing Mower attachment, which can be purchased under Louisiana State Contract at a cost of \$14,500; and

WHEREAS, the aforementioned equipment was not included in the approved FY 2010 Budget; and

WHEREAS, funding for said equipment is available from unobligated funds remaining in the FY 2010 Equipment Budget.

BE IT HEREBY RESOLVED, that the purchase by the EJLD of a 15-ft. Finishing Mower attachment is hereby approved.

BE IT FURTHER RESOLVED, that the EJLD Executive Director is authorized to sign any and all documents necessary to accomplish the above.

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,
Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: None

RESOLUTION #06-17-10-12 – SALE OF SURPLUS EQUIPMENT

Fran Campbell, EJLD Executive Director, requested authority for the EJLD to contract with an auction firm for the sale of surplus equipment. Mr. Lacour advised that two contracts are involved—one to hire the auctioneer and a second for the auctioneer to sell the property. Gerry Gillen, O.L.D. Executive Director, requested authority for the O.L.D. to sell surplus equipment either through auction or over the internet.

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

WHEREAS, the East Jefferson Levee District (EJLD) and the Orleans Levee District (O.L.D.) intend to dispose of surplus moveable property by public auction or internet sale.

BE IT HEREBY RESOLVED, that Fran Campbell, Executive Director of the EJLD, is authorized to contract with ServCorp International, Inc. to auction the EJLD's surplus movable property at public sale, at no cost to the District, except for advertising and marketing costs not to exceed \$2,500.

BE IT FURTHER RESOLVED, that Gerry Gillen, Executive Director of the O.L.D., is authorized to dispose of the O.L.D.'s surplus movable property either through auction as stated above or through internet sale.

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,
Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: None

**RESOLUTION #06-17-10-13 - ORLEANS LEVEE DISTRICT
RENEWAL OF GENERAL LIABILITY INSURANCE COVERAGE**

Mr. Edgecombe explained that Ace Insurance Company offered limits of liability for GL Insurance coverage (\$2 million per occurrence and \$5 million aggregate) which are required under contracts entered into by the O.L.D. Companion Insurance Company offered a quote for less coverage (\$1 million per occurrence and \$2 million aggregate), which would have required the purchase of an excess policy and a greater cost for both the GL and Excess Insurance coverages. The GL Insurance covers both the Flood and Non-Flood Divisions and the cost is prorated between the Divisions.

On the motion of Mr. Barry,

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

WHEREAS, the Orleans Levee District's (O.L.D.) General Liability Insurance coverage is due to expire; and

WHEREAS, Arthur J. Gallagher Risk Management Services shopped the market, received quotes for procuring the aforementioned coverage for a one year period commencing July 19, 2010, and provided a recommendation to the SLFPA-E Finance Committee at its meeting held on June 3, 2010; and

WHEREAS, ACE Insurance Company, the expiring carrier, submitted a quote of \$120,409.80 for the renewal of General Liability Insurance Coverage with limits of \$2 million per occurrence and \$5 million aggregate; and

WHEREAS, the premium for General Liability Insurance coverage will be prorated between the Flood Protection Division and the Non-Flood Assets Division.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East authorizes the procurement of General Liability Insurance Coverage from ACE Insurance Company, at the premium rate quoted above, through Arthur J. Gallagher Risk Management Services, for a one year period commencing on July 19, 2010.

BE IT FURTHER RESOLVED, that the O.L.D. Executive 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. Barnes, Mr. Barry, Mr. Estopinal, Mr. Goins, Mr. Jackson, Mr. Losonsky,
Mr. Pineda and Mr. Wittie

NAYS: None
ABSENT: None

**RESOLUTION #06-17-10-14 - ORLEANS LEVEE DISTRICT
WORKERS' COMPENSATION INSURANCE COVERAGE RENEWAL**

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

WHEREAS, the second year of the Orleans Levee District (O.L.D.) Three Year Worker's Compensation Retrospective Plan, USL&H & Employers Liability Insurance Coverage is due to expire on July 1, 2010 at 12:01 a.m.; and

WHEREAS, the renewal of the third and final year of the Workers' Compensation Three Year Retrospective Premium Endorsement Plan is offered by LWCC, the incumbent provider, through the Morrison Insurance Agency for the period of July 1, 2010 through July 1, 2011; and

WHEREAS, the proposed estimated annual renewal premium of \$264,412.00 is subject to annual audit and shall be apportioned between the Flood Protection Division and Non-Flood Assets Division; and

WHEREAS, the Flood Protection Division's estimated annual premium is \$187,732.52.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East authorizes the procurement of Workers' Compensation Insurance Coverage offered by LWCC, as stated above, through the Morrison Insurance Agency at the apportioned estimated annual premium of \$187,732.52 for a period of one year commencing on July 1, 2010 and ending on July 1, 2011 at 12:01 a.m.

BE IT FURTHER RESOLVED, that the O.L.D. Executive Director is authorized to execute any and all documents to carry out the above.

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,
Mr. Pineda and Mr. Wittie

NAYS: None
ABSENT: None

**RESOLUTION #06-17-10-15 - LAKE BORGNE BASIN LEVEE DISTRICT
RENEWAL OF INSURANCE COVERAGES**

Mr. Edgecombe recommended that GL Insurance coverage be obtained from Ace Insurance Company with limits of liability of \$2 million per occurrence and \$5 million aggregate. Southern Insurance Company's rate for Auto Liability Insurance coverage has dropped by 19 percent. He recommended Umbrella Insurance coverage be obtained from Lexington Insurance Company. Hull and P & I and Vessel Pollution Insurance coverages are being renewed at the same rate as last year. The rate for Inland Marine Insurance coverage decreased by 19 percent and several new pieces of

equipment were added. The rate for Property Insurance coverage decreased by ten percent; however, the insured values were increased by about \$2 million.

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

WHEREAS, the Lake Borgne Basin Levee District's (LBBLD) General Liability, Automobile Liability, Umbrella, Hull and P&I, Vessel Pollution, Inland Marine, Property and Commercial Crime Insurance coverages are due to expire; and

WHEREAS, Arthur J. Gallagher Risk Management Services shopped the market, received quotes for procuring the aforementioned coverages for a one year period commencing July 19, 2010, and provided recommendations to the SLFPA-E Finance Committee at its meeting held on June 3, 2010; and

WHEREAS, ACE Insurance Company, the expiring carrier, submitted a quote of \$92,290.80 for the renewal of General Liability Insurance Coverage with limits of \$2 million per occurrence and \$5 million aggregate; and

WHEREAS, Southern Insurance Company, the expiring carrier, submitted a quote of \$59,497 for the renewal of Automobile Liability Insurance coverage; and

WHEREAS, Lexington Insurance Company submitted a quote of \$33,600 for Umbrella Insurance coverage with a limit of \$3 million; and

WHEREAS, Great American Insurance Company, the expiring carrier, submitted quotes of \$18,850 for Hull and P & I Insurance coverage, \$1,400 for Vessel Pollution Insurance coverage and \$10,017 for Inland Marine Insurance coverage; and

WHEREAS, RSUI, the expiring carrier, submitted a quote of \$86,906.40 for Property Insurance coverage; and

WHEREAS, Travelers Insurance Company, the expiring carrier, submitted a quote of \$1,054 for the renewal of Commercial Crime Insurance coverage.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East authorizes the procurement of General Liability Insurance Coverage from ACE Insurance Company, Automobile Liability Insurance coverage from Southern Insurance Company, Umbrella Insurance coverage from Lexington Insurance Company, Hull and P&I, Vessel Pollution and Inland Marine Insurance coverages from Great American Insurance Company, Property Insurance coverage from RSUI and Commercial Crime Insurance coverage from Travelers Insurance Company, at the premium rates quoted above, through Arthur J. Gallagher Risk Management Services, for a one year period commencing on July 19, 2010.

BE IT FURTHER RESOLVED, that the LBBLD Executive 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. Barnes, Mr. Barry, Mr. Estopinal, Mr. Goins, Mr. Jackson, Mr. Losonsky,
Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: None

RESOLUTION #06-17-10-16 - LBBLD - COR02 STATE PROJECT NO. 579-44-0001

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

WHEREAS, Act 203 of the 2007 Regular Session of the Louisiana Legislature appropriated funding for the Hurricane Flood Protection, Construction and Development Program and designated the Louisiana Department of Transportation and Development (LADOTD) as the recipient of said funding; and

WHEREAS, a maximum of \$5,000,000 of this funding was designated for the Forty Arpent Levee Project and a Cooperative Endeavor Agreement setting forth the terms for administering the Project was executed between LADOTD and the Lake Borgne Basin Levee District (LBBLD) for State Project No. 579-44-0001 Forty Arpent Levee; and

WHEREAS, the LBBLD advertised and received bids for State Project No. 579-44-0001 Transition Improvements and Scour Protection at Pump Station #3 (Bayou Villere), #4 (Meraux), #7 (Bayou Ducros) and West of Paris Road Transition (Phase 6); and

WHEREAS, the Southeast Louisiana Flood Protection Authority-East by Resolution No. 11-19-09-11 awarded a contract in the amount of \$484,676.00 to Fleming Construction Co., LLC, the lowest responsive and responsible bidder pursuant to Louisiana law, for State Project No. 579-44-0001 Transition Improvements and Scour Protection at Pump Station #3 (Bayou Villere), #4 (Meraux), #7 (Bayou Ducros) and West of Paris Road Transition (Phase 6), and authorized the SLFPA-E Regional Director and the LBBLD Executive Director to execute all minor change orders costing under \$20,000; and

WHEREAS, Change Order No. 2 (COR02) to the aforementioned contract was submitted by Fleming Construction Co., LLC, which adds \$44,069.95 to the contract price for additional quantities required for Embankment, Concrete Cast-in-place Rev. (6") and Bedding Materials; and

WHEREAS, the LADOTD Project Engineer and Administrator has reviewed and approved said change order.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East approves Change Order No. 2 (COR02) submitted by Fleming Construction Co., LLC, in the amount of \$44,069.95, for State Project No. 579-44-0001 Transition Improvements and Scour Protection at Pump Station #3 (Bayou Villere), #4 (Meraux), #7 (Bayou Ducros) and West of Paris Road Transition (Phase 6), and authorizes the SLFPA-E Regional Director or the LBBLD Executive Director to execute said change order.

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, Mr. Pineda and Mr. Wittie

NAYS: None
ABSENT: None

A motion was offered by Mr. Estopinal, seconded by Mr. Witte and unanimously adopted by a roll call vote, to add the following items to the agenda: Item XIII.D.3 to authorize the procurement of Flood Insurance for the LBBLD pump stations, and Item XIII.D.4 to authorize the LBBLD Executive Director to negotiate and enter into a contract with Burk-Kleinpeter, Inc. for engineering services required for the replacement of an engine at Pump Station 1 or 4.

RESOLUTION #06-17-10-17 – LBBLD FLOOD INSURANCE PUMP STATIONS

Mr. Edgecombe advised that the Department of Transportation should complete the elevation certificates for the pump stations this week. After the elevation certificates are received, the National Flood Insurance Program (NFIP) will be approached for a quote on Flood Insurance coverage for the eight pump stations that currently do not have coverage. There is a 30-day waiting period for coverage to begin. The estimated cost of the coverage is \$60,000.

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

WHEREAS, elevation certificates are currently being prepared by the Louisiana Department of Transportation and Development for the Lake Borgne Basin Levee District's eight pump stations; and

WHEREAS, there is an urgent need to procure Flood Insurance for the aforementioned pump stations.

BE IT HEREBY RESOLVED, that Southeast Louisiana Flood Protection Authority-East approves the procurement by the Lake Borgne Basin Levee District (LBBLD) of Flood Insurance coverage for the eight pump stations from the National Flood Insurance Program through Arthur J. Gallagher Risk Management Services, and authorizes the LBBLD Executive Director to sign any and all documents necessary to accomplish the above.

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,
Mr. Pineda and Mr. Wittie

NAYS: None
ABSENT: None

RESOLUTION #06-17-10-18 – LBBLD – REPLACEMENT OF ENGINE AT PUMP STATION NO. 1 OR 4

Stuart Williamson, LBBLD Executive Director, explained that four responses were received to the Request for Qualifications for these engineering services. The selected consultant will prepare plans and specifications for bid for the replacement of an engine at either Pump Station 1 or 4. The responses were reviewed by a selection committee

consisting of Mr. Williamson, Mr. Spencer and Mr. Gillen. Mr. Williamson advised that all three members of the selection committee independently recommended the selection of Burk-Kleinpeter, Inc. It was clarified that the LBBLD was requesting that the Board authorize the Executive Director to negotiate and execute a contract with Burk-Kleinpeter, Inc. at a cost not to exceed \$125,000.

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

WHEREAS, the Lake Borgne Basin Levee District (LBBLD) issued Request for Qualifications (RFQ) for engineering consulting services to prepare plans and specifications for the replacement of an engine at Pump Station No. 1 or 4; and

WHEREAS, the responses to the RFQ were reviewed by a selection committee and the firm of Burk-Kleinpeter, Inc., was recommended to provide the aforementioned services.

BE IT HEREBY RESOLVED, that the Executive Director of the Lake Borgne Basin Levee District is authorized to enter into a contract with Burk-Kleinpeter, Inc. to prepare plans and specifications to replace an engine at Pump Station No. 1 or 4 at a negotiated price not to exceed \$125,000.

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,
Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: None

A motion was offered by Mr. Pineda, seconded by Mr. Jackson and unanimously adopted by roll call vote, to add an item to the agenda for the approval of a resolution recognizing Mr. Stradford Goins.

RESOLUTION #06-17-10-19 – RECOGNIZING MR. STRADFORD GOINS

Mr. Barry commented on the depth in which Mr. Goins looked into a subject, the enormous contribution that he made and that Mr. Goins will be missed by the Board. Mr. Estopinal concurred with Mr. Barry's statements and urged Mr. Goins continued participation. Mr. Jackson commented on Mr. Goins growth as an engineer through the years and the intensity and dedication that he brought to the table. Mr. Doody commented that in addition to being a very good engineer and Board member that Mr. Goins is a great person. Mr. Losonsky stated that he would like Mr. Goins reconsider leaving the Board. Mr. Wittie stated that he appreciated all the work done by Mr. Goins and that he hated to see him leave. Mr. Pineda concurred with the comments made and that Mr. Goins was a tremendous value to the Board. Mr. Barnes stated that Mr. Goins did a great job as a Board member.

Mr. Goins commented that his motivation has always been the public interest and he urged the Board to keep the public's interest in the forefront. He also urged Board members to investigate what they are told by the USACE and to draw their own

conclusions. He stated that he had to look at about 200 families who lost everything in Hurricane Katrina and stressed that these families should not be put through this ordeal again.

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

“A resolution recognizing the commitment and contributions of Mr. Stradford Goins to the Southeast Louisiana Flood Protection Authority-East and to the citizens of 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 his outstanding qualifications and professional experience Mr. Stradford Goins was selected to serve as a founding member on the Board of the Southeast Louisiana Flood Protection Authority-East; and

WHEREAS, recognizing the importance of the mission of the Southeast Louisiana Flood Protection Authority- East, Mr. Goins has continuously strived to achieve the best flood protection possible and has worked tirelessly in the service of the citizens of the region; and

WHEREAS, Mr. Goins’ devoted service as a member of the Board has resulted in many accomplishments benefiting the entire region; and

WHEREAS, Mr. Goins’ leadership and hard work as Vice President of the Board, Chairman of the Legal Committee and former Chairman of the Special Issues Committee have resulted in many positive achievements and improvements to the flood protection system.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East hereby expresses its gratitude and appreciation to Mr. Stradford Goins for his dedication and contribution during his 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. Jackson,
Mr. Losonsky, Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: None

Mr. Doody announced that the next Board meeting will be held on July 15, 2010.
There was no further business; therefore, the meeting was adjourned at 3:55 p.m.

SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY - EAST

REGIONAL DIRECTOR'S REPORT

June 17, 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 91% 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. All of the batter piles (645) have been driven with no major difficulties. 95% of the precast caps (306) have been set and 90% of the parapet wall has been erected. (294) Cast in place "gaps" have also been completed. All wall components should be complete by July 4, 2010.

21 of 26 (81%) castings on the north T-wall and 11 of 24 (46%) castings of the south T wall are complete.

Work is continuing on the concrete columns and landing beams in the barge gate area.

All coffer dam sheets at the Bayou Bienvenue lift gate structure location have been driven. Tremie casting will begin early next month.

(347) of (478) piles have been driven at the sector gate location. The sheet piles for the coffer dam are scheduled to arrive on site in mid July 2010.

The second casting of the barge at Baker Concrete was completed last week and the last casting is scheduled to begin this week.

The top half of the southern abutment of the GIWW barge gate is scheduled to be cast this week. The north abutment is now complete to the top.

(186) of (478) piles have been driven for the GIWW Sector Gate.

Work continues on the T-Wall tie-ins on both the north and south side of the project.

The Bayou Bienvenue vertical lift gate construction continues. The Contractor has driven 200 piles and cofferdam construction has begun.

Bayou Bienvenue will remain closed to all navigation at the Project site due to lift gate construction.

East Jefferson Levee District:

Reach 1:

The Work is approximately 50% complete. The Contractor is working the all weather access road and has begun seeding and fertilizing. This Reach is scheduled for completion in September 2010.

Reach 2:

The Work is approximately 50% complete. The entire reach is back up to an elevation of 15.5'. The Contractor is using an alternate borrow site on the West Bank for this project. This Reach is scheduled for completion in November 2010.

Reach 3:

The project is approximately 75% complete. The Contractor is working the last 2000'. This Reach is scheduled for completion in August 2010.

Reach 4:

The project is approximately 55% complete. The work is scheduled to be complete in August 2010.

Reach 5:

The Project is approximately 92% complete. The alignment of the access ramp for the Coast Guard Station will have to be modified because of utility and infrastructure conflicts found in the field. Scheduled completion is set for July, 2010.

Bonnabel Breakwater Project:

Work is substantially complete.

Duncan Breakwater Project:

The Project is approximately 71% complete. Scheduled Project completion is July 2010.

Williams Blvd. Floodwall and Gate:

The Project is approximately 64% complete. The work should be complete by July 2010.

Bonnabel Floodwall and Gate:

The Project is 35% complete. The levee west of Bonnabel is being lifted. Anticipated completion is July 2010.

Pump Station Fronting Protection:

A Construction Contract was awarded to Odebrecht Construction on April 15, 2010 and a partnering meeting was held on May 12, 2010. The Contractor is mobilizing on site. Work will begin at Pump Stations 2 and 3.

LPV 017.2 (Causeway Crossing):

Final plans and specs were received on May 24, 2010 and are under review.

West Return Levee/Floodwall:

Right of Entry has been granted for the northern segment only.

Foreshore Protection:

95% P&S have been completed. The USACE is working to develop a plan for barge delivery of materials.

West Return Levee (Airport Runway):

Preparation of 100% plans and specs is underway. Right of Entry issues are still pending. USACE and the Airport are working to resolve outstanding issues on landing lights.

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 53% complete and the Project is scheduled for completion before June 2011. The aesthetics quality of the wall finish has been poor and we have requested the USACE to require the Contractor to make the appropriate repairs.

LPV 102.01, 103.01, and 104.01

Projects are 100% complete.

LPV 103.01 A1 (Bayou St. John):

Construction is now about 66% complete. The Sector Gate dewatering operation is complete.

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

The award of the Construction Contract is still pending.

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

The Contractor is working all sites. Construction is approximately 31% complete.

LPV 104.02 (Seabrook West Side IHNC):

This project includes the construction of a new T-Wall. The Construction Contract was awarded on January 22, 2010. The Contractor has begun mobilizing on site.

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

100% Plans and Specs are due in mid June 2010. Construction Contract award is scheduled for July 2010.

LPV 105.01 (Lakefront Airport T-Wall West):

The Construction Contract was awarded on April 9, 2010.

LPV 105.02 (Lakefront Airport T-Wall East):

The Construction Contract has been awarded.

LPV 106 (Citrus Lakefront Levee):

A design modification has been issued to move the I-Wall to the edge of the levee crown. The Construction Contract has been awarded

LPV 107 (Lincoln Beach Floodgate):

Plans and specs were completed in January 2010. The Construction Contract has been awarded.

LPV 108 (New Orleans East Lakefront Levee):

The Project is substantially complete. This Project brings the elevation of the levee to pre-Katrina authorized elevation, which is higher than the new required 100 year elevation.

LPV 109.02a (South Point to CSX Railroad – Levee Embankment):

Construction Contract has been awarded and the pre-construction meeting was held on April 15, 2010. Construction of the Project has been combined with LPV

109.02c (HWY 90 and HWY 11 floodgates). The Contractor has begun the installation of wicks. Construction is about 2% complete.

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):

Work is approximately 93% complete.

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

The Construction Contract was awarded on April 8, 2010.

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

Construction will be done under LPV 109.02a.

LPV 110 (CSX Railroad Crossing):

The Construction Contract has been awarded. A change in construction sequencing is anticipated.

LPV 111.01 (North Side GIWW):

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. Work is approximately 15% complete.

We are awaiting word from the USACE on and any potential impacts to the performance of this section under storm conditions due to sloughing that occurred on the flood side last month.

LPV 111.02 Pump Station 15 Fronting Wall:

Work is continuing on this project. Work on all new walls should be complete before the end of this month.

LPV 111.03 Tie-in to IHNC:

The Project consists of about 1000' of new T-Wall. Work is in progress. Modified designs are underway to make adjustments to tie into the IHNC T-Walls. The two projects produced wall sections with different geometry and base slab elevation.

LPV 113 (NASA):

Construction is approximately 77% complete. The Project is scheduled for completion in the summer of 2010.

Seabrook Structure:

USACE has awarded the ECI Contract to Alberici Construction. ROE for the test pile program has been issued by OLD. The USACE has requested the State to acquire real estate interests from public agencies (Port of New Orleans). Negotiations are ongoing. 65% P&S have been reviewed and the A/E is proceeding with 95% plans and specs.

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. A temporary bridge is being constructed across Bayou Dupre to facilitate construction activities. Bayou Dupre will be closed to navigation at the existing Control Structure until April 2011.

LPV 145 (Bayou Bienvenue to Bayou Dupre):

The project includes approximately 6 miles of new T-Wall atop the existing earthen levee. The USACE has instructed the Contractor to use uncoated steel sheet piles and H-piles on this project in order to meet schedule demands. Revised Final Designs are under review.

Proposed modifications have been submitted by the Contractor to make adjustments to tie into the IHNC T-Walls. The two projects produced wall sections with different geometry and base slab elevation.

LPV 146 (Bayou Dupre to Verret):

The project includes approximately 8 miles of new T-Wall atop the existing earthen levee. The Contractor is falling behind schedule due to problems with pile driving operations. Additional equipment will be mobilized on site to address this issue. The USACE has instructed the Contractor to use uncoated steel sheet piles and H-piles on this project in order to meet schedule demands.

The emergency by-pass ramp for LA HWY 46 will now be constructed under the LPV 146 Contract. Revised Final Designs are under review.

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 under the LPV 146 Contract. The Construction Contract was awarded and a pre-construction meeting was held on April 6, 2010. A Contract Modification has been approved to allow for a 28% change in estimated quantities.

The LA Hwy 300 Flood Gate will be constructed under the LPV 148.02 Project.

LPV 148.02 (Verret to Caernarvon):

The Project includes approximately 9 miles of new T-Wall atop the existing earthen levee. The Contractor has begun construction on a temporary construction access road. The USACE has instructed the Contractor to use uncoated steel sheet piles and H-piles on this project in order to meet schedule demands. Revised Final Designs are under review.

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 tested piles are not meeting requirements. The Construction Contract is scheduled to be awarded in June 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.

The kick-off meeting for the IEPR Review Team on the Permanent Pump Stations was held Monday, May 17, 2010.

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 at full capacity.

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

The Mississippi River is below 9' at the Carrollton Gage. The River is predicted to crest at just above 10.0' at the end of June 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

Orleans Levee District:

Construction on LPV 117 Project (Phase I East Side IHNC – Relief Wells) is complete. The project involved the installation of approximately 20 relief wells.

Construction on LPV 117 Project (Phase 2 East Side IHNC – The Project is 99% complete. Approximately 1400 linear feet of steel sheet pile has been 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 15% complete and the Contractor has fallen behind schedule.

ID/IQ Contract Task Order #1 with AECOM has been authorized in the amount of 39,579 for design and construction management required for the Citrus Airport Levee Sewer Line Replacement.

The Floodgate Seal Repairs Project is approximately 85% complete.

Work on the Franklin Ave Warehouse South Section Roof Replacement Project is approximately 75% complete.

The Bayou St. John Tide Gage System has been installed. The Proposal for the Bayou St. John Water Management Study will be submitted to State Facility Planning and Control this month. This Project will be funded thru State Capital Outlay.

Bayou St. John Sector Gate Maintenance Cycle Contract has been executed and NTP was issued on May 28, 2010.

Lake Borgne Basin Levee District:

The Transition Improvement and Scour Protection Project is substantially complete.

Burk-Kleinpeter has been selected as the A/E for the Engine Replacement Project at Pump Station 1 or 4. Negotiations are underway.

LBBLD is negotiating with Waldemar Nelson for the preparations of 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. A scoping meeting was held on May 26, 2010. Nelson will submit a proposed Scope of Work with Fees for further discussion.

The Violet Canal emergency dredging project was completed on May 6, 2010.

The Violet Canal Closure Structure Improvement Project was first advertised for bids on May 21, 2010. Bids are scheduled to be received on June 23, 2010.

A meeting was held with FEMA on May 28th, 2010 to develop a new PW to address seepage problems at Pump Stations 2 and 3.

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

modifications to the existing canal floodwalls to achieve a minimum safe water elevation of 8' in all three canals. We will issue a Task Order to Halcrow to provide Technical Review of the USACE's analysis and design of the proposed wall modifications.

We now have four inspectors working with us provided by OCPD. We have developed a management plan to establish procedures for interaction between the USACE, OCPD and SLFPAE during project construction. We are still awaiting USACE concurrence.

Hurricane Preparedness

Preparation for the 2010 Hurricane Season began in earnest in April 2010. The Emergency Manuals for all Districts were updated and forwarded to all appropriate parties and the following tasks were completed:

- Inventory of emergency supplies has been completed
- Orders for required durable goods have been placed and plans have been made for the acquisition of perishables as needed
- Vendor contact information has been updated
- The annual Hurricane Preparedness Staff Meeting has been held at each District
- The Heavy Equipment Inventory has been updated and forwarded to OCPD as part of the interagency cooperative resource sharing plan

We are conducting weekly radio checks of our emergency radio system and monitoring weather conditions in the tropics.

We are monitoring the Construction Projects throughout the LPV System and the USACE/Contractor's emergency closure plans that must be executed in case of an approaching storm.

We continue to inspect our levees and immediately correct any deficiencies.