

**MINUTES OF THE
SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY – EAST
BOARD MEETING
THURSDAY, JANUARY 20, 2011**

The regular monthly Board Meeting of the Southeast Louisiana Flood Protection Authority - East (Authority or SLFPA-E) was held on Thursday, January 20, 2011, in the Second Floor Council Chambers, 1221 Elmwood Park Drive, Harahan, 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
John M. Barry, Vice President
Louis E. Wittie, Secretary
Stephen Estopinal, Treasurer
David P. Barnes, Jr.
Thomas L. Jackson
George Losonsky, PhD
Ricardo S. Pineda

ABSENT:

Stradford A. Goins

OPENING COMMENTS:

Mr. Doody requested that Board members review the draft revisions to the SLFPA-E strategic plan that were distributed and provide comments to Mr. Pineda or SLFPA-E staff. The revisions to the plan are anticipated to be placed on the Board agenda for approval at the next meeting. Mr. Pineda added that the draft revisions included recommendations by the SLFPA-E Regional Director and levee district Executive Directors and the comments of the President and Vice President.

Mr. Doody advised that next Wednesday the U.S. Army Corps of Engineers (USACE) will begin the process of pushing the barge gate from Lake Charles to the staging area for installation in the IHNC Surge Barrier. The barge gate is four stories high and as long as a twenty story building.

ADOPTION OF AGENDA:

A motion was offered by Mr. Barry, seconded by Mr. Wittie and unanimously approved, to adopt the agenda.

**RESOLUTION NO. 01-20-11-01 –
APPROVAL OF THE DECEMBER 16, 2010 BOARD MEETING MINUTES**

On the motion of Mr. Barry,

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

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East approves the minutes of the Board Meeting held on December 16, 2010.

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

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

NAYS: None

ABSENT: Mr. Goins

PUBLIC COMMENTS:

Craig Berthold, representing the 17th Street Coalition, advised that last Friday Judge Reese voided his original decision because he had determined that granting an injunction would serve no one. This action opened the way to move the case to Federal Court. He inquired about whether the remediation work that the USACE is preparing to commence on the levee in the vicinity of his home would potentially extend the levee toe plus six feet further onto his property.

Robert Turner, SLFPA-E Regional Director, explained that the USACE had advised that no additional right-of-way would be required for the remediation work. He offered to obtain specific information from the USACE for the area inquired about by Mr. Berthold.

Carol Byram, a resident along the 17th Street Canal, stated that Judge Reese commented that he was encouraged by people who were willing to stand up and not allow their rights to be violated and the enormous sacrifice of time, money and emotion by the residents. Ms. Byram commented on three tactics that she said were used by the USACE and ultimately the Board to obtain the residents' property: the refusal of the Board to vote separately on Lakewood South, the arbitrary location of the theoretical toe and crown, and the use of the wall to determine the location of the toe. She commented that since the Board's vote, there should have been nine walk by inspections on the levee in order to check for seepage on the cleared property. She stated that these inspections have not taken place. She stated that the Board has been negligent in inspecting the toe, in not attempting to find the correct location of the toe and in its roll in taking the property for false reasons. She stated that the Board has a moral obligation to correct this and to pay the Coalition residents for taking their back yards.

PRESENTATIONS:

1. MRGO Ecosystem Restoration Plan (U.S. Army Corps of Engineers)

Greg Miller with the USACE advised that a series of three public meetings (Chalmette, LA, Waveland, MS and New Orleans, LA) will be held by the USACE and a comment period provided on the Mississippi River Gulf Outlet (MRGO) Ecosystem Restoration Draft Feasibility Study and Environmental Impact Statement (E.I.S.) as part of the National Environmental Policy Act.

Mr. Miller stated that the draft Ecosystem Restoration Plan addresses the areas affected by the MRGO navigation channel. The Congressional authority for the restoration plan is provided in the Water Resources Development Act (WRDA) of 2007. Section 7013 of WRDA 2007 provides for a plan to restore the areas affected by the MRGO navigation channel, the Lake Borgne ecosystem and natural features that reduce or prevent damages from storm surge. The study area is approximately 6,000 square miles (3.86 million acres) of open waters, sounds, lakes, bays, bayous, wetlands, ridges, uplands and developed areas stretching from the Maurepas Swamp region between New Orleans and Baton Rouge, across the North Shore to Gulfport, MS, southward on the Gulf face of the Chandeleur Islands down to the mouth of the Mississippi River and up the East Bank of the Mississippi River.

Mr. Miller explained that one of the goals of the plan is the restoration of the system. A combination of habitats that produce areas suitable for a range of wildlife and fisheries is necessary for a sustainable and functioning estuary system in the Pontchartrain Basin. The USACE looked at the habitat that existed prior to the construction of the MRGO. A habitat classification map from 1956, the year that the ship channel was authorized by Congress, showed swamp and cypress forested areas close to the Mississippi River and a transitioning towards Lake Borgne to intermediate and brackish marshes. The MRGO and developed communities protected by a levee system were shown on the 2006 habitat classification map. The 2006 map demonstrates that there is no longer a range of diverse habitats. Essentially, no fresh swamp or marsh is left in the system around Lake Borgne and there is a transition to much higher salinity-type habitats—primarily, brackish and saline marsh. The change in the system habitat to higher salinity wetlands resulted in a decline in biodiversity. The USACE examined the increases and changes in salinity that occurred after the construction of the MRGO navigation channel at Bayou La Loutre, the Chef Menteur Pass, Little Woods, the North Shore and Pass Manchac.

Mr. Miller advised that the USACE evaluated about 300 proposed projects derived from the Coast 2050 Plan, the Louisiana Coastal Area Program, the Breaux Act and the Louisiana State Master Plan, as well as input received during the initial public scoping effort and from members of an interagency team. Dredge material will be pumped in to restore the elevation necessary to support wetland vegetation. Plan features include the fresh water diversion proposed at (Meraux) Violet, LA, and an oyster reef restoration. The Congressional legislation provides for a fresh water diversion at Violet, LA; however, the details of the legislation provide for the diversion to be located at or near Violet. Direct and indirect impacts of the MRGO ship channel caused damage to over 50,000 acres of wetlands in the system. The tentatively selected plan placed out for public comment proposes to restore over 58,000 acres of coastal wetlands in and around the ship channel, Lake Borgne and other areas. The plan would restore about 14,000 acres of fresh and intermediate marsh, about 34,000 acres of brackish marsh, 466 acres of saline marsh, over 10,000 acres of cypress swamp and 48 acres of ridge habitat.

Mr. Miller explained that the levee system for the Violet diversion would be a Federal levee that would be turned over to a local sponsor. The USACE's partner in planning is the State of Louisiana through the CPRA, which is on record as stating that all of the proposed work in this plan should be at 100 percent Federal expense.

Mr. Miller stated that the USACE anticipates a 10-year implementation period for a project of this magnitude. The length of the implementation period will depend on the funding stream. The USACE has attempted to sequence implementation of the restoration plan so that the benefits build upon themselves. Over 150 million cubic yards of dredge material will be required for the proposed plan.

Mr. Miller described the three recreational features that were developed collaboratively with community groups and incorporated into the draft plan:

- The Shell Beach Recreation Feature will be located in St. Bernard Parish at the end of Ysloskey Road where it meets the MRGO. The feature includes a boardwalk, pier and lighted parking.
- The Lower Ninth Ward Bayou Bienvenue Recreation Feature will be located at the end of Caffin Avenue in New Orleans. The feature includes the construction of a boardwalk that will be built out into the wetlands and will be tied into an educational opportunity with a charter school in the Lower Ninth Ward that has a wetland vegetation growth program. The potential local sponsor for this recreational element is the City of New Orleans and some of its partners.
- The Violet Diversion Recreation Feature includes a trail system with outreach education stations along the sides of the system and the river diversion channel.

Mr. Miller stated that there is a 60 day comment period (45 days plus a 15 day extension) for the plan that ends on February 14th. He stressed that this is a draft proposal and a decision has not yet been made. There are some strong public opinions about the location proposed by the USACE for the river diversion. In order to maintain the salinity level needed for healthy cypress trees, the draft operating plan calls for a 1,000 cubic feet per second (cfs) flow through the diversion, with the exception of April and May when there will be a 7,000 cfs pulse. The USACE looked at about 43 different areas or configurations along the east bank from below Baton Rouge to below Caernarvon for the diversion. The potential sites were narrowed down to four corridors of open land (Alternatives 1 thru 4) where the least disruption would be encountered in trying to deliver water from the Mississippi River to the MRGO. Alternative 1 is located on an open parcel of land called the Sinclair Tract in Meraux, Alternative 2 is located between Meraux and Violet, Alternative 3 is the existing Violet Canal with modifications and Alternative 4 is located between the Violet Canal and Poydras. The USACE's team evaluated what would be necessary to build a diversion at any of the four alternative sites and the potential impact. Site selection factors and considerations include the number of businesses, residences and secondary structures (relocations), scenic streams, roads, acres of wetlands, levees, cultural and historic resources, docks/maritime infrastructure, utilities and pipelines, community facilities, the number of bridge replacements and the length of the diversion channel (miles). Alternative 1 is the shortest route between the river and the ship channel and would have the least impact on structures, bridges, businesses and wetlands. Alternative 2 would impact one structure and the historic oak trees located within the construction right-of-way. There are a large number of factors that increase the difficulty of construction and cost of Alternative 3 (the existing Violet Canal), including the relocation of a number of homes and businesses and the high rise bridge over the canal. Alternative 4 is the longest route between the river and the ship channel and would require the purchase of the most amount of land, in addition to impacting Sealift and other river operations. All of

the alternatives would cross the Mississippi River levee, the railroad tracks, St. Bernard Highway and Judge Perez Drive.

Stuart Williamson, LBBLD Executive Director, pointed out that one of the alternatives would impact the Lake Borgne Basin Levee District's (LBBLD) pumping capacity. Mr. Miller advised that the approach would be to maintain the existing systems and not diminish any rain water pumping capacities. This factor would be considered in the design effort.

Mr. Miller explained that a resolution was adopted by the St. Bernard Parish Council opposing the USACE recommended site (Alternative 1 – the Sinclair tract) and recommending the selection of Alternative 3 (the existing Violet Canal). He noted that the USACE has held over 200 small group meetings associated with planning the project, and it is overwhelming clear that this is the sentiment of the majority of the residents of St. Bernard Parish. The point of the draft report is to receive and evaluate feedback and then come up with a final plan for recommendation to the Secretary of the Army. The construction right-of-ways depicted for the four alternatives in the presentation are planning scale evaluations and indicate the greatest impact to be expected. The USACE will attempt to narrow the footprint as much as possible when the plan is refined.

Mr. Miller explained that a fresh water diversion helps to support all of the other restoration features that are a part of the plan, including:

- Restoring cypress and fresh marsh in areas that historically had those habitats
- Reducing salt water intrusion
- Restoring historic salinity patterns in Lake Borgne and the swamps and marshes around the system
- Enhancing recreational opportunities

The maintenance dredging that would be required for a navigation channel and for a diversion channel, which would require a local sponsor cost commitment, was discussed. The material from the maintenance dredging could be used for building wetlands. Mr. Jackson suggested that the separation of the navigable waterway from the diversion waterway be considered and that the velocities for the diversion are kept as high as possible. He also commented that as an engineer he was troubled about the use of the Sinclair tract (Alternative 1), since the diversion would go down the middle of a potentially developable area and could make the remaining adjacent properties less valuable. Mr. Turner noted that Alternative 1 would also increase the number of miles of levee to be maintained. Mr. Estopinal recommended that additional consideration be given to the far reaching impacts of each of the alternatives.

Mr. Miller advised that the USACE is attempting to put together a systematic restoration plan for the estuaries that enhance a mixture of habitats and provides a greater diversity of plant, animal and fisheries utilization. He clarified that the estimated 150 million cubic yards of dredge material will be used to rebuild approximately 58,000 acres of wetlands and swamps. The project will be monitored and adaptively managed.

Mr. Miller concluded the presentation by citing the components of the draft tentatively selected plan: 63 miles of rock shoreline projection along portions of Lake Pontchartrain

and Lake Borgne, 7.5 miles of oyster reef restoration in eastern St. Bernard Parish, three recreational features located in Orleans and St. Bernard Parishes, the 1,000 cfs river diversion to help achieve habitat restoration with a 7,000 cfs pulse during the months of April and May, and dredging for marsh creation, restoration and rebuilding cypress forests. The total estimated cost of construction for the draft tentatively selected plan is \$2.9 billion. This estimated cost does not include design work, real estate, and operation and maintenance. He reiterated that this is only the restoration plan for the effects of the MRGO ship channel and critical landscape areas. He invited the SLFPA-E's participation in helping to draft a final plan. The USACE anticipates having a final report for the Chief of Engineers in September.

Carlton Dufrechou commented that he, Dr. John Lopez and Mark Schexnayder had an opportunity to review the draft report and that he looked forward to working with Bob Turner and Stuart Williamson in drafting combined comments. He stated that the plan is not perfect, but it is the most comprehensive look at ecosystem restoration in Southeast Louisiana ever done. The cornerstone is based on reestablishing a self-sustaining ecosystem, which is imperative. The plan uses the multiple lines of defense strategy and identifies and enhances critical land forms and natural features for storm protection. It recognizes that connecting the Mississippi River at strategic locations to the coast is imperative for a self-sustaining system. Mr. Dufrechou recommended that a harder look be taken at using the existing Violet Canal for the diversion so that another channel would not have to be unnecessarily cut. He stated that sediments should be harvested whenever possible from the Mississippi River and that sediments borrowed from Lake Borgne or other areas should be minimized. Approximately one-third of the budget appears to be dedicated to the central wetlands, which is an impounded system between the MRGO main line levee and the Forty Arpent Levee that should be managed and restored. He stated that the region would receive greater value and benefits in the long term by doing more projects outside of the storm protection system. He added that the drop of salinity levels was quicker and greater than expected when the MRGO was plugged; therefore, a 7,000 pulse may not be required for the diversion.

Mark Schexnayder commented that the Louisiana Department of Wildlife and Fisheries would also be providing comments on the draft report. He pointed out that the integration of sediment delivery mechanisms into the designs from the beginning could reduce the cost of bringing sediments from the river.

Mr. Doody advised that the SLFPA-E will provide an official response and comments to the USACE on the proposed MRGO Ecosystem Restoration Plan Draft Feasibility Report. He requested that the Coastal Advisory Committee meet in order to develop comments on the draft feasibility report.

Robert Jacobsen with Taylor Engineering, Inc. commented that there are at least a half dozen significant hydrodynamic issues within this plan that should be considered. He also commented on salinity and surge issues and offered his assistance in formulating comments.

Mr. Pineda inquired about the issue of a non-federal sponsor. Colonel Robert Sinkler, Commander of the USACE Hurricane Protection Office, explained that there are other funding mechanisms besides the State of Louisiana. The CPRA stated that the MRGO

restoration effort should be 100 percent federally funded; however, this may be because the State cannot afford to be a cost share partner. He pointed out that WRDA 2007 authorizes potential funding of the delta by non-governmental organizations.

Mr. Jackson pointed out that the Federal government lost a law suit for damages that resulted from the construction of the MRGO. He asked if the damages addressed in the plan are all environmental damages caused by the MRGO, how could the USACE request the State of Louisiana or any other entity to come up with a local cost share. Col. Sinkler explained that he could just address the cost share aspect and that the legal aspects are still in the works. He stated that this is just the normal process. If the route that the project should be 100 percent federally funded is pursued, it will probably result in changes in the Federal law or at least in the authorization. Col. Sinkler suggested further discussion through the CPRA of the State's position and potentially acceptable solutions or options and stressed the importance of solidifying a strategy on a path forward.

Mr. Pineda asked about the certification of the hurricane protection system for the 100-year level of protection to FEMA. Col. Sinkler explained that the goal for certifying the system is June, 2012. A project generally must be completed before certification and some work will continue on the system past June 1, 2011. As requested by the State, the USACE will take the lead on certifying the system in cooperation with the CPRA and SLFPA-E. A regional team has been put together by the USACE for this effort.

COMMITTEE REPORTS:

Finance Committee: The Finance Committee did not meet in January, 2011.

Operation Committee: Mr. Wittie reported that the Operations Committee met on January 6th and discussed the following matters:

- The Committee recommended that a resolution be forwarded to the Board to approve the request for a time extension for the contract with Murray Architects for the Orleans Levee District safe house build out. The construction of the project has not been completed. No additional architectural fees are involved.
- The Committee discussed the disposition of the existing Bayou Dupre Control Structure. A request was made for a USACE representation to provide the status of this issue at the next Committee meeting.
- The issue of the USACE driving sheet piling through two metal culverts, which were originally to be removed, in the Creedmore Structure was discussed during the levee district reports. Mr. Wittie noted that this brings to the forefront the issue of quality control on the massive amount of work that is going on at this time.

Legal Committee: Mr. Barry reported that the Legal Committee met just prior to the Board meeting. The Committee approved legal invoices and recommended that the resolution to add Irys Allgood to the list of approved attorneys and legal firms be forwarded to the Board for approval. He advised that the Committee also discussed receiving a briefing from its legal counsel in Executive Session on current litigation. Due to the interest expressed by the entire Board, Mr. Barry advised that at least part of the briefing would be conducted in the Executive Session at the next regular Board meeting. Robert Lacour, SLFPA-E general counsel, commented that he could schedule

a briefing on about half of the current litigation at the next Board meeting and the remaining half at the following Board meeting.

Engineering Advisory Committee: The Engineering Advisory Committee did not meet in January, 2011.

CPRA/Governmental Affairs: The next CPRA meeting will be held on January 26th. Mr. Barry reported that he and Mr. Doody met with Congressman Richmond and that he came away from the meeting with the Congressman favorably impressed. He added that the SLFPA-E would be invited to update Congressman Richmond's staff at a retreat that is being planned. Mr. Barry advised that the Oil Spill Commission report has been released and that he was able to meet with four of the Commission members. In addition, he met with John Hankinson, the Executive Director of the Gulf Coast Ecosystem Restoration Task Force. Legislation may be required to direct money from the EPA fine imposed upon BP to Louisiana.

REGIONAL DIRECTOR'S REPORT:

Mr. Turner reviewed the highlights of the Regional Director's Report (copy appended to minutes). He noted that the Southeast Louisiana Flood Protection Authority-West (SLFPA-W) has expressed an interest in partnering with the SLFPA-E to further the effort to make the Emergency Module of the Levee Information Management System (LIMS) a web based tool and to more fully develop the LIMS.

EXECUTIVE SESSION:

1. Status of 17th Street Canal Coalition, et al vs. Orleans Levee District and Southeast Louisiana Flood Protection Authority-East, Civil District Court for the Parish of Orleans, No. 2008-06979, Division L-6, consolidated with Terry and Nina Lonatro, et al vs. Orleans Levee District and Southeast Louisiana Flood Protection Authority-East, No. 2011-0097, Section N-8.
2. MRGO litigation potentially involving the Southeast Louisiana Flood Protection Authority-East.

A motion was offered by Mr. Barry, seconded by Mr. Wittie and unanimously adopted, for the Board to convene in Executive Session to discuss the items listed on the agenda. The Board convened in Executive Session at 12:05 p.m.

A motion was offered by Mr. Barry, seconded by Mr. Estopinal and unanimously adopted, for the Board to reconvene in regular session at 1:00 p.m.

RESOLUTION NO. 01-20-11-02 – AMEND LIST OF APPROVED ATTORNEYS AND LAW FIRMS

Mr. Jackson indicated that he was satisfied with the response he received from Mr. Lacour to the question concerning the applicability of restrictions on retaining Ms. Allgood. He stated that Ms. Allgood did an excellent job, particularly in East Jefferson, in terms of obtaining right-of-way acquisitions as quickly as possible. He asked about the procedures that are in place for retaining professional service consultants.

Mr. Lacour explained that the Authority does not have to bid professional service contracts. The Authority has a set of self-imposed rules in order to avoid favoritism. Qualifications are requested in order to find the best qualified firms that are available. He commented on Ms. Allgood's qualifications due to her extensive experience in acquiring properties for the Authority.

Mr. Doody added that the Authority should seek to operate as efficiently as possible with taxpayers' dollars and that it could potentially be more costly to educate another attorney on all of the processes involved in property acquisitions for the Authority.

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

“A resolution to amend the approved list of attorneys and law firms from which the SLFPA-E may choose to enter into contracts to provide special legal services, as needed, by the SLFPA-E and the levee districts within its jurisdiction.”

WHEREAS, that after reviewing Irys Allgood's credentials and her history of handling levee related matters as an Assistant Attorney General, the SLFPA-E Legal Committee has recommended approval of Irys Allgood to be added to the list of attorneys and firms, from which the SLFPA-E may select an attorney or law firm with which to enter into a contract to provide special legal services, as needed, by the SLFPA-E and levee districts within its jurisdiction; and

WHEREAS, attorney fee rates for Irys Allgood for special legal services shall comply with the Hourly Fee Schedule of the Attorney General for special legal services, unless otherwise specifically provided for in the contract and approved by the Attorney General. The hourly fee schedule for Irys Allgood shall be as follows:

\$175.00 Per hour for Attorneys having experience of ten years or more in the practice of law.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) approve Irys Allgood be added to the list of attorneys and firms from which the Board of Commissioners of the SLFPA-E may select an attorney or law firm with which to enter into a contract to provide special legal services, as needed, by the SLFPA-E and levee districts within its jurisdiction.

BE IT FURTHER RESOLVED, that this Resolution be submitted to the Office of the Attorney General for the State of Louisiana for approval, and shall be included in the submission of each subsequent contract submitted to the Attorney General for approval pursuant to this resolution.

The foregoing was submitted to a vote, the vote thereon was as follows:
YEAS: Mr. Barnes, Mr. Barry, Mr. Estopinal, Mr. Jackson, Mr. Losonsky,
Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: Mr. Goins

**RESOLUTION NO. 01-20-11-03 –
EXTENSION OF AGREEMENT WITH MURRAY ARCHITECTS, INC FOR O.L.D.
FRANKLIN WAREHOUSE FACILITY SAFEHOUSE/IT/EOC BUILDOUT**

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

WHEREAS, the Board by Resolution No. 01-15-09-11 authorized the execution of a contract with Murray Architects, Inc. to provide the Professional Services for design and construction management of the Orleans Levee District (O.L.D.) Franklin Warehouse Facility Safe House/IT/EOC Buildout, and

WHEREAS, an extension of the contract period is needed due to construction delays that have been experienced.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) approves the extension of the expiration date of the aforementioned contract with Murray Architects, Inc. to June 30, 2011.

BE IT FURTHER RESOLVED, that the O.L.D. Executive Director, the SLFPA-E Regional Director or the SLFPAE President, as appropriate, 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. Jackson, Mr. Losonsky,
Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: Mr. Goins

Advisement of Non-Flood Division procurement of Police Professional Liability Insurance Coverage from Indian Harbor Insurance for one year period commencing 2/10/11 at a cost of \$36,033.45 (cost shared 50 percent Flood/Non-Flood Divisions).

It was noted that this advisement was placed on the Board agenda for information purposes only. The procurement of this insurance coverage will be approved by the Non-Flood Asset Management Board at its next meeting.

The next regular meeting of Board will be held on February 17, 2011 and hosted by the Orleans Levee District.

There was no further business; therefore, the meeting was adjourned at 1:15 p.m.

SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY - EAST

REGIONAL DIRECTOR'S REPORT

January 20, 2011

100 Year Level of Protection

Inner Harbor Navigation Canal Hurricane Storm Surge Barrier:

The Contractor continues to make good progress. Overall design is approximately 100% complete. Major construction activities are about 80% complete. Our emphasis continues to be Operation & Maintenance considerations and the necessity to "design in" reasonable O&M features.

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. All precast caps (337) have been set and all sections of the parapet wall have been erected. Cast in place "gaps" have also been completed. The entire wall is now at final elevation.

All 26 castings on the north T-wall are complete and all 24 castings of the south T-wall are complete.

The Barge Gate area has been flooded and all navigation traffic is being routed through the Barge Gate Structure (as of August 16, 2010).

Sector Gate Sill sections are being cast and the steel gate leaf fabrication is ongoing.

Only two wall castings for the Bayou Bienvenue Lift Gate Structure are left to complete. Forming for the deck pours will begin in early February.

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 substantially complete. Turf establishment issues still remain.

Reach 2:

The Work is substantially complete. Turf establishment issues still remain.

Reach 3:

The Work is substantially complete. Turf establishment issues still remain.

Reach 4:

The Work is substantially complete. Turf establishment issues still remain.

Reach 5:

The Work is substantially complete. Utility relocations at the Coast Guard Station have been completed by the USACE hired labor crews. Old utilities are being removed at the present time. The final inspection for this reach was canceled due to bad weather and will be rescheduled at a later date.

Bonnabel Breakwater Project:

The Notice of Construction Complete Letter for this Project has been transmitted by the USACE to CPRA, copied to EJLD.

Duncan Breakwater Project:

Work is substantially complete. Final inspection was conducted on October 27, 2010. USACE is scheduled to transmit Notice of Construction Complete soon.

Williams Blvd. Floodwall and Gate:

Work is substantially complete. The final inspection is scheduled for January 24, 2011.

Bonnabel Floodwall and Gate:

Work is substantially complete. Final inspection was held on December 20, 2011. Minor grass issues remain.

Pump Station Fronting Protection:

The Work is approximately 20% complete. Work is ongoing at Elmwood and Suburban Pump Stations and Breakwaters.

LPV 017.2 (Causeway Crossing):

The Contractor is mobilizing on site. The Phase I Traffic Plan for southbound traffic has been implemented. Work has begun on utility relocations.

West Return Levee/Floodwall - North:

Work is approximately 8% complete. H-pile driving operations continue on two headings.

West Return Levee/Floodwall - South:

The Pre-Construction Meeting was held on January 18, 2011. The Contractor has begun mobilizing on the site.

Foreshore Protection Reaches 1 and 2:

The Pre-Construction Meeting is scheduled for January 21, 2011. The Contractor is scheduled to begin mobilizing on site at the beginning of March 2011.

Foreshore Protection Reaches 3 and 4:

The Contractor is placing stone. Work is approximately 7% complete.

West Return Levee (Airport Runway):

Work is approximately 12% complete. The Contractor is working on the first lift.

Orleans Levee District:

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

Construction is approximately 70% complete. The aesthetic quality of the wall finish has been poor and we have requested the USACE to require the Contractor to make the appropriate repairs. Construction has been hindered by lake water seepage under the parking lot area.

LPV 102.01, 103.01, and 104.01

Projects are 100% complete. The Notice of Construction Complete has been transmitted to Orleans Levee District on LPV 102.01 and 103.01.

LPV 103.01 A1 (Bayou St. John):

Construction is now about 99% complete. The pre-final inspection was held on December 9, 2010. Final Inspection will be rescheduled within the next few weeks.

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

Construction is approximately 66% complete. Lakeshore drive is now closed at Rail St. and Lake Terrace.

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

Construction is approximately 90% complete. All ramps are open to vehicular traffic. Contractor is working on sidewalks and utility relocations. Turf establishment is still required.

LPV 104.02 (Seabrook West Side IHNC):

Construction is approximately 66% complete. The UNO Ramp consolidation is complete and the Contractor is now working the embankment at this site.

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

100% Plans and Specs were completed in mid June 2010. This Project will be completed as part of IHNC-01 (Seabrook). The ROE for the NS Railroad right-of-way has been granted.

LPV 105.01 (Lakefront Airport T-Wall West):

Construction is approximately 19% complete. The cofferdam at Downman Rd. has been removed and traffic lanes are reopened at this site.

LPV 105.02 (Lakefront Airport T-Wall East):

Construction is approximately 40% complete.

LPV 106 (Citrus Lakefront Levee):

Construction is approximately 35% complete.

LPV 107 (Lincoln Beach Floodgate):

Construction is approximately 57% complete.

LPV 108 (New Orleans East Lakefront Levee):

The Project is substantially complete. Some of the final punch list items have not yet been addressed.

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

Construction of the Project has been combined with LPV 109.02c (HWY 90 and HWY 11 floodgates). Construction is about 49% complete.

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

Construction is 100% complete.

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

Construction is 100% complete.

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

Construction is approximately 65% complete. I-10 east bound traffic has been rerouted onto the temporary bridge and raised ramp.

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

Construction will be done under LPV 109.02a. Deep Soil Mixing operations are underway. Pile driving activities have begun.

LPV 110 (CSX Railroad Crossing):

Construction is approximately 13% complete.

LPV 111.01 (North Side GIWW):

The contract includes construction of levee sections using deep soil mixing techniques. Work is progressing on schedule and is approximately 59% complete.

LPV 111.02 Pump Station 15 Fronting Wall:

Approximately 66% of the H-piles, 47% of the sheet piles and 70% of the pipe piles have been driven. 40% of the monoliths have been completed.

LPV 111.03 Tie-in to IHNC:

The Project consists of about 1000' of new T-Wall. 100% of H-piles have been driven. 100% of sheet piles have been driven. 92% of the monoliths have been completed.

LPV 113 (NASA):

Construction is approximately 99% complete. Pre-final inspection was conducted in the first week of October 2010. The Contractor will begin work again in March 2011 to address all punch list items.

Seabrook Structure:

95% P&S are complete. Final (100%) P&S is scheduled for completion in January 2011.

Piles for the west side T-Wall continue to be driven. Sheet pile and H-pile driving operations have begun on the east side. The Contractor has completed filling the scour hole in the IHNC on the protected side of the proposed Seabrook Structure. A rock dam has been constructed completely across the Canal. The north cofferdam is approximately 22% complete. The IHNC is now completely closed to navigation at the construction site.

Outfall Canal Remediation to Raise SWE to +8.0:

Contracts have been awarded for construction of remedial work on all three Outfall Canals. Work is scheduled for completion on or before June 1, 2011. At least two more packages remain to be awarded. The Right of Entry Request has been forwarded to OLD for the Orleans Canal Project (OFC-04a).

IHNC Remediation:

A public hearing was held by the USACE on November 8, 2010 to discuss and accept comment on the IER for this Work. OLD is working on Right of Entries.

Lake Borgne Basin Levee District:

LPV 144 (Bayou Dupre Control Structure):

Overall, the Work is approximately 36% complete. Construction is about 6% behind schedule. Bayou Dupre will be closed to navigation at the existing Control Structure until April 2011.

LPV 145 (Bayou Bienvenue to Bayou Dupre):

The USACE has instructed the Contractor to use uncoated steel sheet piles and H-piles on this project in order to meet schedule demands. Construction is approximately 89% complete.

The USACE has agreed to put the required swing bridge at Bienvenue back into the Project. We are still awaiting the issuance of the NTP from the USACE to the Contractor.

LPV 146 (Bayou Dupre to Verret):

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 Work is approximately 77% complete. The stem section of one of the T-Wall monoliths (#633) will have to be broken out and replaced due to bad concrete.

The emergency by-pass ramp for LA HWY 46 will be constructed under the LPV 146 Contract.

LPV 147 (LA Hwy 46 Flood Gate):

The Work is approximately 75% complete. One of the lifting lugs on one of the trolley beams sheared off during lifting operations. The beam design is being reviewed and modified by the A/E and USACE Tech Support.

The USACE is considering the elimination of the emergency replacement beams for all Trolley Gate projects in the St. Bernard Polder.

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

LPV 148.02 (Verret to Caernarvon):

The USACE has instructed the Contractor to use uncoated steel sheet piles and H-piles on this project in order to meet schedule demands. Construction is approximately 32% complete.

Contrary to St. Bernard Parish's objection, the USACE has determined that the Creedmore Drainage Structure is no longer needed and will be removed from the Project without replacing the Structure's drainage capacity.

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

The Work is approximately 71% complete.

Permanent Pump Stations and Outfall Canals:

The Phase II RFP has been issued and the short-listed firms have turned in preliminary design submittals. The USACE is now conducting one on one interviews with the proposers. Final proposals are due in mid February 2011. Award of the Design-Build Contract is scheduled for late April 2011.

All three Pump Stations will undergo Independent External Peer Review.

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 2010. The map can be found at the following web address:

<http://www.mvn.usace.army.mil/hps2/pdf/riskstatusmap.pdf>

Coastal Protection and Restoration

Lake Borgne Basin Levee District:

Only one of the two pipes at the Violet Freshwater Diversion siphon is flowing. Flow in one of the pipes stopped on January 19, 2011 because of low river stage.

Flood Fight

The Mississippi River is below 4' at the Carrollton Gage and is predicted to remain below 4' for the next 28 days.

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 meets with the A/E about twice a month.

Orleans Levee District:

Seismic Investigations Study:

Dr. Lorenzo spent three days last week conducting seismic investigations along the 17th St. Canal breach site and has collected additional data. The information was sent to one of Dr. Lorenzo's colleague in South Carolina (Dr. Steve Jaume), who has the commercial system to analyze the data and has agreed to do so pro bono.

As Dr. Lorenzo's crew collected the seismic data, his colleagues from UNO (Drs. Ioup and Holladay) also used a deep-penetrating ground-penetrating radar unit to go over the same transects.

Construction of the OLD Safe House Project began in January 11, 2010. The Project is approximately 80% complete.

The Bayou St. John Water Management Study is approximately 90% complete. This Project is being funded through State Capital Outlay.

The Orleans Levee District Benchmark and Organization Study is 100% complete. The final report is pending.

The Tier 2 Environmental Inventory is approximately 95% complete.

Lake Borgne Basin Levee District:

Work is continuing on the Violet Canal Closure Structure Improvement Project. All required sheet pile has been driven and the contractor is grading in preparation for casting slope pavement.

FEMA has written a PW and has obligated funds for pump repairs at Pump Station #6 (\$360,000). LBBLD will sign an MOU with OCPR to utilize an ID/IQ Contract between OCPR and PBS&J to procure the professional engineering services needed to complete the documents necessary to bid this work.

The Emergency Work required to address the seepage issue at Pump Station #3 has been completed. Sheet piles were driven to construct a temporary cofferdam to isolate 2 of the three discharge tubes. Seepage stopped after the cofferdam was dewatered. A selection committee selected W.S. Nelson for the Engineering work and was forwarded to the SLFPAE Board and approved for the

work. A meeting is scheduled for Friday January 21, 2011 with W.S. Nelson to discuss Scope of Work. Once complete the Scope of Work with negotiated fee will be provided to the SLFPAE for approval.

LBBLD has selected W.R. Nelson for the preparation 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. The design phase of the work will be completed by mid March 2011.

LBBLD has executed a Contract with Burk-Kleinpeter for the Engine Replacement Project at Pump Station 1 or 4. The Preliminary Design Report has been received and is currently under review by LBBLD.

The USACE has issued a Contract to repair the right angle gear drives at Pump Station 8. The drives were improperly repaired by the USACE's Contractor post Katrina.

OCPR has begun preparation of Plans and Specifications for the Violet Canal Dredging Project (Phase II). LBBLD is working to secure the necessary right-of-ways.

OCPR has requested LBBLD to perform routine O&M on the Hopedale Gravity Drainage Structure. All O&M expenses would be reimbursed by OCPR. Major Maintenance would remain the responsibility of the OCPR.

Internal Affairs

The USACE intends to make modifications to the existing canal floodwalls to achieve a minimum safe water elevation of 8' in all three canals. Our ID/IQ Consultant, Halcrow Inc. continues to review the Safe Water elevation Reports and the designs for the remediation work proposed by the USACE.

We have four inspectors working with us provided by OCPR. We have been getting additional technical assistance from OCPR staff, LDOTD staff, and PBS&J (through an ID/IQ contract with OCPR). We are considering adding an additional inspector for LPV 148.02 due to the accelerated pace of the construction (there are more than 100 cranes on this 8 mile stretch of levee).

The Emergency Module for Floodgate Management is complete. SLFPA-W has expressed an interest in using the module. We will be meeting with the USACE within the next two weeks to explore opportunities to use this tool for all aspects of gap closures required for the 2011 hurricane season.

We have submitted a revised Construction Coordination Plan to HPO and met with HPO staff to begin implementation of the Plan. Another meeting will be scheduled after HPO has reviewed the plan to resolve any issues. The Plan seeks to outline responsibilities of all parties and provide a means to maintain clear and open communication. Particular attention was placed on the "Red Zone" or Project Closeout Process.

Royal Haskoning has submitted a potential SLFPA-E Project for funding through Flood Control 2015. The Project is called "Hurricane Risk & Safety Module for New Orleans Levee System". If approved, the Dutch will provide 50% of the cost associated with the work.

SLFPA-W has expressed an interest in partnering with SLFPA-E on the Levee Information Management System development. We will be meeting with RH to develop a Strategic Plan for a path forward.

The Notice to Proceed has been issued to AECOM for the O&M Cost Study for all three levee districts. This work will be funded through a CDBG Grant.

New Contracts:

Gulf South Services (Mark Clark) – IT Support - 6 months (1/3/11-6/30/11) – Not to Exceed \$5,000.

Hurricane Preparedness

The 2010 Hurricane Season officially ended on November 30, 2010.

Public Meetings:

USACE – MRGO Ecosystem Restoration Plan

January 20, 2011

Open House from 6:00 pm to 6:30 pm

Presentation at 6:30 pm

Discussion to follow

CF Rowley Alternative School

49 Madison Ave

Chalmette, LA 70043

USACE – MRGO Ecosystem Restoration Plan

February 3, 2011

Open House from 6:00 pm to 6:30 pm

Presentation at 6:30 pm

Discussion to follow

Light City Church

6117 St. Claude Ave

New Orleans, LA 70117