

**MINUTES OF THE
SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY – EAST
BOARD MEETING
THURSDAY, MARCH 17, 2011**

The regular monthly Board Meeting of the Southeast Louisiana Flood Protection Authority - East (Authority or SLFPA-E) was held on Thursday, March 17, 2011, in the St. Bernard Parish Government Council Chambers, 8201 West Judge Perez Drive, 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 9:42 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

ABSENT:

Stradford A. Goins
Ricardo S. Pineda

OPENING COMMENTS:

Mr. Doody commented that the Board has been hearing monthly from residents along the 17th Street Canal about the issue of the enforcement of the servitude along the canal. In May of 2007 the Board first began discussing this issue with the residents and over the course of the next year worked with the U.S. Army Corps of Engineers (USACE) and the residents to minimize the impact of the necessary flood protection work. In May of 2008 the Board voted to give the USACE the right-of-entry onto the servitude attached to the levee and to allow the USACE at Federal expense to remove the obstructions, trees and fences. The residents claim that the Board expropriated property without compensation. The Board maintains that it is exercising its servitude along this stretch of levee and along all outfall canals. There have been multiple legal actions filed in both State and Federal Courts by the residents seeking either an injunction to stop necessary work and/or to require the levee district or USACE to pay for the servitude that is being exercised. Public bodies are precluded from making payment to anyone or any entity without a legal obligation to do so. Making any payment without a clear legal requirement to do so would be a donation of public funds and would cause the Board to violate the State Constitution. The Board has always expressed concern and sympathy for the plight of the residents who live along the canal and the Board took action that it deemed appropriate for the protection of all of the residents living within the hurricane protection system. The Board invites public

comments at every meeting, but should not be tempted into responses while there is on-going litigation at the advice of its attorneys.

Mr. Doody reported that he and Robert Turner, SLFPA-E Regional Director, attended a meeting with Robert Lupo, President of the Non-Flood Asset Management Authority, and Louis Capo, Director of Orleans Levee District (O.L.D.) Non-Flood Assets, regarding the O.L.D. non-flood assets. Mr. Lupo advised at the meeting that the Non-Flood Asset Management Authority's Finance Committee was preparing to pass a budget that would not include a budget item for one-half of the O.L.D. Police Department. The cost of the O.L.D. Police Department has been equally split between the O.L.D. Flood Protection Division and Non-Flood Assets Division. The Flood Protection Division's needs, such as monitoring tide gages, investigating vandalism to flood protection projects and police services required during emergency situations, should be determined. The City should be informed about the budgetary constraints. Mr. Doody advised that he would form an ad hoc committee to provide recommendations to the Board at a future meeting. Mr. Lupo further advised at the aforementioned meeting that there were a number of proposed budgetary cuts; however, the Non-Flood Assets Division will still have a \$750,000 budget shortfall. He pointed out that, although the Orleans Levee District was divided and governed by two different Boards, the assets are still owned by the Orleans Levee District and the taxpayers of the City of New Orleans. He reminded everyone that a Memorandum of Understanding (MOU) was entered into with the Division of Administration that delineated the flood protection assets and non-flood assets. At that time the seawall was considered a flood protection asset because of its ability to reduce wave energy. However, the land from Lakeshore Drive to the toe of the levee was not included with the flood protection assets. The cost of maintenance for Lakeshore Drive and the green space between Lakeshore Drive and the levee is a large expense. He commented that an argument could be made that the green space could be viewed as a risk reduction element of the flood protection system. Should the Board determine that a change is necessary, it may wish to reconsider the MOU.

Mr. Doody advised that in a recent presentation provided in a Coastal Protection and Restoration Authority (CPRA) Finance Planning Subcommittee meeting funding of approximately \$30 million per year was included in the State's budget for the local cost share for the Hurricane and Storm Damage Risk Reduction System (HSDRRS).

Mr. Doody stated that a letter was sent recently to the USACE relative to cracks that developed in sections of the stability slab of the St. Bernard T-wall and suggested that Colonel Sinkler comment relative to this issue during the USACE's presentation.

Mr. Doody reported that Cajun Construction has decided that it does not need to use the bridge at the St. Mary's Pump Station. The bridge would be used by the contractor only for light traffic vehicles.

Mr. Doody advised that there are some developing concerns about the overall resiliency built into the system. The understanding is that 500-year resiliency will be built into the system.

ADOPTION OF AGENDA:

The agenda was amended to add Items XIII.A.11 relative to the request for the USACE to provide design templates for the outfall canals, and XIII.A.12 relative to the consideration of the concept of lowering the outfall canal floodwalls. A motion was offered by Mr. Barry, seconded by Mr. Wittie and unanimously approved by a roll call vote, to adopt the agenda as amended.

**RESOLUTION NO. 03-17-11-01 –
APPROVAL OF THE FEBRUARY 17, 2011 BOARD MEETING MINUTES**

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

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East approves the minutes of the Board Meeting held on February 17, 2011.

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

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

NAYS: None

ABSENT: Mr. Goins and Mr. Pineda

PUBLIC COMMENTS:

Roy Arrigo, a resident along the 17th Street Canal, commented that many of the Commissioners expressed sympathy concerning the property taking along the canal; however, the residents do not need sympathy, but Commissioners who own up to their decisions. He stated that the Board used the excuse of enforcing USACE guidelines when the taking of fences was its own policy and that it said that taking land without paying for it makes the City safer and that the Board voted the way the lawyers told them they had to vote. He stated that no expert cited trees as the cause of a failure on the 17th Street Canal. The failure was because the USACE designed inadequate foundations for the floodwalls. The trees were removed because it was believed that they threaten levee certification; however, the floodwalls were left alone. He stated that the urgency to remove the trees was so great that the Board used it to justify the unjust taking of private property. Now, the trees are gone and most of the floodwalls remain untouched. He commented that millages were rolled back and then the Board said that it had to take the property without compensation because the State could not afford to pay for it. He commented on the Board's use of funds for public relations messages instead of flood protection and concerning lobbying to block compensation for the taking of property.

Craig Berthold commented that he thought that the policy concerning the removal of fences and trees did not have anything to do with structural integrity, but was geared to

the on-going remediation. He asked Mr. Barry the reason he thought that the vote to allow access to the property was one of his hardest decisions.

Mr. Barry responded that the USACE stated that the work needed to be done for safety. He explained that it is one thing to make a decision when the level of safety is being increased; however, it is another thing to go against the USACE because the Board thinks that it is doing something that is overly conservative and that they don't have to be that safe. He stated that because the residents were asking the Board to do something that the USACE said was unsafe, the burden of evidence on the side of the residents was very high. He stated that the potential risk had the Board voted on the side of the residents and been mistaken forced him to lean on the side of safety.

David Hamm stated that he was representing his daughter who is a resident along the 17th Street Canal. He commented that after Hurricane Katrina the property was rebuilt back to the property line. Taxes are paid to Jefferson and Orleans Parishes for the property. Several years after rebuilding, his daughter was told that 27 additional feet of property was needed. The fence was torn down with no compensation provided to rebuild the fence again. He commented on the vibrations being experienced from the current remediation work and asked who would compensate the homeowners for damages from this work. He stated that the taking of property without compensation by the Orleans Levee District has nothing to do with sacrificing for the greater good in the name of flood protection. He stated the families deserve to have a proper hearing and to be compensated for what was taken from them. He stated that a fence was put in place that keeps the residents from walking on property for which they pay taxes, and that this is not a servitude, but a confiscation.

Carol Byram, a resident along the 17th Street Canal, requested that the residents be allowed to move their fences back to the property line. She stated that the original taking of this property was accomplished by incorrect, unethical and illegal methods. She stated that the decision on Lakewood South should have been a separate decision and that evidence in favor of the residents was ignored and dismissed by the Board. She commented concerning the vote of the Board and stated that the Board did not consider the issues.

Epsie Hennessy, a resident along the 17th Street Canal in Lakewood South, stated that she was part of a law suit which was filed in Federal court. The citizens who comprise the 17th Street Canal Coalition have also filed suit against the Board. She stated that the USACE came with bulldozers and knocked down the fences and ligustrum, took approximately five feet of property without payment and caused irreparable harm. She stated that she repeatedly told the Board that she was told by a USACE representative that the fence and Ligustrum were not a threat to the levee. She stated that the levee behind her home was overbuilt and that the actions taken by the Board and the USACE were unnecessary. She commented on the property that was taken and on the money being spent on litigation. She asked whether the Board considered attempting to settle the litigation in order to conserve funds and bring efficiency to the flood protection process. She also commented on monies spent on public relations services and travel.

Thomas Anzelmo counseled the Authority to refrain from give and take in public discussions because of the on-going litigation. He explained that each and every time the Authority has only defended litigation that was brought against it, including Federal Court where the first injunction was denied by Judge Barbier who said that there was no irreparable harm that the plaintiffs can prove and that issuing an injunction is most certainly against the public interest. Therefore, the Federal Court ruled in the Authority's favor. When the injunction was brought in State Court, it was denied by Judge Reese. When a decision led to the Court of Appeal of the State of Louisiana, the Court said that the landowners never had the right to build on the area six feet from the 17th Street Canal levee, thus no compensation is due the landowners for the removal of the fences and trees located within that area. It went to the Louisiana Supreme Court and writs were denied. In defense of the Authority, he stated that the title of each and every landowner who had sued was researched and the Authority was able to establish to the Court that either the servitude was patent on the title or on the survey or was within the chain of title so that they knew or should have known. The levee district and the Authority have acted providently in this matter and there is no taking—for if there had been a taking, the courts would have ruled against the Authority. He reiterated that the Authority has only expended money in defense of litigation.

Mr. Doody requested that Colonel Sinkler provide a telephone number to Mr. Hamm in order to report complaints concerning the on-going remediation construction.

PRESENTATIONS:

1. U.S. Army Corps of Engineers - Hurricane and Storm Damage Risk Reduction System (HSDRRS) anticipated June 1, 2011 Status.

Mr. Doody explained that the USACE made a commitment that on June 1, 2011 the Hurricane and Storm Damage Risk Reduction System (HSDRRS) would be able to defend against a 100-year storm.

Colonel Robert Sinkler, Commander of the USACE Hurricane Protection Office, advised that the USACE's presentation provides an update on the anticipated expectations of the system on June 1st based upon the USACE's best assessment. He explained that he would address the status of the system in Orleans and St. Bernard Parishes and that Lt. Mark Jernigan would address the status of the system in Jefferson Parish. A schematic in the presentation showed the status of construction. A handout provided showed the still water elevation for a 100-year storm at a sampling of sites around the system. Col. Sinkler stated that the goal of USACE is to have a system in place on June 1st for which 100 percent of the perimeter of the system will be capable of defending against a 100-year storm surge. This goal includes engineered interim closure structures. About \$5.47 billion of the system is being constructed in the Lake Pontchartrain and Vicinity area.

Col. Sinkler explained that the mission of the USACE after Hurricane Katrina was to make strategic improvements to the system in the New Orleans metropolitan area. The first strategic improvement was to block five storm surge avenues that would allow

storm surge to penetrate into the heart of the city. The second strategic improvement was to strengthen levees and floodwalls to the same guidelines. The third strategic improvement was to storm proof key pump stations.

Col. Sinkler addressed the five storm surge avenues that allowed storm surge to penetrate into the heart of the City. As part of the first strategic improvement, interim closure structures were constructed at the London Avenue, Orleans Avenue and 17th Street Outfall Canals in 2006 that meet the 100-year requirement. The USACE expects to award the contract in the next couple of weeks for the Permanent Pump Stations for the Outfall Canals. The interim closure structure has been completed at Seabrook. The USACE is in the process of completing the surge barrier at Lake Borgne.

Col. Sinkler discussed the second improvement (i.e., strengthening levees and floodwalls). Higher floodwalls and levees were constructed in Orleans Parish and new T-walls are being constructed in St. Bernard Parish. About 50 pump stations were storm proofed and five safe houses constructed as part of the third improvement.

Col. Sinkler stated that the Administration is committed to ensuring that the City can be protected against a 100-year storm. He explained that public safety depends on quality, schedule and cost.

Col. Sinkler highlighted the 100-year protection projects in Orleans and St. Bernard Parishes that have completion dates scheduled in May, 2011. He pointed out that there is a potential for slippage in the completion date with the biggest risk being associated with weather.

1. St. Bernard Parish
 - LPV 149 Caernarvon Sector Gate (1 May)
 - LPV 148 T-Wall (28 May)
 - LPV 144 Bayou Dupre Sector Gate (9 May)
2. Inner Harbor Navigation Canal
 - Surge Barrier Sector Gate Concrete (12 May)
3. Orleans East
 - LPV 109 CSX Railroad Crossing (30 May)
 - LPV 109 Levee (30 May)
 - LPV 105.01,2 Lakefront Airport Floodwall (29 May)
4. Orleans Metro
 - LPV 104.02a Norfolk Southern Railroad Gate (15 May)
 - LPV 101.02 Lakefront Marina Floodwall (10 May)

Col. Sinkler reviewed the work that will continue past June 1st, 2011:

1. To finish non-storm surge related features at the canal and waterway crossings. This includes items such as dolphins and guide walls.
2. To further increase safety factors.

3. To overbuild for anticipated future settling, subsidence and sea level rise. The USACE wants the system designed for conditions in southeast Louisiana in 2057.
4. To increase resiliency of the system.
5. To further enhance the system's armoring.
6. To mitigate for environmental damage.
7. To complete some longer-term operations and maintenance features inside the system.
8. To replace Interim Closure Structures (ICSs).

Col. Sinkler commented that the acronym "HYLA" will be used for "One Hundred Year Level Attained". He reviewed the on-going construction in the system by polder. Approximately \$1.5 billion of construction is taking place in St. Bernard Parish. HYLA is anticipated to be achieved for the following projects as indicated in 2011:

- Caernarvon Canal Sector Gate and Floodwall – May
- Verrett to Caernarvon Floodwall – May
- Highway 46 Floodgate – March
- Bayou Dupre to Highway 46 Floodwall – April
- Bayou Dupre Sector Gate – May
- Bayou Bienvenue to Bayou Dupre Floodwall – March

Col. Sinkler discussed the Inner Harbor Navigation Canal (IHNC) Surge Barrier with an estimated construction value of \$1.1 billion. The barrier wall and south tie-in were completed ahead of schedule. The north tie-in will be completed in May. Since last summer the focus has been on the three navigation gates (GIWW Sector Gate, GIWW Barge Gate and the Bayou Bienvenue Gate). The Bayou Bienvenue Gate is in route and should be put in place next week meeting the 100-year requirement at that location. Construction of the structure and installation of controls will continue. The Barge Gate is on site and can be put in place and sunk in advance of a storm. The Sector Gate is in fabrication and is anticipated to be delivered in May, 2011.

Col. Sinkler reviewed the New Orleans East polder (\$1 billion construction value). HYLA is anticipated to be achieved for the following projects as indicated in 2011:

- CSX Railroad to Michoud Canal Levee – May
- CSX Railroad Crossing – May
- Southpoint to CSX Railroad Levee – May
- Southpoint to CSX Railroad - Interstate 10 Crossing – March
- Parish Road to Southpoint, Collins Pipeline Floodwall – HYLA Achieved
- Citrus Lakefront (Hayne Boulevard) Floodwall – April
- Lincoln Beach Floodwall and Gate – April

Col. Sinkler reviewed the Orleans Metro polder (\$1.1 billion construction value). HYLA has either been achieved or is expected to be achieved for the following projects as indicated:

- London Avenue, Orleans Avenue and 17th Street Canal Interim Closure Structures – completed June, 2006
- Seabrook interim closure structure – March, 2011. The cofferdam is in place at Seabrook and meets the 100-year requirement.
- Seabrook Floodwalls, Leon C. Simon Boat Launch Gate and UNO Campus Ramp – May, 2011
- Lakefront Roadway Ramps, Floodwalls at Pontchartrain Beach and Levee near Leroy John Drive Ramp – HYLEA Achieved
- Topaz Street to Orleans Avenue Canal Levee – HYLEA achieved
- Bayou St. John Floodwalls and Sector Gate, Marconi Floodgate and Orleans Avenue Canal Floodwall Tie-in – HYLEA achieved
- Floodgates at Lakeshore Drive at Rail Street and Lake Terrace Drive – April, 2011
- 17th Street Canal to Topaz Street Floodwall – May, 2011

Col. Sinkler commented that the USACE's construction hot line (877-427-0345) is open 24 hours a day and that the USACE appreciates feedback from the public.

LTC. Jernigan presented the update on the HSDRRS projects on the East Bank of Jefferson Parish. Eighteen contracts have been completed and seven contracts are currently under construction. The projects cover 7.8 miles of levee and 5.5 miles of floodwalls with a total construction cost of approximately \$500 million. The system is expected to be capable of defending against a 100-year storm on June 1st using a combination of levees and floodwalls constructed to the 100-year design criteria with interim structures and engineered construction closures. He stated that remarkable progress has been made over the last couple of years.

LTC. Jernigan reviewed the projects that have already achieved HYLEA:

- Lakefront Levee Reach 1 – HYLEA was achieved in September, 2010. The design elevation for this portion of the levee is 15-ft. The project is awaiting final inspection.
- The Duncan Breakwater was completed July, 2010 and provides 100-year protection for the Duncan Pump Station. The notice of construction completed was issued in February, 2011.
- The Williams Floodgate was completed in October, 2010.
- Lakefront Levee Reach 2 – HYLEA was achieved in January, 2011. Work is continuing on some minor items and the grass cover is expected to be in place by June 1st.
- Lakefront Levee Reach 3 – HYLEA was achieved in October, 2010. Work is continuing on some minor issues.
- Lakefront Levee Reach 4 – HYLEA was achieved in September, 2010.

- The Bonnabel Breakwater was completed in April, 2010 and provides 100-year protection for the Bonnabel Pump Station in addition to the frontal protection work in this area. The notice of construction completed was issued in November, 2010.
- Bonnabel Floodgate – HYLA was achieved in October, 2010.
- Lakefront Levee Reach 5 – HYLA was achieved in October, 2010.

LTC. Jernigan explained that the USACE will put in place interim measures for several projects that will include engineered interim structures or engineered construction closures to achieve HYLA on June 1, 2011. He proceeded to review the projects and the engineered interim measures:

- West Return Wall (Southern Segment) – The contractor is beginning site preparation work for construction of the new wall. Interim measures include a stability embankment, which is expected to be in place by May 15th. The new floodwall will be constructed on the floodside of the existing floodwall. The existing floodwall will remain in place throughout the duration of the construction project. Based upon the layout of the project, the USACE anticipates putting in place a 700-ft. engineered construction closure using Hesco baskets in the event of a storm.
- West Return Wall (Northern Segment) – The contractor has begun work on the project for the new wall. The elevation of the existing wall is approximately 12-ft. and the elevation for the new wall will be 17-ft. Engineered interim measures will be used to achieve HYLA by June 1st, which will include a stability embankment.
- Bridge Abutment and Floodwall Tie-In at Causeway Bridge – The contractor has completed the traffic adjustments required to begin work on both the east and west sides of the Causeway Bridge. Interim measures include a crib wall, which has been constructed, and the placement of sandbags by the East Jefferson Levee District in the event of a storm.
- Elmwood Pump Station Breakwater has not been completed. The contractor is working in the discharge basin driving H-piles for the foundation for the pump frame protection. Engineered interim measures will be put in place by June 1st that will include a foundation in the discharge basin to connect the two slabs to address the global stability issue for the existing pump station walls.
- Suburban Pump Station Breakwater has not been completed. The construction progress is about the same as for the Elmwood Pump Station. Engineered interim measures will be put in place by June 1st that will include the contractor driving two rows of H-piles at the far right of the existing wall foundation and building a counterfort wall from the existing pump station wall to provide the required stability to meet the 100-year criteria.

Mr. Jackson asked what methodology would be used as an interim measure prior to the completion of the closure structures to prevent backflow through pumps during a 100-year event. Bret Herr with the USACE explained that the plan for the 2011 hurricane

season uses the air suppression systems. Safe houses have been constructed in certain locations for pump operators to remain on site. Mr. Jackson pointed out that air suppression will only work to a certain level.

Mr. Doody noted that the height of the hurricane season does not happen until sometime after June 1st. He asked the USACE for an estimate of the additional cost to meet the June 1st deadline. Col. Sinkler explained that the contracts for the frontal protection were not adjusted, but were accelerated and had completion dates on or about June 1st. The USACE has not yet negotiated a final contract price for LPV 148.

Col. Sinkler explained that some cracks have occurred in some of the T-wall stability slabs in St. Bernard Parish due to expansion associated with temperature changes. A crack survey and analysis are being conducted. Mr. Jackson commented that this topic was discussed at the last Engineering Advisory Committee meeting and the Committee concluded that the USACE should be provided the opportunity to analyze the problem and to come up with a solution.

Mr. Barry congratulated the USACE for the work that it accomplished over the past several years and the concerted effort after Hurricane Katrina to rebuild the system. He asked whether any part of the system is weaker than the remainder of the system. Col. Sinkler responded that from the 100-year storm surge standpoint the system is in good shape. He added that redundancies and polderization could be considered in order to make the system more robust. Mr. Barry inquired about storm surge in relation to the Mississippi River levees (MRL). Col. Sinkler replied that from the SLFPA-E perspective, the MRL looks good. A 100-year storm surge should not push against the MRL within the SLFPA-E jurisdiction enough to make a major impact.

Mr. Doody commented that the SLFPA-E has been working closely with the USACE in an attempt to contractually obligate all of the projects that are of interest to the SLFPA-E's area of jurisdiction. There are \$14 billion of projects in the entire system, including East Bank, West Bank and SELA projects. The SLFPA-E is trying to ensure that the items that are crucial to protection for this area are built into the system. Armoring is a great concern and has not yet been contractually obligated. There is necessary work to be done to the West Bank MRLs. Thus far money has been reprogrammed primarily from East Bank projects to West Bank projects with some money coming from SELA.

Mr. Doody requested that Carlton Dufrechou provide the Coastal Advisory Committee's comments relative to the recommendation of coastal restoration projects to the CWPPRA Task Force and Technical Committee.

Mr. Dufrechou explained that the members of the Coastal Advisory Committee were requested to review the CWPPRA PPL 21 nominees. Funding for coastal programming has been provided annually (\$20 million to \$50 million per year) under the Coastal Wetlands Planning, Protection and Restoration Act (CWPPRA) since the late 1980's. Comments on the nominated projects must be provided to the CWPPRA Task Force and Technical Committee by April 5th. The projects suggested by the Coastal Advisory Committee for recommendation not only have the highest ability to optimize coastal

restoration benefits, but also provide a degree storm surge protection benefits to the region:

1. LaBranche Central Marsh Creation – about 750 acres in St. Charles Parish
2. Lake Lery Shoreline Creation – about 20 acres in St. Bernard Parish
3. Guste Island Marsh Creation – about 590 acres in St. Tammany Parish
4. Fritchie Marsh Creation and Terracing – about 550 acres in St. Tammany Parish
5. Wills Point Marsh Creation – about 630 acres in Plaquemines Parish
6. White Ditch Marsh Creation Sediment Delivery – about 380 acres in Plaquemines Parish

Mr. Dufrechou advised that the projects are estimated to cost approximately \$20 million each and accumulatively represent about \$120 million of work.

Mr. Doody advised that the Board will vote on the resolution listed in the agenda on this matter in the regular order of business.

COMMITTEE REPORTS:

Finance Committee: Mr. Estopinal reported that the Finance Committee met on March 3rd and all of the items reviewed by the Committee are included as motions on the Board agenda.

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

Legal Committee: Mr. Barry advised that the Legal Committee did not meet in the month of March. A motion for the approval of legal invoices is listed on the Board agenda.

Engineering Advisory Committee: Mr. Jackson reported that the Engineering Advisory Committee met on March 3rd and considered the following items:

- Robert Jacobsen with Taylor Engineering provided an update on the review of the hurricane surge frequency analysis. Mr. Jackson advised that during the discussion of this matter at the Committee meeting Mr. Goins stated that he was encouraged by what Mr. Jacobsen is doing and added that this will be good for the future. Mr. Goins also stated that the issue he brought to the Board several months ago concerned looking at the modeling that was done to set the 100 year elevations and verification of the assumptions, and that his three concerns dealt with the paths of the 152 storms, how the coastal restoration piece was tied in, and the interface between Louisiana and Mississippi.
- The status of the issue of corrosion protection of the St. Bernard T-wall foundations was provided. Ricky Brouillette with the Office of Coastal Protection and Restoration (OCPR) advised that OCPR upper management is continuing its investigation.

- The status of the Orleans Avenue, London Avenue and 17th Street Outfall Canal issues was provided. At the time that the Committee met a meeting that was previously postponed had been rescheduled for March 15th. The USACE contacted the SLFPA-E just prior to the rescheduled meeting and advised that in lieu of the technical personnel who were supposed to attend the meeting in order to discuss the issues, the USACE would be sending one individual to the meeting who would bring the issues back to the appropriate individuals. Therefore, the meeting was cancelled and will be rescheduled again. Mr. Jackson stated that two resolutions have been added to the Board agenda that are directed at the USACE so that the USACE will understand the need to discuss the technical issues with the SLFPA-E.
- A report was received on the problem of T-wall voids in the vicinity of the old Bayou Dupre Channel.
- The issue of the cracks in some of the T-wall stability slabs was discussed and the Committee concluded that the USACE should be given the opportunity to evaluate the problem and recommend a solution.

CPRA/Governmental Affairs: Mr. Barry advised that he, Tim Doody and Robert Turner will travel to Washington, D.C. during the week of March 28th and will discuss issues of concern to the SLFPA-E. The issue of highest priority to the SLFPA-E is the responsibility for the operation and maintenance (O&M) of the IHNC surge barrier. He stressed that it is important for the SLFPA-E to explain its position on this issue. Mr. Turner advised that representatives of the SLFPA-E have been involved in the inspection of the surge barrier as it was being built and are attending all meetings concerning the O&M manuals. The International Surge Barrier Group has been contacted for information on the O&M of surge barriers and the associated costs. There is a possibility that a Request for Proposals for a contractor to provide O&M services for the IHNC surge barrier can be developed and issued. He noted that O&M costs for the IHNC surge barrier would not have to be budgeted until the next budget cycle. Mr. Doody pointed out that the SLFPA-E is proceeding as though it will be tasked with the O&M responsibilities for the surge barrier.

Mr. Barry reported that he attended the CPRA meeting held yesterday in Houma, Louisiana. Two processes were discussed in the CPRA meeting that have a potential for bringing money back into this area; i.e., NRDA (Natural Resource Damage Assessment) and the Clean Water Act. The NRDA process is a means of putting things back to the status quo and is usually an extremely long process. NRDA funding is distributed by way of a science based process. The second process is defined in the Clean Water Act and could potentially produce up to \$20 billion. Funding provided under the Clean Water Act does not have to be science based and the other coastal states are attempting to have this funding divided equally among the states that received damages from the BP oil spill. He pointed out that Louisiana sustained 80 percent of the damages from the oil spill. An effort is under way to negotiate with British Petroleum (BP) on this issue. Legislation is needed to pay out monies from the EPA's oil spill fund when fines are paid to the Environmental Protection Agency (EPA). Money to be paid from the EPA's oil spill fund is coded as expenditures and would require cuts elsewhere in the Federal budget to compensate for that expenditure, which brings the

entire Congress into the process. Should the negotiations result in a payment by BP directly to the State, an NGO (non-governmental organization) or other entity, then the EPA can mitigate the fines and the money is not scored as Federal dollars.

Mr. Barry advised that the draft FY 2012 Annual Plan Update has been issued. The CPRA is requesting comment and input.

Mr. Barry stated that a letter was sent by the Governor's Office (CPRA) to Colonel Edward Fleming, USACE New Orleans District Commander, on the MRGO Ecosystem Restoration Draft Feasibility Report and Draft Environmental Impact Statement. The letter reflects the SLFPA-E's comments. He reviewed five points for which the State provided comment in the letter:

1. The Proposed Scope and Scale of the Draft Feasibility Report – The scale of the restoration under the USACE's plan is approximately 60,000 acres. The State would like to see a broader plan.
2. Cost Share and Financial Considerations – The impacts and damages experienced were 100 percent due to navigation and commerce; therefore, the State should not have to cost share the mitigation.
3. Location of the Violet Diversion – The State objects to the USACE's proposed location of the Violet Diversion.
4. Utilizing the Mississippi River as Source of Sediment for Wetland Restoration – The Mississippi River should be used as a source for sediments in lieu of dredging sediments from Lake Borgne.
5. The implementation schedule

REGIONAL DIRECTOR'S REPORT:

Mr. Turner reviewed the Regional Director's Report (copy appended to minutes). He noted that a motion is included on the Board agenda to adopt a resolution relative to turning the Levee Information Management System (LIMS) Emergency Module for Flood Management that was developed by the SLFPAE-E into a regional web-based tool. The State will provide up to \$40,000 to fund the task of turning this tool into a web-based product and will provide the necessary infrastructure for the system. The participating levee districts will provide funding of \$12,000 to \$15,000 for the task of developing the web-based tool.

Mr. Turner advised that the levee districts will begin preparing Emergency Operations Procedures (EOP) Manual updates in preparation for the upcoming hurricane season. The levee districts will also begin reviewing inventories to ensure supplies are in place for the 2011 Hurricane Season.

Mr. Doody informed the public that should anyone wish to comment on any of the agenda items as they come up for discussion they may raise their hand to be recognized and provide comment.

A motion was offered by Mr. Barry, seconded by Mr. Witte and unanimously adopted by a roll call vote, to amend the agenda to take Item No. XIII.C.2 (approval of issuance of task order to Burk-Kleinpeter, Inc.) as the next item of business.

**RESOLUTION NO. 03-17-11-02 –
APPROVAL OF ISSUANCE OF TASK ORDER TO BURK KLEINPETER, INC.**

Gerry Gillen, Orleans Levee District (O.L.D.) Executive Director, explained that about 9,000 linear feet of sheetpile wall along the Florida Avenue corridor is uncoated. The consultant will inspect the condition of the wall and address its maintenance under the proposed task order.

Mr. Jackson stated that he will abstain from the vote on this item. He stated that he has confirmed with his brother that he does not have ownership in Burk-Kleinpeter, Inc.; therefore, technically there is no conflict of interest.

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

WHEREAS, by Resolution No. 03-19-09-13, the Board approved an Indefinite Delivery-Indefinite Quantity (ID-IQ) contract with the firm of Burk-Kleinpeter, Inc., for Professional Engineering Consulting Services for Hydraulic Engineering and Hydraulic Structures; and

WHEREAS, there is a need to rehabilitate the Florida Avenue Sheetpile Floodwall; and

WHEREAS, a proposal was submitted by Burk-Kleinpeter, Inc. to the Orleans Levee District for design and construction management for the maintenance and repair of the aforementioned floodwall in Orleans Parish.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority – East approves the issuance of a Task Order on behalf of the Orleans Levee District under the ID-IQ contract with Burk-Kleinpeter, Inc. for the design and construction management for the maintenance and repair of the Florida Avenue Sheetpile Floodwall in Orleans Parish for an amount not to exceed \$176,790.

BE IT FURTHER RESOLVED, that the SLFPA-E Regional Director is hereby authorized to execute the aforementioned Task Order to be issued to Burk-Kleinpeter, Inc.

The foregoing was submitted to a vote, the vote thereon was as follows:
YEAS: Mr. Barnes, Mr. Barry, Mr. Estopinal, Mr. Losonsky and Mr. Wittie
NAYS: None
ABSTAINED: Mr. Jackson
ABSENT: Mr. Goins and Mr. Pineda

Mr. Doody called for a recess at 11:50 a.m. The Board reconvened at 12:25 p.m. and the meeting was called back to order.

**RESOLUTION NO. 03-17-11-03 –
APPROVAL OF SPONSORSHIP OF COASTAL RESTORATION SYMPOSIUM**

Mr. Doody reminded the Board that Dave Bindewald provided a presentation on the subject symposium at the February 17th Board meeting.

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

WHEREAS, the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) received a request to provide sponsorship for a symposium entitled “Our Wetlands, Our Future: A Collaborative Teach In to Support the Next Five Years of Progress Towards Coastal Restoration”, which is scheduled to be held at Our Lady of Holy Cross College in Algiers, LA, on Friday, June 17, 2011; and

WHEREAS, the requested roll of the sponsor includes publicizing the event within the organization, assisting in seminar planning activities and providing hosts for the seminar; and

WHEREAS, the coasts and wetlands serve as a first line of defense against hurricanes and storms, making coastal restoration an important component of flood protection.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East approves the request to sponsor the symposium entitled “Our Wetlands, Our Future: A Collaborative Teach In to Support the Next Five Years of Progress Towards Coastal Restoration”.

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

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

NAYS: None

ABSENT: Mr. Goins and Mr. Pineda

RESOLUTION NO. 03-17-11-04 - RECOMMENDATION TO CWPPRA

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

WHEREAS, the Coastal Wetlands Planning, Protection and Restoration Act (CWPPRA or "Breaux Act"), was enacted in 1990 to identify, prepare and fund construction of coastal wetlands restoration projects; and

WHEREAS, the CWPPRA program provides for targeted funds to be used for planning and implementing projects that create, protect, restore and enhance wetlands in coastal Louisiana; and

WHEREAS, the CWPPRA Priority Project List (PPL) 21 Coastwide Voting Meeting was held on February 22, 2011, and CWPPRA agencies and participating coastal parishes selected 21 nominee projects and 6 demonstration projects; and

WHEREAS, the SLFPA-E's Coastal Advisory Committee reviewed the twenty-one nominated projects and recommended six of the nominated projects that would optimize use of CWPPRA funds to further coastal restoration and enhance storm protection for southeast Louisiana.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East expresses its support for the following projects and respectfully requests that the CWPPRA Task Force and Technical Committee favorably consider the selection of these projects for funding:

1. LaBranche Central Marsh Creation
2. Lake Lery Shoreline Creation
3. Guste Island Marsh Creation
4. Fritchie Marsh Creation and Terracing
5. Wills Point Marsh Creation
6. White Ditch Marsh Creation Sediment Delivery

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

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

NAYS: None

ABSENT: Mr. Goins and Mr. Pineda

RESOLUTION NO. 03-17-11-05 - APPROVAL OF LEGAL INVOICES

Mr. Barry stated that the invoices were reviewed by the appropriate levee district Executive Director, the SLFPA-E Regional Director and the SLFPA-E General Counsel and that these individuals have attested that the invoices are in order. He added that he also reviewed the invoices.

On the motion of Mr. Barry,

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

WHEREAS, the legal invoices submitted to the Southeast Louisiana Flood Protection Authority-East (SLFPA-E), East Jefferson Levee District, Lake Borgne Basin Levee District and Orleans Levee District listed on the spreadsheet entitled "Legal Invoices Approved on March 17, 2011", have been reviewed and approved by the appropriate levee district Executive Director, the SLFPA-E Regional Director and the SLFPA-E General Counsel, Robert Lacour; and

WHEREAS, the aforementioned invoices were submitted to the members of the Legal Committee for review.

BE IT HEREBY RESOLVED, that the legal invoices listed on the spreadsheet entitled “Legal Invoices Approved on March 17, 2011” are hereby approved.

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

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

NAYS: None

ABSENT: Mr. Goins and Mr. Pineda

RESOLUTION NO. 03-17-11-06 – LEVEE INFORMATION MANAGEMENT SYSEM

Mr. Turner explained that several changes are needed to the Cooperative Endeavor Agreement. Changes include under Section II Item A, “pro-rata share” should be changed to “a share” since the State will be assuming a larger portion of the cost, and under Section III adding the words “along with SLFPA-West”. Mr. Doody advised that it is not yet known whether the Pontchartrain Levee District will be participating in this endeavor. Therefore, if the Pontchartrain Levee District decides that it does not wish to participate, revisions will be required to both the CEA and the Memorandum of Agreement (MOA). Mr. Turner noted that the intent is to have a contract in place as soon as possible in order to go forward with this effort. It was pointed out that the resolution states that the execution of the final CEA and MOA documents shall be subject to any and all revisions requested by the SLFPA-E General Counsel and SLFPA-E Regional Director.

On the motion of Mr. Wittie,

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

WHEREAS, a pilot project for a Levee Information Management System (LIMS) was developed under a grant provided to the Southeast Louisiana Flood Protection-East (SLFPA-E) by the Dutch government with participation by SLFPA-E staff; and

WHEREAS, the objective of the pilot project was to develop a management system with relevant information regarding the characteristics of the system to include flood defenses, geotechnical information, and information related to management, maintenance and inspection; and

WHEREAS, the SLFPA-E subsequently contracted with Royal-Haskoning, Inc./Haskoning, Inc. for the development of an Emergency Management Module for Floodgates to enhance the LIMS; and

WHEREAS, the Office of Coastal Protection and Restoration/Coastal Protection and Restoration Authority, the Southeast Louisiana Flood Protection Authority-West, the Pontchartrain Levee District and Plaquemines Parish desire to participate with the SLFPA-E in the development of a Regional web-based LIMS Emergency Operations System (EOS) Module; and

WHEREAS, the Regional LIMS-EOS Module will be developed by Royal-Haskoning, Inc./Haskoning, Inc. to support emergency operations on a regional level by accurately tracking and planning the status of (open/closed) floodgates,

valves and flood defense openings during a high tide, high river and/or storm event within a web-based environment that allows local, regional, state and federal emergency officials to instantly access the same critical information; and

WHEREAS, a Cooperative Endeavor Agreement (CEA) and a Memorandum of Agreement (MOA) are needed between the participating parties for the development and governance of the Regional web-based LIMS-EOS; and

WHEREAS, draft CEA and MOA documents are being review and the execution of the final documents shall be subject to any and all revisions requested by the SLFPA-E General Counsel and SLFPA-E Regional Director.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East approves the execution by the SLFPA-E President of a Cooperative Endeavor Agreement and a Memorandum of Agreement by and between the State of Louisiana Office of Coastal Protection and Restoration/Coastal Protection and Restoration Authority, the Southeast Louisiana Flood Protection Authority-East, the Southeast Louisiana Flood Protection Authority-West, the Pontchartrain Levee District and Plaquemines Parish for the development and governance of a Regional web-based LIMS Emergency Operations System Module.

BE IT FURTHER RESOLVED, that the SLFPA-E President or SLFPA-E Regional Director are authorized to sign any and all additional 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. Jackson, Mr. Losonsky and Mr. Wittie

NAYS: None

ABSENT: Mr. Goins and Mr. Pineda

RESOLUTION NO. 03-17-11-07 - APPROVAL OF SLFPA-E FY 2012 BUDGET

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

WHEREAS, the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) has reviewed financial projections for Fiscal Year Ending June 30, 2012 including estimated operating revenues and expenditures; and

WHEREAS, funding in the following amounts is required as detailed by the line item budget for Fiscal Year Ending June 30, 2012:

SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY-EAST TWELVE MONTHS ENDING JUNE 30, 2012 BUDGET

REVENUES:

Intergovernmental	500,000
Investment income	500
Cost sharing allocations from affiliates	470,700

CDBG Grant Income	662,200
Miscellaneous Income	500
	<hr/>
TOTAL REVENUES	1,633,900
	<hr/> <hr/>
<u>EXPENSES:</u>	
Personnel services	355,760
Travel	48,000
Contractual services	99,000
Materials and supplies	16,500
Furniture and Equipment	41,000
Professional Services	82,000
Other charges	10,000
Cost sharing allocations to affiliates	312,710
CDBG Grant Expenditures	662,200
	<hr/>
TOTAL EXPENDITURES	1,627,170
	<hr/>
NET CHANGE IN FUND BALANCE	6,730
FUND BALANCE IN BEGINNING OF YEAR	421,406
FUND BALANCE AT END OF YEAR	428,136
	<hr/> <hr/>

WHEREAS, the Southeast Louisiana Flood Protection Authority-East is mandated to submit an approved budget by April 1, 2011, to the Joint Legislative Committee on the Budget and other various oversight authorities.

WHEREAS, the Finance Committee at its meeting held on March 3, 2011, reviewed and recommended approval of the SLFPA-E Budget for the Fiscal Year Ending June 30, 2012.

BE IT HEREBY RESOLVED, That the Southeast Louisiana Flood Protection Authority-East approves the Fiscal Year Ending June 30, 2012 General Operating Budget for the Southeast Louisiana Flood Protection Authority-East.

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

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

NAYS: None

ABSENT: Mr. Goins and Mr. Pineda

RESOLUTION NO. 03-17-11-08 - APPROVAL OF LBBLD FY 2012 BUDGET

Mr. Losonsky noted the deficit in the Lake Borgne Basin Levee District's (LBBLD) fiscal year budget and the reduced fund balance. Mr. Jackson pointed out that he had brought up the issue of the LBBLD's use of its reserve funds to offset the annual budget on several occasions. In addition, the LBBLD will need to include its share of the O&M

cost for the IHNC surge barrier in future budgets, as well as the O&M costs for a number of larger lift gates, additional floodgates and other projects currently under construction. He expressed his sympathy for the situation faced by the residents of St. Bernard Parish because of Hurricane Katrina and his concern about the financial stability of the LBBLD. However, the Board has a fiduciary responsibility to address this situation and assure that the LBBLD is adequately funded. Mr. Losonsky asked about the business plan for going forward.

Mr. Doody explained that the projects currently under construction by the USACE will probably not be turned over to the levee districts prior to 2012; therefore, the LBBLD can handle all of its obligations in the short term. He stressed that the USACE is building a complete system that stretches from the eastern end of St. Bernard Parish to the Pontchartrain Levee District in the west. Therefore, a different approach is needed. The USACE was asked in its turning over of projects to treat the HSDRRS as a system; however, the SLFPA-E is not treating the HSDRRS as a system. He reminded the Board that by law the SLFPA-E is a levee district; therefore, it can request a regional tax, if it chooses to do so, to operate and maintain the entire system and to build projects that would protect the region. In addition to being geographically connected, the region is also economically connected. He pointed out that the SLFPA-E needs to take a broader view when looking at the flood protection that forms the perimeter of the system. He asked, hypothetically, what would happen to the remainder of the system should the residents of St. Bernard vote against a millage increase and the O&M of that portion of the perimeter of the system goes undone. Mr. Losonsky commented that the LBBLD has been operating with a budget deficit for several years.

Mr. Barry pointed out that the IHNC surge barrier also protects Orleans Parish and to a lesser extent Jefferson Parish; however, it certainly protects the economic prospects of Jefferson Parish. A defining issue for the Board in going forward is whether or not the SLFPA-E is regional. There are elements of the LBBLD operations that should be funded entirely by the LBBLD and the people of St. Bernard Parish, such as pumping and drainage for the Parish. He stated that if the case is presented in the appropriate way, a regional tax could be passed.

Mr. Doody clarified that he was not suggesting that the levee districts be dismantled or that there be a total cost share of all of the obligations. He explained that the USACE built a perimeter system that is comprised of a number of components and that he was suggesting an Authority-wide (regional) tax to operate and maintain those components. He commented that the effects of Hurricane Katrina are too easily forgotten. The entire region was evacuated and the idea that a single parish can survive while the parish next door fails to survive is not realistic. He pointed out that the O&M costs are not known at this time.

Mr. Jackson stated that he would like to have this discussion again before the approval of the budget comes up next year. However, the Board needs to have the actual facts before this issue can be discussed, including how much tax revenues are received by the LBBLD to provide the O&M of the pumping and drainage system and the actual O&M costs for the pumping and drainage system. He suggested that drainage and

pumping is outside of the Authority's normal area of hurricane protection and that perhaps the pumping and drainage system should be turned over to St. Bernard Parish. Mr. Doody pointed out that the tax revenues received for pumping and drainage would go to the entity that is assigned that O&M responsibility.

Mr. Losonsky commented that the Board should be more aware of projects authorized on a system-wide basis given the financial situation of the LBBLD. He requested that there be a better flow of information relative to projects and contracts.

Stuart Williamson, LBBLD Executive Director, pointed out that the FY 2012 Budget includes funding from FEMA for certain projects that may be in jeopardy. He noted the economy of scale by doing both levee protection and drainage work.

Mr. Jackson commended the personnel of the LBBLD for the amount of work that is accomplished with the funding that the district receives.

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

WHEREAS, the Southeast Louisiana Flood Protection Authority-East (SLFPAE) has reviewed financial projections for Fiscal Year Ending June 30, 2012 for the Lake Borgne Basin Levee District, including estimated revenues and expenditures, and
WHEREAS, funding in the following amounts is required as detailed by the line item budget for Fiscal Year Ending June 30, 2012.

**LAKE BORGNE BASIN LEVEE DISTRICT
 PROPOSED BUDGET
 FOR FISCAL YEAR ENDING JUNE 30, 2012**

REVENUES:

Taxes	\$	3,300,000
Intergovernmental		3,523,000
Insurance proceeds		
Charges for services:		
Permits		4,000
Rents and leases		
Oil and gas royalties		
Investment income		35,000
Cost sharing allocations from affiliates		4,000
Miscellaneous		34,000
Total revenues		6,900,000

EXPENDITURES

FLOOD AND DRAINAGE PROTECTION:

Personnel services	2,946,000
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Travel	4,300
Contractual services	154,900
Materials and supplies	484,300
Professional services	351,200
Other charges	1,695,300
Cost sharing allocations to affiliates	100,000
Machinery and equipment	4,635,000
Hurricane expenses	
Total expenditures	<u>10,371,000</u>
Excess of revenues over expenditures	<u>(3,471,000)</u>
OTHER FINANCING SOURCES (USES)	0
NET CHANGES IN FUND BALANCES	<u>(3,471,000)</u>
FUND BALANCE AT BEGINNING OF YEAR	<u>5,422,966</u>
FUND BALANCE AT END OF YEAR	<u><u>\$ 1,951,966</u></u>

WHEREAS, the Lake Borgne Basin Levee District (LBBLD) is mandated to submit an approved budget by April 1, 2011, to the Joint Legislative Committee on the Budget and other various oversight authorities; and

WHEREAS, the Finance Committee at its meeting held on March 3, 2011, reviewed and recommended approval of the LBBLD Budget for the Fiscal Year Ending June 30, 2012.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East approves the Fiscal Year Ending June 30, 2012 Budget for the Lake Borgne Basin Levee District.

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

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

NAYS: None

ABSENT: Mr. Goins and Mr. Pineda

RESOLUTION NO. 03-17-11-09 - APPROVAL OF O.L.D. FY 2012 BUDGET

Mr. Gillen explained that the funding for Resolution No. 03-17-11-02 relative to the Florida Avenue Floodwall, which was adopted by the Board at this meeting, was not included in the FY 2012 Budget presented. Funding in the amount of \$1.5 million for the Florida Avenue Floodwall project will be taken from the \$8 million that was budgeted for the seawall project. This revision will be included in the final version of the FY 2012 budget details, but will not change the total budgeted amounts for the fiscal year. Some of the work on the seawall may roll over to the next fiscal year.

Mr. Jackson commented that the work on the seawall is obviously needed and that a cost effective solution is needed. He pointed out that the responsibility for flood protection is a priority versus the non-flood side of the organization. He stated that he was disappointed that the Board did not have any real input into whether the seawall project is a priority for the expenditure of levee district funds. Mr. Gillen stated that he will bring the proposal for the seawall project to the committee at its next meeting to ensure that everyone is on board with what is being done. After the contract with Design Engineering, Inc. (DEI) was amended, DEI was approached and informed that the project would be brought to the committee. He added that he has DEI reviewing some of the foundation designs and other design modifications. Mr. Jackson indicated that he would like to participate in the conversation on the flood protection element of the project.

Mr. Doody commented that the seawall project has been discussed at an Operations Committee meeting and that several committee members participated in a site visit to view the erosion that is occurring behind the seawall. He stated that if the seawall is lost, then the levee is in danger. Mr. Jackson disagreed with Mr. Doody's statement and explained that the steps of the seawall dissipate wave energy at certain levels; however, once the seawall is submerged, he did not think that whether the seawall is there or not would make a difference with the levee and that flood protection could be provided through armoring. Mr. Jackson added that he was trying to keep to the mission of flood protection. Mr. Barry stated that he had inquired about this issue and was told that even when the seawall is submerged, it plays a significant flood protection roll. Mr. Jackson commented that the distance between the levee and the step seawall is the function of this equation; therefore, the question is how much protection is provided the farther the levee is away from the seawall. He explained that the damage over the past fifty years has been aesthetic and not structural because the step seawall is supported by piles and the piles are still in place. However, soil is being lost because the sheet piles have been gone for a long time. Therefore, the dissipation of energy is still there, but the aesthetics after a storm are pretty horrible. Mr. Barry commented that this issue could be explored in the future.

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

WHEREAS, the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) has reviewed financial projections for Fiscal Year Ending June 30, 2012 for the Orleans Levee District, including estimated revenues and expenditures; and

WHEREAS, funding in the following amounts is required as detailed by the line item budgets for Fiscal Year Ending June 30, 2012:

**ORLEANS LEVEE DISTRICT
BUDGETS
FOR FISCAL YEAR JULY 1, 2011 - JUNE 30, 2012**

	GENERAL FUND	SPECIAL LEVEE IMPR FUND	(MEMORANDUM ONLY)
REVENUES			
AD VALOREM TAXES	14,414,278	12,673,423	27,087,701
REVENUE SHARING	731,696	-	731,696
INTEREST INCOME	72,953	124,118	197,071
OIL & GAS ROYALTIES	686,482		686,482
RENTS & MISC. INCOME	375,178		375,178
TOTAL REVENUE	16,280,587	12,797,541	29,078,128
EXPENDITURES			
PERSONAL SERVICES	7,525,359		7,525,359
CONTRACTUAL SERVICES	3,267,435		3,267,435
MATERIALS & SUPPLIES	627,335		627,335
PROFESSIONAL SERVICES	744,055		744,055
COST ALLOCATIONS & OTHER	(32,225)		(32,225)
MACHINERY & EQUIPMENT	703,400		703,400
CAPITAL OUTLAYS		10,230,000	10,230,000
TOTAL EXPENDITURES	12,835,359	10,230,000	23,065,359
INCOME BEFORE OTHER USES	3,445,228	2,567,541	6,012,769
PRIOR YEAR FUND BALANCE			
	3,726,000		3,726,000
DEBT SERVICE	(7,139,380)	(5,224,858)	(12,364,238)
ALGIERS TAXES, NET	15,493	40,324	55,817
TOTAL OTHER SOURCES (USES)	(3,397,887)	(5,184,534)	(8,582,421)

CHANGES IN FUND BALANCES	47,341	(2,616,993)	(2,569,652)
FUND BALANCES, BEGINNING OF YEAR	29,914,381	38,465,132	68,379,513
FUND BALANCES AT END OF YEAR	29,961,722	35,848,139	65,809,861

WHEREAS, the Orleans Levee District is mandated to submit an approved budget by April 1, 2011, to the Joint Legislative Committee on the Budget and other various oversight authorities; and

WHEREAS, the Finance Committee at its meeting held on March 3, 2011, reviewed and recommended approval of the Orleans Levee District General Fund Budget for the Fiscal Year Ending June 30, 2012, and the approval of the Special Levee Improvement Fund (SLIP Fund) budget for that same fiscal year.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East approves the Fiscal Year Ending June 30, 2012 General Fund and SLIP Fund Budgets for the Orleans Levee District.

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

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

NAYS: None

ABSENT: Mr. Goins and Mr. Pineda

RESOLUTION NO. 03-17-11-10 - APPROVAL OF EJLD FY 2012 BUDGET

On the motion of Mr. Wittie,

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

WHEREAS, the Southeast Louisiana Flood Protection Authority-East (SLFPAE) has reviewed financial projections for Fiscal Year 2012 for the East Jefferson Levee District, including estimated operating revenues and expenditures; and

WHEREAS, funding in the following amounts is required as detailed by the line item budget for Fiscal Year 2012:

	General Fund	Levee Improvement Fund	Total (Memorandum Only)
REVENUES			
Ad Valorem Taxes Collected	8,000,000		8,000,000
State Revenue Sharing Funds	510,000		510,000
Interest and Dividend	70,000	25,000	95,000

Permit	18,000		18,000
30% Transfer of Ad Valorem	(2,400,000)	2,400,000	0
TOTAL REVENUES	6,198,000	2,425,000	8,623,000
EXPENDITURES			
Administrative & Executive	1,149,566	170,000	1,319,566
Levee Maintenance	2,671,414		2,671,414
Police	1,936,293		1,936,293
Sheriff Pension Costs	289,000		289,000
Capital Outlays	500,300	9,000,000	9,500,300
TOTAL EXPENDITURES	6,546,573	9,170,000	15,716,573
EXCESS OF REVENUES OVER EXPENDITURES	(348,573)	(6,745,000)	(7,093,573)
BEGINNING FUND BALANCES	11,179,048	13,615,587	24,794,635
ENDING FUND BALANCES	10,830,474	6,870,587	17,701,062

WHEREAS, the East Jefferson Levee District is mandated to submit an approved budget by April 1, 2011, to the Joint Legislative Committee on the Budget and other various oversight authorities.

WHEREAS, the Finance Committee at its meeting held on March 3, 2011, reviewed and recommended approval of the EJLD Budget for the Fiscal Year Ending June 30, 2012.

BE IT HEREBY RESOLVED, That the Southeast Louisiana Flood Protection Authority-East approves the Fiscal Year 2012 General Operating Budget and the Fiscal Year 2012 Levee Improvement Budget for the East Jefferson Levee District.

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

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

NAYS: None

ABSENT: Mr. Goins and Mr. Pineda

**RESOLUTION NO. 03-17-11-11 –
APPROVAL OF EJLD FY 2011 BUDGET REVISIONS**

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

WHEREAS, a review of the operating results to-date indicates that budget revisions to the East Jefferson Levee District Operating Budget for Fiscal Year ending June 30, 2011 are necessary to comply with applicable state law, which requires that budgets be changed to reflect new expectations; and

WHEREAS, funding in the following amounts is required for Fiscal Year 2011:

	General Fund	Levee Improvement Fund	Total (Memorandum Only)
REVENUES			
Ad Valorem Taxes Collected	8,000,000		8,000,000
State Revenue Sharing Funds	510,000		510,000
Interest and Dividend	70,000	25,000	95,000
Sale & Disposal of Equipment	70,000		70,000
Permit	18,000		18,000
Miscellaneous Income	16,500		16,500
Fema Income	400,000		400,000
30% Transfer of Ad Valorem	(2,400,000)	2,400,000	0
TOTAL REVENUES	6,684,500	2,425,000	9,109,500
EXPENDITURES			
Administrative & Executive	1,148,286	135,000	1,283,286
Levee Maintenance	2,622,933		2,622,933
Police	1,902,011		1,902,011
Sheriff Pension Costs	289,000		289,000
Capital Outlays	509,008	2,000,000	2,509,008
TOTAL EXPENDITURES	6,471,238	2,135,000	8,606,238
EXCESS OF REVENUES OVER EXPENDITURES	213,262	290,000	503,262
BEGINNING FUND BALANCES	10,965,786	13,325,587	24,291,373
ENDING FUND BALANCES	11,179,048	13,615,587	24,794,635

BE IT HEREBY RESOLVED, that the revisions to the East Jefferson Levee District Fiscal Year 2011 Operating Budget and the Fiscal Year 2011 Levee Improvement Budget are approved.

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

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

NAYS: None

ABSENT: Mr. Goins and Mr. Pineda

RESOLUTION NO. 03-17-11-12 - RFQ FOR GIS SERVICES

Mr. Turner explained that the SLFPA-E does not have a contract in place for GIS services. He recommended the issuance of a Request for Qualifications (RFQ) for qualified firms to provide GIS services as-needed. Participation in the selection process can be through a committee or with individual Board members. The SLFPA-E is working on obtaining approval to use about \$200,000 of Community Development Block Grant (CDBG) funds to hire a GIS technician to help with the development of the LIMS and various models within the system.

The development of the LIMS was discussed. Mr. Turner explained that the LIMS began as a pilot program that was developed by the Dutch. Part of the program concerned the development of a series of modules that tie together within a GIS environment and the high level strategic plan for how the LIMS and its key components would be developed. Two items were considered extremely important from the outset: (1) the database for the system had to be structured in such a way that it could communicate with the National Levee Database; and (2) the system would be developed in pieces using modules. The first module that was developed dealt with floodgates. The next module to be developed will probably deal with permits and levee inspections. Mr. Jackson pointed out that consideration must be given to the cost of input and maintenance of data. He noted that the SLFPA-E is proceeding cautiously and developing one module at a time in order of priority. Mr. Turner stated that the Board must be involved in the decision making process on how to proceed with the development of the LIMS. He explained that at the very beginning a series of stakeholder meetings on the development of the overall plan were held that included the levee districts, engineers with the State of Louisiana and other individuals. This dialog should continue. The State of Louisiana has expressed an interest in the LIMS as it relates to its initiative to develop a Smart Levee Program.

On the motion of Mr. Wittie,

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

WHEREAS, the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) and the levee districts under its jurisdiction are in need of the services of a consultant to provide GIS services on an as-needed basis; and

WHEREAS, it is the intent of the SLFPA-E to enter into an ID-IQ (Indefinite Delivery-Indefinite Quantity) contract with one or more consultants selected through a competitive selection process to provide GIS services on an as-needed basis through the issuance of Task Orders.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East approves the advertisement and issuance of a Request for Qualifications for GIS services.

The foregoing was submitted to a vote, the vote thereon was as follows:
YEAS: Mr. Barnes, Mr. Barry, Mr. Estopinal, Mr. Jackson, Mr. Losonsky and Mr. Wittie
NAYS: None
ABSENT: Mr. Goins and Mr. Pineda

RESOLUTION NO. 03-17-11-13 - OUTFALL CANAL DESIGN TEMPLATE

Mr. Jackson explained that the Board previously adopted resolutions on two outfall canal issues; however, the Engineering Advisory Committee has been unsuccessful in meeting with the USACE on these issues. The SLFPA-E attempted to meet with the USACE's technical staff. The SLFPA-E's consultant, Halcrow, Inc., was tasked, as recommended by the Engineering Advisory Committee, to not only peer review the calculations of the USACE's consultant (Black and Veatch) on the outfall canal remediation, but also to perform a spot check along the three outfall canals to determine at what point the factor safety became 1.0. The results of the spot check by Halcrow indicate the following heights: London Avenue Canal – 10-ft., 17th Street Canal – 10.5-ft., and Orleans Canal – 11-ft. The USACE's reviews were associated with the 8-ft. safe water level (SWE). Some individuals have stated that the Sewerage and Water Board (S&WB) pumping capacities cannot exceed the 8-ft. SWE; however, the purpose of the proposed meeting with the USACE is to discuss this issue and substantiate this statement. The outfall canal floodwall heights are basically between 12-ft. and 12.5-ft. Mr. Jackson questioned whether there is a potential danger if the SWE is exceeded and stressed his concern about the result should a breach occur. Another question is whether lowering the floodwalls to a reasonable height would be the safe thing to do. He reiterated that the purpose of the meeting with the USACE is to discuss these concerns on a technical basis. The first scheduled meeting was cancelled by the USACE. The SLFPA-E was advised on the day of the rescheduled meeting that the USACE would be represented by one individual who would collect the SLFPA-E's concerns and pass them on to the appropriate individuals.

Mr. Jackson explained that the second issue concerned the request for outfall canal design templates. The stability calculations are being done on the outfall canals using the existing cross sections. At some point in the future, the S&WB will need to clean out the canals. The S&WB's future excavation of the canals cannot be allowed to jeopardize the stability of the levees. He stated that he would like for a Memorandum of Understanding to be developed between the SLFPA-E and S&WB delineating parameters on the operation of the canals and on the excavation of the canals for clean out purposes. He explained that the resolution requests that the USACE provide an official set of the existing cross sections.

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

WHEREAS, the U.S. Army Corps of Engineers (USACE) selected an 8-ft. elevation as the required Safe Water Elevation (SWE) for the 17th Street, Orleans and London Avenue Outfall Canals; and

WHEREAS, the USACE retained consultants to prepare Plans and Specifications for the remediation work they said was necessary to insure that stability, seepage and other design issues are addressed in order to accommodate an 8-ft. SWE; and

WHEREAS, the Sewerage and Water Board of New Orleans (S&WB) has a minimum cross section Flow Template configuration to provide for adequate hydraulic flow conditions within the canals; and

WHEREAS, future maintenance dredging and natural erosion processes within the three outfall canals could potentially impact the stability of the canals floodwalls; and

WHEREAS, the Southeast Louisiana Flood Protection Authority-East requested on November 18, 2010, by Resolution #11-18-10-07, that the U.S. Army Corps of Engineers prepare Outfall Canal Design Templates that will allow the Southeast Louisiana Flood Protection Authority-East to safely permit future dredging of silt deposit build-ups and ensure that the canal banks are never cut back so far as to threaten the integrity or stability of the adjacent canal floodwalls; and

WHEREAS, the same technical data also is necessary in order to monitor bank erosion, which could also create instability.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) urges the U.S. Army Corps of Engineers to provide the requested Template so that SLFPA-E and the Sewerage & Water Board of New Orleans can monitor the canal cross sections over time to detect unacceptable erosion, and prevent over-dredging of the canals that could threaten the integrity or stability of the floodwalls.

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

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

NAYS: None

ABSENT: Mr. Goins and Mr. Pineda

RESOLUTION NO. 03-17-11-14 - OUTFALL CANAL FLOODWALLS

On the motion of Mr. Jackson,

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

WHEREAS, after Hurricane Katrina the U.S. Army Corps of Engineers (USACE) constructed Interim Closure Structures (ICS) at the lake end of the Orleans Avenue, London Avenue and 17th Street Outfall Canals and installed temporary pumps at each ICS to pump storm water from the canals when the temporary gates are closed; and

WHEREAS, the USACE is proceeding with the design and construction of the Option 1 Permanent Pumping Stations with gated structures, which will replace the ICS at each of the aforementioned outfall canals; and

WHEREAS, the gated structures at the lake end of the outfall canals effectively seal the canals from storm surge from Lake Pontchartrain; and

WHEREAS, the interior pump stations which discharge into the outfall canals must be operated in tandem with the new pump station located at the lake end of the canals; and

WHEREAS, the USACE is in the process of designing and constructing remediation features, which include deep soil mixing, driving sheetpile and increasing the earthen embankment in certain reaches as needed, to strengthen the floodwalls along the aforementioned outfall canals in order to address seepage and stability issues; and

WHEREAS, the USACE's engineering analyses and remediation designs are to ensure the stability of the outfall canal floodwalls necessary to accommodate a safe water elevation of +8-ft.; and

WHEREAS, the Engineering Advisory Committee of the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) has recommended that consideration be given to the concept of lowering the height of the outfall canal floodwalls to some level above the safe water elevation of +8-ft. in order to prevent the potential for a breach in the event the safe water elevation is violated by the operation of the pumping system; and

WHEREAS, based on the committee's recommendation, SFLPA-E passed Resolution #11-18-10-08 on Nov. 18, 2010, urging dialogue on this critical issue; and

WHEREAS, the height of the floodwalls along the outfall canals exceed the height of the safe water elevation and at some reaches are at an elevation of approximately +12-ft.; and

WHEREAS, the Southeast Louisiana Flood Protection Authority-East hired Halcrow to provide independent engineering review of USACE'S remediation plan; and

WHEREAS, the Authority also tasked Halcrow with determining the water surface elevation in each canal that would correspond to the theoretical brink of slope failure (Factor of Safety=1) of floodwalls; and

WHEREAS, Halcrow determined that water surface elevations of 10 feet in London Avenue Canal, 10.5 feet in 17th Street Canal, and 11 feet in Orleans Avenue Canal would correspond to the theoretical brink of slope failure (Factor of Safety = 1.0).

BE IT HEREBY RESOLVED that the Southeast Louisiana Flood Protection Authority East, in an effort to prevent the potential for a sudden breach failure under certain conditions, urges the USACE to consider lowering the height of floodwalls wherever

necessary to reduce overall flood risk associated with dangerously high canal water surface elevations.

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

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

NAYS: None

ABSENT: Mr. Goins and Mr. Pineda

RESOLUTION NO. 03-17-11-15 - ORLEANS LEVEE DISTRICT PRIMARY AND EXCESS PROPERTY HAZARD (WIND/FIRE) INSURANCE COVERAGE

On the motion of Mr. Estopinal,

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

WHEREAS, the Orleans Levee District (O.L.D.) Flood Protection Division's primary and excess (wind/fire) property insurance coverages are due to expire on April 20, 2011; and

WHEREAS, Eagan Insurance Agency shopped the market for said coverages and receives the following quotes:

- Renewal of primary insurance coverage from Ironshore Specialty Insurance Company, a non-admitted insurance carrier, AM Best Rated A-XI, at an annual premium of \$179,910 for \$5 Million of coverage, with a \$25,000 deductible per occurrence or a 3% deductible per building value for wind, hail, cyclone or a \$100,000 minimum deductible.
- Renewal of excess insurance shared coverage from Landmark and Westchester, non-admitted, but authorized insurance companies, at a combined premium of \$77,990 for \$10 Million of coverage.

WHEREAS, the total estimated annual cost for the renewal of primary and excess property insurance coverages is \$270,900, which includes primary and excess combined surplus line taxes of \$12,895 and combined policy fees of \$105.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East authorizes the procurement of primary and excess property (wind/fire) insurance coverage for properties under the jurisdiction of the Orleans Levee District Flood Protection Division from Ironshore Specialty Insurance Company, Landmark Insurance Company and Westchester Insurance Company, through the Eagan Insurance Agency, at a combined estimated annual cost of \$270,900, for a period of one year, commencing on April 21, 2011 and expiring on April 20, 2012, and authorizes the O.L.D. Executive Director 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. Jackson, Mr. Losonsky and Mr. Wittie

NAYS: None

ABSENT: Mr. Goins and Mr. Pineda

RESOLUTION NO. 03-17-11-16 - LBBLD-AMENDMENT #1 TO COOPERATIVE ENDEAVOR AGREEMENT – FORTY ARPENT LEVEE PROJECT

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 as the recipient of said funding; and

WHEREAS, a maximum of \$5,000,000 of the aforementioned funding has been designated for State Project No. 579-44-0001, Forty Arpent Levee Project (Project); and

WHEREAS, on January 28, 2008, a Cooperative Endeavor Agreement (CEA) setting forth the terms for administering the Project was executed between the State of Louisiana Department of Transportation and Development (LADOTD) and the Lake Borgne Basin Levee District (LBBLD), represented by the Southeast Louisiana Flood Protection Authority-East (SLFPA-E); and

WHEREAS, pursuant to Act 523 of the 2009 Regular Legislative Session at Section 9, the CPRA is assigned and subsumes all of the duties and responsibilities previously exercised by any other state agency, including but not limited to, the Department of Natural Resources, and the Department of Transportation and Development, Office of Public Works, with regard to previously executed agreements and contracts, the purposes of which are under the duties, jurisdiction, responsibilities, and powers granted to the CPRA; and

WHEREAS, Act 523 of the 2009 Regular Legislative Session at Section 9 also gives the Coastal Protection and Restoration Authority (CPRA) the power to execute, sign, modify, amend, and renew any such agreement on its own behalf or on behalf of the State of Louisiana; and

WHEREAS, OCPR Intergovernmental Agreement No. 2503-11-69, Amendment #1 changes the official name of the aforementioned previously executed CEA and replaces LADOTD as party to the agreement with the Office of Coastal Protection and Restoration (OCPR); and

WHEREAS, the new name for the agreement as per the amendment is Intergovernmental Agreement between the State of Louisiana Office of Coastal Protection and Restoration and Lake Borgne Basin Levee District, represented by the Southeast Louisiana Flood Protection Authority-East, State Project No. 579-44-0001, Forty Arpent Levee.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East authorizes the SLFPA-E President to execute the OCPR Intergovernmental Agreement No. 2503-11-69, Amendment No. 1.

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

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

NAYS: None

ABSENT: Mr. Goins and Mr. Pineda

The next regular monthly meeting of the Board will be held on April 21, 2011 and hosted by the EJLD.

There was no further business; therefore, the meeting was adjourned at 1:52 p.m.

SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY - EAST

REGIONAL DIRECTOR'S REPORT

March 17, 2011

100 Year Level of Protection

Inner Harbor Navigation Canal Hurricane Storm Surge Barrier:

The Contractor continues to make good progress. Overall design is almost 100% complete. Major construction activities are about 83% complete. Our emphasis continues to be Operation & Maintenance considerations and the necessity to "design in" reasonable O&M features.

The entire braced floodwall (surge barrier) is now at final elevation.

The concrete barge is on site and scheduled to be floated into place (in the open position) in May 2011.

The steel sector gate leafs are scheduled to be installed on the structure in mid March 2011.

The Bayou Bienvenue steel lift gate is scheduled to be installed in April 2011.

East Jefferson Levee District:

Reaches 1 thru 4:

The Work is substantially complete. Turf establishment issues still remain. The vegetation Contractor is scheduled to begin work on turf establishment on April 1, 2011.

Reach 5:

The Work is substantially complete. Utility relocations at the Coast Guard Station have been completed by the USACE hired labor crews. 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 on November 12, 2010.

Duncan Breakwater Project:

The Notice of Construction Complete Letter for this Project was transmitted by the USACE to CPRA, copied to EJLD on February 2, 2011.

Williams Blvd. Floodwall and Gate:

Work is substantially complete. The final inspection was held on January 24, 2011. The USACE transmitted the final punch list and the Contractor is addressing the punch list items. The gate winch has been sent back to the manufacturer for inspection and repair/replacement.

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 40% complete. Work is ongoing at Elmwood and Suburban Pump Stations and Breakwaters. The Contractor has been instructed to install interim measures at both Elmwood and Suburban Pump Stations to defend against a 100 year event by June 1, 2011.

A barge loaded with concrete piles broke loose from its moorings and came to rest on the foreshore protection during a recent high wind/rain event. The USACE is addressing this safety issue with the Contractor.

LPV 017.2 (Causeway Crossing):

The Contractor is mobilized on site. The Phase I Traffic Plan for southbound traffic has been implemented. The utility work in the median has been completed and the traffic is being routed onto the detour road on the median.

West Return Levee/Floodwall - North:

Work is approximately 28% complete. H-pile driving operations continue on two headings. Pile driving hours have been extended (7:00am to 10:00pm).

West Return Levee/Floodwall - South:

Work is approximately 8% complete. An additional 20' strip of right-of-way is required under the I-10 bridge to allow for the construction of a temporary stability berm. Negotiations are also underway with the Airport for the additional right-of-way required on Airport property.

Foreshore Protection Reaches 1 and 2:

The Contractor has mobilized on site and constructed a security fence along the shoreline.

Foreshore Protection Reaches 3 and 4:

The Contractor is placing stone. Work is approximately 17% complete.

West Return Levee (Airport Runway):

Work is approximately 56% complete. The Contractor is working on the fourth lift. The Airport's Contractor is scheduled to finish relocation of the runway landing lights in early May 2011.

Orleans Levee District:

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

Construction is approximately 76% 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. Utility relocations at the L-4 floodgate are behind schedule.

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 all three Projects.

LPV 103.01 A1 (Bayou St. John):

Construction is now about 99% complete. The pre-final inspection was held on December 9, 2010. A Contract Modification was issued to address excessive I-wall stick-up on the Orleans Canal near Lakeshore Blvd. The Contractor completed the work associated with the Contract Modification in early March 2011. Final Inspection will be scheduled within the next few weeks.

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

Construction is approximately 76% complete. Lakeshore drive is now closed at Rail St. and Lake Terrace. Pile driving operations are complete. The USACE is planning to reopen Lakeshore Dr. on April 20, 2011.

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

Construction is approximately 96% complete. All ramps are open to vehicular traffic. A pre-final inspection was held on February 9, 2011. The pre-final punch

list was issued on Feb 17, 2011. Turf establishment is still required. The Contractor is working the punch list items.

LPV 104.02 (Seabrook West Side IHNC):

Construction is approximately 80% complete. The Contractor is constructing the drainage structures.

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 53% complete. All lanes of traffic are open at Downman Rd. The Contractor has instructed to Contractor to make cosmetic repairs to the floodgate monoliths.

LPV 105.02 (Lakefront Airport T-Wall East):

Construction is approximately 51% complete.

LPV 106 (Citrus Lakefront Levee):

Construction is approximately 60% complete.

LPV 107 (Lincoln Beach Floodgate):

Construction is approximately 73% 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 71% complete. Deep Soil Mixing operations are continuing near the electrical transmission towers. The Contractor is constructing the T-Wall monoliths associated with the floodgate at HWY 90. HWY 11 will be closed to all traffic for as much as 45 days starting on April 20, 2011. HWY 90 will remain open with lane restrictions until floodgate construction is complete.

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

Construction is complete.

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

Construction is complete.

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

Construction is approximately 90% complete. I-10 traffic has been rerouted back to the normal lane configuration.

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):

Construction is approximately 45% complete.

LPV 111.01 – Deep Soil Mixing (North Side GIWW):

The contract includes construction of levee sections using deep soil mixing techniques. Work is progressing on schedule and is approximately 99% complete.

LPV 111.02 Pump Station 15 Fronting Wall:

Approximately 97% of the H-piles, 75% of the sheet piles and 80% of the pipe piles have been driven. 57% 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. All monoliths have been completed. The overall Project is approximately 78% complete.

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:

Final (100%) P&S are complete.

Only 1 monolith remains to be constructed on the west side T-Wall tie-in. Sheet pile and H-pile driving are complete on the east side tie-in and approximately 60% of the concrete T-Wall is in place. 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 complete. The IHNC is now completely closed to navigation at the construction site.

Outfall Canal Remediation to Raise SWE to +8.0:

The Right of Entry has been granted for all remediation Work. Contracts have been awarded for construction on all three Outfall Canals. Work is scheduled for completion on or before June 1, 2011. We are trying to reach a resolution with the Design Team on several issues raised by Halcrow. Weekly progress meetings are being held on all projects under construction and our staff is attending the meetings.

A Draft IER Supplemental is out for public review and comment. The document deals with utilization of vacant lots for construction access. Comments are due by April 12, 2011.

IHNC Remediation:

OLD granted the necessary Right of Entries. All work is within existing OLD right-of-way. The three remediation projects have been awarded. Work is scheduled for completion by June 1, 2011.

Lake Borgne Basin Levee District:

LPV 144 (Bayou Dupre Control Structure):

Overall, the Work is approximately 50% complete. The USACE has allowed the Contractor to splice the H-Piles in the top third of the piles because the Contractor coated the wrong length of pile. Concrete has been placed for both walls of the Sector Gate Structure. Bayou Dupre will be closed to navigation at the existing Control Structure until construction is complete.

LBBLD, SLFPAE and OCPR requested removal and replacement the undermined stability slabs for T-Wall monoliths W2 thru W9. Originally the USACE agreed to take the requested action. As of March 14, 2011, however, the USACE reversed its decision to remove and replace the stability slabs because of scheduling concerns. Their latest plan is to pump bentonite into the voids around the H-Piles and place flowable fill under the undermined stability slabs before constructing the T-Wall base slabs. LBBLD, SLFPAE and OCPR reiterated that removal and replacement is the proper solution.

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 97% complete. The last 15 monoliths are scheduled for completion by the end of March 2011. SLFPAE staff and inspectors have begun initial inspections on the T-Wall monoliths. The interim inspections will not take the place of the required pre-final and final inspections that are part of the Red Zone process.

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. A meeting has been scheduled with Col Sinkler and his staff to continue scoping discussions.

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 89% complete. The stem section of one of the T-Wall monoliths (#633) has been removed and replaced due to quality issues.

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 85% complete. The Trolley Gate across the north bound lanes of HWY was hung in early March 2011.

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 64% complete. There are still more than 100 cranes working this project on 21 separate headings.

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 80% complete. The USACE is investigating slow setting of the mass concrete pour for the first 12' of the sector gate walls. We are awaiting technical information from the Corps' Technical Support Team.

Permanent Pump Stations and Outfall Canals:

The Phase II RFP has been issued and the short-listed firms have turned in their revised proposals. One-on-one interviews with the proposers have been completed by the Corps. 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:

The Violet Freshwater Diversion siphon is flowing at full capacity.

Flood Fight

The Mississippi River is above 12' at the Carrollton Gage and is predicted to crest around 14.5' in early April. A Phase I Flood Fight is in effect and the levee districts and USACE have increased surveillance on the Mississippi River Levees.

Design and Construction

East Jefferson Levee District:

Work is continuing on the EJLD Safe House. We will schedule a meeting within the next couple of weeks to develop a project management plan.

Orleans Levee District:

The Safe House Project is approximately 95% complete. The Contractor is installing refrigeration equipment.

The Bayou St. John Water Management Study is approximately 99% complete. The Draft Final Report has been distributed. This Project is being funded through State Capital Outlay.

A Contract Amendment has been signed with DEI for the Seawall Steps Erosion Project. The proposal for modifications is under negotiations.

The Tier 2 Environmental Inventory is approximately 95% complete.

Lake Borgne Basin Levee District:

The Preliminary Design Report for the Engine Replacement Project at Pump Station 4 has been reviewed by LBBLD and comments have been forwarded to BKI for incorporation into the 60% design submittal. Design Work is scheduled for completion in June 2011.

FEMA has written a PW for pump repairs at Pump Station #6 (\$360,000). LBBLD signed 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. Eligibility for FEMA reimbursement is undergoing re-review.

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. W. S. Nelson was selected to provide engineering services required for the permanent work. A scoping meeting was held with Nelson on January 21, 2011. It was decided to conduct the work in two separate Phases. The first phase will involve site investigations to tie down the source of seepage. The second phase will involve the design of the required work to stop the seepage. LBBLD has executed the Contract with Nelson for the first phase of the Work.

LBBLD has entered into a Contract with W. S. 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.

OCPR is working on the preparation of Plans and Specifications for the Violet Canal Dredging Project (Phase II). LBBLD secured the necessary right-of-way from the Meraux Foundation for dredge disposal.

Work on the Violet Canal Closure Structure Improvement Project is nearing completion. A change order was issued to delete the installation of riprap erosion protection at this time due to temporary site access issues. Riprap will be installed under a separate contract after work on the Bayou Dupre Control Structure is complete and open to barge traffic.

Internal Affairs

The USACE intends to make modifications to the existing outfall 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 now have five inspectors working with us provided by OCPR. The additional inspector was added for the LPV 148.02 Project due to the accelerated pace of the construction (there are more than 100 cranes on this 8 mile stretch of levee). We have been getting additional technical assistance from OCPR staff, LDOTD staff, and PBS&J (through an ID/IQ contract with OCPR).

The SLFPA-E Emergency Module for Floodgate Management was completed several months ago. SLFPA-W, PLD, OCPR and the USACE have expressed a strong interest in modifying the module to make it "web based" so that it can be used on a regional basis. We have been meeting with USACE, OCPR, SLFPAW, and Pontchartrain Levee District to explore opportunities to also use this tool for all aspects of gap closures required for the 2011 hurricane season.

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

Royal Haskoning 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. Indications are that the Project will be approved by the Dutch Government.

The O&M Cost Study for all three levee districts is underway by AECOM. Regular by-monthly meetings are scheduled with AECOM and the Levee Districts to review progress and plan the path forward. This work is funded through a CDBG Grant.

New Contracts:

Hurricane Preparedness

The 2010 Hurricane Season officially ended on November 30, 2010. Preparations for the 2011 Season will begin in April 2011.