

**MINUTES OF THE
SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY – EAST
BOARD MEETING
THURSDAY, AUGUST 18, 2011**

The regular monthly Board Meeting of the Southeast Louisiana Flood Protection Authority - East (Authority or SLFPA-E) was held on Thursday, August 18, 2011, in the Port of New Orleans Administration Building Auditorium, 1350 Port of New Orleans Place, New Orleans, Louisiana, after due legal notice of the meeting was sent to each Board member and the news media and posted.

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

PRESENT:

Timothy P. Doody, President
John M. Barry, Vice President
Louis E. Wittie, Secretary
Stephen Estopinal, Treasurer
David P. Barnes, Jr.
Thomas L. Jackson
Ricardo S. Pineda

ABSENT:

Stradford A. Goins
George Losonsky, PhD

ADOPTION OF AGENDA:

A motion was offered by Mr. Wittie, seconded by Mr. Barry and unanimously adopted, to approve the agenda as presented.

EXECUTIVE SESSION:

1. Report on new property laws enacted – suggestive of litigation.
2. Terry and Nida Lonatro, et al versus Orleans Levee District, SLFPA-E, et al, USDC EDLA No. 11-357 “J” (5).

A motion was offered by Mr. Barry, seconded Mr. Mr. Wittie and unanimously adopted, for the Board to convene in Executive Session to discuss the matters listed on the Agenda. The Board convened in Executive Session at 9:40 a.m.

A motion was offered by Mr. Barry, seconded by Mr. Estopinal and unanimously adopted, for the Board to reconvene in regular session at 10:15 a.m.

COASTAL ADVISORY COMMITTEE REPORT

Carlton Dufrechou provided a report on the items discussed by the Coastal Advisory Committee at its August 5th meeting:

- New Orleans East Landbridge Study (Chef to Rigolets) – The Committee considered the potential for subsidence and sea level rise and recommended that the intermediate approach be taken in lieu of the most conservative approach. The Committee considered the Highway 90 alignment at the 12-ft. elevation the most feasible of the three barriers for further study, although the Committee does not favor the barrier concept. He cautioned that once a storm event passes the New Orleans area that the winds will shift and waters will suddenly exit the lake. He noted that the coastal lines are more beneficial on the long term than other barriers and are self-sustaining.
- Bayou St. John Phase I Study Report – The first phase of the study dealt with the potential to ecologically enhance the waters of Bayou St. John through use of the sector gate. The next potential step could be the removal of the old water control structure (waterfall) at Robert E. Lee Boulevard. The second phase of the study will undertake a more detailed look at the use of the sector gate. It is anticipated that the sector gate could probably be utilized to provide flow into the Bayou during the spring and fall of the year. Two current factors restrict the beneficial interchange of water between Lake Pontchartrain and the Bayou: 1) the old water control structure at Robert E. Lee Boulevard and 2) the sandbar located at the mouth of the Bayou at the sector gate.
- 2011 Flood in the Bohemia Spillway – The 2011 high water (flood) event caused a breach in an oil company service road. The breach ultimately measured approximately 150-ft. in width and 24-ft. in depth. The Committee recommended the construction of a single lane causeway bridge approximately 2,000-ft. in length over the problematic area of roadway in order to allow the current natural overflow of water from the river to the coast through the breach to continue.
- Mississippi River-Gulf Outlet (MRGO) Ecosystem Restoration Plan Report – The report has a number of projects that should be implemented. A major issue is the location of the Violet Freshwater Diversion feature. Mr. Doody recommended that the Coastal Advisory Committee meet with representatives of the U.S. Army Corps of Engineers (USACE) to discuss the issues relative to the Violet Freshwater Diversion. Mr. Dufrechou suggested that General Walsh be invited to the meeting. Mr. Dufrechou commented that the MRGO Ecosystem Study needs a champion and strongly recommended that the SLFPA-E take on this role. He suggested that a difference could be made by the SLFPA-E fulfilling this role.

Mr. Dufrechou pointed out that British Petroleum (BP) monies could be made available as a potential funding source. Mr. Barry commented that realistically there will not be any Federal dollars flowing for projects in the near future. The only realistic source of funding available will be the BP monies. The State of Louisiana and Office of Coastal Protection and Restoration (OCPR) will ultimately make the decision

concerning the allocation of BP monies received by Louisiana. There will be a need to advocate for the use of these dollars and for the active involvement of local elected officials.

OPENING COMMENTS:

Mr. Doody commented that he and Robert Turner, SLFPA-E Regional Director, spoke at the Old Metairie Boys Club concerning the status of flood protection projects. Mr. Doody also provided a presentation to the Kwanis Club.

Mr. Doody advised that he was invited to speak at the USACE National Senior Leader Conference recently held in New Orleans. The comments made by Mr. Doody to the Conference related to mitigation. He recommended the combining of mitigation dollars with other funding sources to provide the much needed coastal restoration.

Mr. Doody commented that a Special Board Meeting was held on August 4th to discuss the armoring for the Hurricane and Storm Damage Risk Reduction System (HSDRRS). Issues discussed at the Special Board Meeting and prior armoring meetings have been incorporated into the USACE's matrix. Mr. Turner will schedule a follow up meeting.

Mr. Doody advised that he lead a group of 30 individuals on a visit to the IHNC surge barrier. He commented on the impressiveness of the structure.

Mr. Doody reported that the Orleans Landbridge Coastal Restoration Project was announced at a press conference held by Governor Jindal, Mayor Landrieu and other leaders on August 17th. Approximately \$30 million is being provided for construction. Materials will be provided for the project through the beneficial use of the concrete from the Twin Span Bridge. The support and involvement of the SLFPA-E in this important project was noted.

Mr. Doody commented on the difficulties currently faced by the USACE due to the protests filed on the award of the design-build contract for the construction of the Permanent Canal Closures and Pump Stations for the Orleans Avenue, London Avenue and 17th Street Outfall Canals. Once the USACE develops a path forward, the information will be provided to the SLFPA-E.

Mr. Doody advised that discussions have been held on the application for a grant to demolish the old water control (waterfall) structure at Robert E. Lee Boulevard. He stressed that should the Authority approve the use of the sector gate to allow the flow of water from Lake Pontchartrain into Bayou St. John, its first priority will be flood protection. An Attorney General's opinion has been requested concerning the appropriate position for the Authority in dealing with ecological issues.

Mr. Doody stated that a HSDRRS handover/completion meeting will be held on September 1st. Messrs. Jackson, Estopinal and Wittie have been requested to participate, along with Mr. Doody, in this important meeting. Many of the HSDRRS projects are being completed. The turnover of projects will trigger the payback of the

local cost share. The levee districts will also be required to take over the operation and maintenance (O&M) of the projects.

**RESOLUTION NO. 08-18-11-01 –
APPROVAL OF JULY 21, 2011 AND AUGUST 4, 2011 MINUTES**

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

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East approves the minutes of the Board Meeting held on July 21, 2011 and the Special Board Meeting held on August 4, 2011.

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

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

NAYS: None

ABSENT: Mr. Goins and Mr. Losonsky

PUBLIC COMMENTS:

Craig Berthold, a resident along the 17th Street Canal, commented that U.S. District Court Judge Carl Barbier denied the Motion to Dismiss filed by the SLFPA-E. Judge Barbier found that there was not enough evidence for the Authority and Orleans Levee District to state that it holds a servitude along the 17th Street Canal and that there were enough facts in dispute to move to a trial.

Roy Arrigo, a resident along the 17th Street Canal, commented that the servitude does not appear on the property survey and that compensation for the servitude would not affect flood protection. He commented on the Authority's obligation to speak the truth.

Epsie Hennessy, a resident in Lakewood South, commented that the levee district had not acted in the past on the levee servitude in the Lakewood South area. She commented that other properties encroach on the servitude, but remain untouched. She stated that her ligustrum and fence had no effect on the levee. She commented that the taking of 6-ft. of land at the rear of her property was unnecessary and requested that the property be returned. She added that this is a Constitutional issue.

Carol Byram, a resident in Lakewood South, provided written information to the Board that she stated related to the excuses used to take her property.

COMMITTEE REPORTS:

Finance Committee: Mr. Estopinal reported that the Finance Committee met on August 4th and that the only item discussed at the meeting concerned the reimbursement of travel expenses. A motion to amend the Board's Bylaws relative to travel expenses is included on the Board Agenda.

Operations Committee: Mr. Wittie advised that the Operations Committee did not meet due to the Special Board Meeting (Armoring Summit) held on August 4th.

Legal Committee: Mr. Barry advised that the Legal Committee did not meet in the month of August. An item for the approval of legal invoices is included on the Board Agenda.

Engineering Advisory Committee: Mr. Jackson advised that the Engineering Advisory Committee did not hold a meeting in the month of August. He reported that he is working with Mr. Turner and others on armoring issues. A meeting was held on August 17th that included Mr. Wittie, Mr. Turner, Jeff Beasley (LSU turf specialist), and representatives from the USACE and the levee districts relative to grass issues. The Engineering Advisory and Operations Committees have melded their efforts on the armoring issues.

CPRA/Governmental Affairs: Mr. Barry reported that while in Washington, D.C., last month he met with the Chairman of the U.S. House of Representatives Committee on Appropriations and the Chairman of the House Committee on Transportation and Infrastructure Subcommittee on Water Resources and Environment, who will be writing the next Water Resources Development (WRDA) bill, to discuss the operations and maintenance (O&M) of the IHNC surge barrier. He stated that the Chairman of the House Appropriations Committee seemed receptive. Mr. Barry explained that the problem not only concerns the appropriation of funding for the O&M, but also Congress' position against earmarks. Anything that is not in the President's budget is considered an earmark. The only way around this problem is for the O&M funding to be included in the President's budget. Mr. Doody commented that the USACE's current estimated cost to operate and maintain the IHNC surge barrier is \$4 million per annum (\$6 million per annum including the Seabrook Complex navigation gate). He pointed out that the navigation gates in the surge barrier are holes in the flood protection system that are provided strictly to accommodate navigation, which is under the purview of the USACE. The USACE has indicated its ability to take on the O&M for the navigation gates with the receipt of the appropriate authorization and funding from the Congress.

Mr. Barry advised that the Coastal Protection and Restoration Authority (CPRA) met on August 17th and discussed the subjects of mitigation and HSDRRS armoring. The CPRA adopted a resolution relative to deadline imposed by the USACE for the completion of the HSDRRS armoring.

Mr. Barry commented that \$533 million of the \$1 billion initial payment by BP in connection with the recent oil spill is proposed to be given to the State of Louisiana. He noted that this could potentially be the only source of funding in the next several years for coastal restoration. Windell Curole, a member of the Nominating Committee for the SLFPA-E, commented on the need to get the message out that the right and proper use of BP monies should be the restoration of Louisiana's coast.

REGIONAL DIRECTOR'S REPORT:

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

Mr. Turner reported that he recently met with Senator Vitter's staff relative to draft legislative language on future levee lifts. Lifts will be needed on some levees in 2015-2016. There is no authorization for Federal/USACE participation in future levee lifts for hurricane protection levees.

Mr. Turner advised that he is working with the State and USACE on the close out process for HSDRRS projects, particularly with regards to inspections.

Mr. Turner was asked the status of the CPRA's request to take corings on LPV 149 (Caernarvon Sector Gate and Floodwall). He advised that the CPRA submitted a detailed coring plan to the USACE; however, the USACE indicated that the submittal was not in conformance with the original discussions. The CPRA requested additional information from the USACE. Mr. Doody asked that Capt. David Carter with the USACE provide information to Mr. Turner on the status of this issue.

RESOLUTION NO. 08-18-11-02 – AMENDMENT OF BY-LAWS

Mr. Doody explained that the proposed amendment of the Board's Bylaws concerning the reimbursement of travel expenses was on the Board's agenda last month. The proposed amendment was discussed and referred back to the Finance Committee. The Finance Committee reconsidered the amendment and concluded with the same recommendation.

Mr. Jackson advised that he reviewed the proposed resolution and found that the method for paying travel expenses is unacceptable; therefore, he would vote against the resolution. He commented that he was disappointed with the discussions in the Finance Committee meeting on this issue. He advised that the Attorney General's office had advised him that travel had to be approved by the Board and that in its early days the Board pre-approved travel. He admitted that this would place a burden on some of the Board members. Mr. Barry advised that 40 percent of his travel related to trips from New Orleans to Washington, D.C. for Authority business. Mr. Doody pointed out that travel reimbursements requests are posted on the SLFPA-E's website. The proposed resolution would allow Board members who reside outside of Orleans Parish (the Authority's domicile) to be reimbursed for travel and would also allow flexibility. Mr. Barnes pointed out that the Authority receives a great deal of benefit and expertise from the three Commissioners who are reimbursed for airfares and that these individuals should not have to pay the costs to attend to Board business out of pocket. Mr. Estopinal commented that this matter has been discussed over several months. In the absence of a better solution, he recommended that the proposed resolution be adopted.

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

WHEREAS, at a Regular Board Meeting held on December 17, 2009, the Southeast Louisiana Flood Protection Authority-East adopted revised Bylaws; and

WHEREAS, it is the intent of the Board to amend Article III, Section 8, of the By-Laws relative to the reimbursement of travel expenses.

WHEREAS, written notice of the intent to amend the Board's By-laws was given by placement on the agenda for the regular Board Meeting held on June 16, 2011.

BE IT HEREBY RESOLVED, that Article III, Section 8, of the By-Laws of the Board of Commissioners of the Southeast Louisiana Flood Protection Authority-East is hereby amended to read, as follows:

"F. Travel Expenses shall be paid in accordance with Louisiana Office of State Purchasing and Travel PPM 49 with the following exception, as modified by the Board from time to time.

1. When traveling for the purpose of conducting the business of the Southeast Louisiana Flood Protection Authority-East, Commissioners shall be reimbursed for properly documented travel expenses and mileage to and from the Commissioner's home or to and from the Commissioner's place of business at the time of the meeting. The President may adopt reasonable rules and policies to implement the reimbursements."

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

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

NAYS: Mr. Jackson

ABSENT: Mr. Goins and Mr. Losonsky

RESOLUTION NO. 08-18-11-03 – HSDRRS ARMORING

Michael Park, Chief of USACE Task Force Hope, explained that the USACE's objectives are not mutually exclusive, but are complementary. The USACE is continuing the drive to deliver armoring before the 2012 hurricane season and considers that together with the local sponsors this effort can be achieved. He stated that there was nothing arbitrary about establishing a goal and linking that goal with the start of the hurricane season. The USACE will continue to work with the Authority in a collaborative effort to make the right decisions. Mr. Doody pointed out that the Authority did not want a date to drive a decision. Mr. Park explained that the USACE feels a sense of urgency for getting the armoring in place and reiterated that June 1, 2012, was not just a date arbitrarily set.

Mr. Jackson commented that to date an application of TRM (turf reinforcement mat) has not been located that would closely represent the USACE's proposed method. He suggested that either a site be found where TRM is used in an application similar to what would be used by the levee districts or that a test section be done. Mr. Park responded that the USACE would be very receptive to participating in a test section. Mr. Jackson pointed out that the Authority's two main concerns about the use of TRM are the O&M and watering. The Authority's goal is to have armoring in place as quickly as possible, but not at the expense of a wrong decision. The Authority needs evidence that TRM will work. Mr. Park explained that the USACE intends to apply sod on top of the TRM. He stated that he appreciated the Authority's resolve to get the armoring right. Mr. Jackson commented on the cooperative attitude of the representatives that met yesterday concerning grass issues. Mr. Estopinal pointed out that if a test section must be done, it would be difficult to meet a goal of June 1, 2012.

Mr. Barry provided the Board with a copy of the resolution adopted by the CPRA at its August 17th meeting on this issue. He asked that the Board consider amending its resolution to substitute the RESOLVED paragraphs included in the CPRA resolution. Mr. Doody suggested that the resolution be adopted by the Authority as presented.

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

“A Resolution to urge and request the U.S. Army Corps of Engineers to extend its deadline of June 1, 2012, to complete the armoring of the HSDRRS”

WHEREAS, southeast Louisiana has twice in recent history suffered catastrophic loss of life, property damage and economic devastation due to flooding, first by Hurricane Betsy in 1965, and again on a far greater scale in 2005 by Hurricane Katrina; and

WHEREAS, in response to the devastation caused by Hurricane Katrina, the U.S. Congress authorized and appropriated funding for the U.S. Army Corps of Engineers (USACE) to design and construct the Greater New Orleans Hurricane and Storm Damage Risk Reduction System (HSDRRS) to strengthen and provide 100-year level of protection capable of withstanding the efforts of a storm having a one percent chance of occurring each year; and

WHEREAS, the failures of the flood protection system constructed subsequent to Hurricane Betsy that occurred during Hurricane Katrina demonstrated the critical importance for the system to be robust and resilient; and

WHEREAS, the U.S. Congress in the Fourth and Sixth Supplemental Appropriations provided funding to armor the critical elements of the HSDRRS to provide the resiliency required for the system to maintain its functionality even when subjected to forces greater than its intended design level; and

WHEREAS, the USACE provided the results of its alternative evaluation process and its recommended alternative to armor the HSDRRS to the State of Louisiana (the Non-Federal Sponsor) on June 6, 2011; and

WHEREAS, the State of Louisiana provided a written response to the USACE on June 24, 2011, expressing its disagreement with the materials and methodologies recommended by the USACE and recommending that additional alternatives be considered and evaluated; and

WHEREAS, the ability of local authorities to financially and physically operate and maintain the armoring is of essential importance; and

WHEREAS, the State, local flood protection authorities and levee districts have determined that more research and investigation is needed into the methodologies and materials recommended by the USACE in order to evaluate their adequacy, sustainability and economic viability for providing risk reduction under local environmental conditions, and for the results of this evaluation, along with potential alternatives, to be presented to the USACE so that the best possible, fully informed decisions can be reached; and

WHEREAS, authorities and authorizations provided under the Water Resources Development Act (WRDA) and the aforementioned supplemental appropriations do not specify a deadline for the delivery of armoring to the HSDRRS; however, the USACE has imposed a deadline of June 1, 2012, for the armoring to be put in place.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East urges and requests the U.S. Army Corps of Engineers to extend its deadline of June 1, 2012, to complete the armoring for the HSDRRS so that all methods and alternatives can be considered and evaluated and the system can be made as resilient as possible to protect the lives, property and economic welfare of the citizens of southeast Louisiana.

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

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

NAYS: None

ABSENT: Mr. Goins and Mr. Losonsky

RESOLUTION NO. 08-18-11-04 – BREACH IN BOHEMIA SPILLWAY

Mr. Doody explained that the resolution before the Board was recommended by the Coastal Advisory Committee and that this matter was included in the Committee's report provided earlier in the meeting. The construction of the proposed causeway bridge would allow the free flow of water to continue in this area of the Bohemia Spillway.

On the motion of Mr. Barry,

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

WHEREAS, the Bohemia Spillway was created in 1926 for the purpose of reducing the potential river-induced flooding to metropolitan New Orleans; and

WHEREAS, the reconnecting of the Mississippi River to the Louisiana coast is a necessity for the long term sustainability of the metropolitan New Orleans area and southeast Louisiana; and

WHEREAS, during high Mississippi River periods, the Bohemia Spillway regularly experiences overbank flows, which mimic natural processes that historically built and sustained coastal Louisiana for 7,000 years; and

WHEREAS, the area is one of the few locations in coastal Louisiana that has experienced little wetland loss and appears to be self-sustaining; and

WHEREAS, the 2011 high water event breached and severely eroded a section of earthen oil field service road paralleling the Mississippi River in the Bohemia Spillway; and

WHEREAS, the eroded road is used regularly to support the Sundown Oil and Gas Facility located in the Bohemia Spillway; and

WHEREAS, the eroded road section greatly enhanced riverine flows benefiting nearby coast wetlands.

BE IT HEREBY RESOLVED, that to enhance the sustainability of this portion of southeast Louisiana, the Southeast Louisiana Flood Protection Authority-East recommends that the State of Louisiana consider partnering with the Sundown Oil and Gas Facility (Eland Energy, Inc) to replace the eroded earthen service road with a single lane, elevated bridge (causeway) to avoid interfering with natural overflows from the Mississippi River into the Bohemia Spillway and adjacent coast.

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

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

NAYS: None

ABSENT: Mr. Goins and Mr. Losonsky

RESOLUTION NO. 08-18-11-05 –LOUISIANA COMPLIANCE QUESTIONNAIRES

On the motion of Mr. Estopinal,

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

WHEREAS, Section 327.08 of the Louisiana Governmental Audit Guide (the Guide) specifies that the Louisiana Compliance Questionnaire is a required part of any audit of Louisiana; and

WHEREAS, the Guide further specifies that the responses contained in the questionnaire should be reviewed by the governing body and approved in an open meeting.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East approves the representations made by management in the Louisiana Compliance Questionnaires for the Southeast Louisiana Flood Protection Authority-East (SLFPAE), the Orleans Levee District, the East Jefferson Levee District and the Lake Borgne Basin Levee District for the fiscal year ending June 30, 2011.

BE IT FURTHER RESOLVED, that the SLFPA-E President, SLFPA-E Secretary and SLFPA-E Treasurer are authorized to sign the Louisiana Compliance Questionnaires.

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

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

NAYS: None

ABSENT: Mr. Goins and Mr. Losonsky

RESOLUTION NO. 08-18-11-06 – APPROVAL OF LEGAL INVOICES

Mr. Barry advised that the legal invoices were reviewed and approved by the Executive Director of the appropriate levee district, the Regional Director and General Counsel.

On the motion of Mr. Barry,

Seconded by Mr. Estopinal, 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 August 18, 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 August 18, 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. Pineda and Mr. Wittie

NAYS: None

ABSENT: Mr. Goins and Mr. Losonsky

RESOLUTION NO. 08-18-11-07 – LEGAL ACTIONS

On the motion of Mr. Jackson,

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

BE IT RESOLVED, in accordance with discussions held in Executive Session, the Southeast Louisiana Flood Protection Authority-East hereby:

- Ratifies the Settlement Agreement dated effective July 22, 2011 by and between the Orleans Levee District (appearing therein through the Southeast Louisiana Flood Protection Authority-East) on the one hand and Paul Favret on the other hand relating to (among other things) Tract 85 in the Bohemia Spillway and that civil action filed in the 25th Judicial District Court of Plaquemines by Paul Favret under Docket No. 54-124 (the “Settlement Agreement”) executed on August 17, 2011 by President Timothy P. Doody; and
- Authorizes President Timothy P. Doody and the Authority’s outside counsel Gordon, Arata, McCollam, Duplantis & Eagan, L.L.C. to execute any and all further necessary documents subject to approval of the Authority’s General Counsel; and
- Approves keeping the terms of this Settlement Agreement confidential as further provided therein.

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

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

NAYS: None

ABSENT: Mr. Goins and Mr. Losonsky

RESOLUTION NO. 08-18-11-08 – LEGAL ACTIONS

On the motion of Mr. Jackson,

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

BE IT RESOLVED, in accordance with discussions held in Executive Session, the Southeast Louisiana Flood Protection Authority-East hereby:

- Ratifies the Settlement Agreement dated effective July 22, 2011 by and between the Orleans Levee District (appearing therein through the Southeast Louisiana Flood Protection Authority-East) on the one hand and Carolyn L. Graham on the other hand relating to (among other things) Tract 85 in the Bohemia Spillway and that civil action filed in the 25th Judicial District Court of Plaquemines by Carolyn L. Graham under Docket No. 54-144 (the "Settlement Agreement") executed on August 17, 2011 by President Timothy P. Doody; and
- Authorizes President Timothy P. Doody and the Authority's outside counsel Gordon, Arata, McCollam, Duplantis & Eagan, L.L.C. to execute any and all further necessary documents subject to approval of the Authority's General Counsel; and
- Approves keeping the terms of this Settlement Agreement confidential as further provided therein.

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

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

NAYS: None

ABSENT: Mr. Goins and Mr. Losonsky

RESOLUTION NO. 08-18-11-09 – LEGAL ACTIONS

On the motion of Mr. Jackson,

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

BE IT RESOLVED, in accordance with discussions held in Executive Session, the Southeast Louisiana Flood Protection Authority-East hereby:

- Ratifies the Settlement Agreement dated effective July 22, 2011 by and between the Orleans Levee District (appearing therein through the Southeast Louisiana Flood Protection Authority-East) on the one hand and Ernest Gibson, III on the other hand relating to (among other things) Tract 85 in the Bohemia Spillway and that civil action filed in the 25th Judicial District Court of Plaquemines by Gayle Gibson Thompson and Ernest Gibson, III under Docket No. 54-375 (the "Settlement Agreement") executed on August 17, 2011 by President Timothy P. Doody; and
- Authorizes President Timothy P. Doody and the Authority's outside counsel Gordon, Arata, McCollam, Duplantis & Eagan, L.L.C. to execute any and all further necessary documents subject to approval of the Authority's General Counsel; and
- Approves keeping the terms of this Settlement Agreement confidential as further provided therein.

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

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

NAYS: None

ABSENT: Mr. Goins and Mr. Losonsky

RESOLUTION NO. 08-18-11-10 – LEGAL ACTIONS

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

BE IT RESOLVED, in accordance with discussions held in Executive Session, the Southeast Louisiana Flood Protection Authority-East hereby:

- Ratifies the Settlement Agreement dated effective July 22, 2011 by and between the Orleans Levee District (appearing therein through the Southeast Louisiana Flood Protection Authority-East) on the one hand and Gayle Gibson Thompson on the other hand relating to (among other things) Tract 85 in the Bohemia Spillway and that civil action filed in the 25th Judicial District Court of Plaquemines by Gayle Gibson Thompson and Ernest Gibson, III under Docket No. 54-375 (the "Settlement Agreement") executed on August 17, 2011 by President Timothy P. Doody; and
- Authorizes President Timothy P. Doody and the Authority's outside counsel Gordon, Arata, McCollam, Duplantis & Eagan, L.L.C. to execute any and all further necessary documents subject to approval of the Authority's General Counsel;
- Approves keeping the terms of this Settlement Agreement confidential as further provided therein.

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

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

NAYS: None

ABSENT: Mr. Goins and Mr. Losonsky

RESOLUTION NO. 08-18-11-11 – LEGAL ACTIONS

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

BE IT RESOLVED, in accordance with discussions held in Executive Session, the Southeast Louisiana Flood Protection Authority-East hereby:

- Ratifies the Settlement Agreement dated effective July 22, 2011 by and between the Orleans Levee District (appearing therein through the Southeast Louisiana Flood Protection Authority-East) on the one hand and Montgomery Favret on the other hand relating to (among other things) Tract 85 in the Bohemia Spillway and that civil action filed in the 25th Judicial District Court of Plaquemines by Montgomery Favret under Docket No. 54-135 (the "Settlement Agreement") executed on August 17, 2011 by President Timothy P. Doody; and
- Authorizes President Timothy P. Doody and the Authority's outside counsel Gordon, Arata, McCollam, Duplantis & Eagan, L.L.C. to execute any and all further necessary documents subject to approval of the Authority's General Counsel; and
- Approves keeping the terms of this Settlement Agreement confidential as further provided therein.

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

RESOLUTION NO. 08-18-11-12 – O.L.D. POLICE DEPARTMENT

Mr. Doody commented that his understanding was that the number of police officers left after the voluntary retirement of several officers would be sufficient to fulfill the Orleans Levee District's (O.L.D.) flood protection function.

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

WHEREAS, by Resolution No. 06-16-11-03 the Southeast Louisiana Flood Protection Authority-East approved payment by the Orleans Levee District Flood Protection Division for the full Orleans Levee District (O.L.D.) police force for a sixty-two day period, commencing on July 1, 2011 and ending on August 31, 2011; and

WHEREAS, a thirty day extension is required for the execution of a Cooperative Endeavor Agreement between the SLFPA-E, on behalf of the O.L.D., and the Non-Flood Protection Asset Management Authority for the transfer and acceptance of police personnel, equipment and facility maintenance and to complete said transfer.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East approves the payment by the Orleans Levee District Flood Protection Division for the full Orleans Levee District police force for an additional thirty day period, commencing on September 1, 2011 and ending on September 30, 2011.

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

RESOLUTION NO. 08-18-11-13 – POLICE FORCE TRANSFER

Gerry Gillen, O.L.D. Executive Director, advised the Board that the O.L.D. Police Department (OLDPD) would have to vacate its facility located on Elysian Fields Avenue. The police officers at the Elysian Fields facility will be relocated to the OLDPD facility on Franklin Avenue. It was noted that the Franklin Avenue facility is in need of repair.

Robert Lacour, SLFPA-E General Counsel, requested that the term "Cooperative Endeavor Agreement" in the resolution be changed to "Memorandum of Understanding". The Board accepted the change in wording.

Mr. Pineda pointed out that the O.L.D. Flood Protection Division is taking over the entire OLDPD. He recommended that the Orleans Levee District and East Jefferson Levee District Police Departments begin submitting monthly reports of their activities to the Operations Committee. Mr. Doody concurred with Mr. Pineda's recommendation.

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

WHEREAS, Act 363 of 2011 (House Bill 475) requires the Orleans Levee District to maintain a minimum police force of 24 officers to provide security for Lakeshore Drive and other flood assets located within the jurisdiction of the Orleans Levee District; and

WHEREAS, Louisiana Attorney General Opinion No. 06-0129 allows for the transfer of the Orleans Levee District police from the Non-Flood Protection Asset Management Authority to the Orleans Levee District.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority- East (SLFPA-E) approves the execution of a Memorandum of Understanding between the SLFPA-E, on behalf of the Orleans Levee District, and the Non-Flood Protection Asset Management Authority for the acceptance of police personnel, equipment and facility maintenance.

BE IT FURTHER RESOLVED, that the SLFPA-E President is hereby authorized to execute the aforementioned Memorandum of Understanding.

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

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

NAYS: None

ABSENT: Mr. Goins and Mr. Losonsky

Mr. Doody called for a recess for lunch at 12:15 p.m. There was no objection.

The Board reconvened in regular session and the meeting was called back to order at 12:42 p.m.

Wilma Heaton presented an informational item to the Board. She explained that she was asked by the President and Regional Director to investigate the rental of office space to accommodate the SLFPA-E's current and future operational needs. The rental rate for the current office space occupied by the Authority (1,550 sq. ft.) is \$14.00 per square foot (sq. ft.) or about \$21,000 per year. Utility and janitorial costs are about \$500 per month. After investigating available office spaces and reviewing comparable rates, office configurations and other factors, she advised that the approximately 1,900 square feet of office space available in the University of New Orleans (UNO) Research and Technical Park would meet SLFPA-E's needs. Leases in the UNO Research and Technical Park are restricted to organizations that meet certain strict criteria; however, an exception will be made due to the Authority's flood protection mission. The rental rate has been negotiated to \$18.00/sq. ft. (\$34,200/year); however, all utilities and janitorial services are included. In addition, the Authority will have access to university services. Two conference rooms are used jointly by tenants and would be available to the Authority by reservation. Although a portion of the office space will be leased by UNO and a portion leased by the UNO Research and Technology Foundation (Foundation), the Foundation has agreed to allow all of the space to be included in one lease agreement. The

Foundation has agreed to allow a one year lease with four one year options, subject to State funding, in lieu of its standard five year lease. Verbal concurrence is needed relative to leasing the office space in order to proceed with the process.

The Board expressed a very positive interest in leasing the office space at the UNO Research and Technology Park. The proposed lease was referred to the Finance Committee for review and a recommendation will be forwarded to the Board relative to approval at its next monthly meeting.

The next regular monthly meeting of the Board will be held on September 15, 2011 and hosted by the Lake Borgne Basin Levee District.

There was no further business; therefore, the meeting was adjourned at 12:57 p.m.

SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY - EAST
REGIONAL DIRECTOR'S REPORT

August 18, 2011

100 Year Level of Protection

IHNC 01- Seabrook Structure:

All tie-in T-Wall monoliths are complete. Both coffer dams are complete. All pipe piles have been driven in the coffer dam. The IHNC is completely closed to navigation at the Seabrook construction site.

Lift-gate foundation mass concrete pours are underway and are scheduled to be completed within the next 45 days.

Vertical Lift Gates and Sector-gates are in fabrication and are scheduled to be delivered to the site by mid-fall of 2011.

Construction on the Project is scheduled for completion in the spring of 2012.

LPV104.02A, which is being done under this contract, is complete. The gate has been exercised for Orleans Levee District. Final turnover will be at the same time as Seabrook Structure.

IHNC 02 - 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 90% complete. The Floodwalls and T-Walls in this project are complete. The Bypass Gate is open to navigation while work continues on the Sector Gate. Our emphasis continues to be on Operation & Maintenance considerations and the necessity to "design in" reasonable O&M features.

The Bayou Bienvenue steel lift gate is in place in the closed position and the structure has been flooded. The towers and bridge for Bayou Bienvenue should arrive around the end of September 2011.

Installation of scour stone in various places is about 25% complete while foreshore protection waits on real estate acquisition, which is expected in mid October 2011.

The sector-gate concrete top deck should start next month, and the hydraulic cylinders necessary for opening the gate arrive in October 2011.

Construction of the guide walls should begin in early September 2011. The safe house, ramps, and bulkhead storage facility are out for bid and are expected to

be awarded in early September 2011. The last work item, the south vehicle access ramp, is also out for bid.

Two training exercises have been conducted to close the barge gates in the event of a storm. The mechanicals for the barge gate are still a work in progress. The USACE will use a tug boat and temporary pumps to close the gate in case of storm event this year.

The O&M manuals are under development and onsite training for the NFS is scheduled to begin in January 2012.

Shaw was given an extension to August 16, 2011 to price the revised RFP for the swing bridge across Bayou Bienvenue.

East Jefferson Levee District:

Reaches 1 thru 5:

The Work is substantially complete. Turf establishment issues still remain. The vegetation contractor has started work on turf establishment. Reaches 1, 3 and 4 have been spot seeded and the entire Levee Reach was fertilized. Reach 2 was cut, seeded and fertilized completely. There is no time frame for Final Inspections on these projects because of turf issues. The USACE will initiate a contract modification to address East Jefferson Levee District's concerns with access ramps in these Reaches.

Bonnabel Breakwater Project:

The Notice of Construction Complete Letter for this Project was transmitted by the USACE to CPRA and 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 and 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, which was sent back to the manufacturer for inspection and repair/replacement, has now been given to East Jefferson Levee District. The gate failed paint inspection and will have to be repainted. There is a crack in the concrete approach slab on the flood side of the gate that will need to be addressed.

Bonnabel Floodwall and Gate:

Work is substantially complete. Final inspection was held on December 20, 2011. Turf establishment issues remain. The gate failed paint inspection and will have to be repainted. Street striping is being redone.

Pump Station Fronting Protection:

The Work is approximately 43% complete. Work is ongoing at Elmwood and Suburban Pump Stations and Breakwaters. The Contractor has installed interim measures at both Elmwood and Suburban Pump Stations to defend against a 100 year event.

LPV 017.2 (Causeway Crossing):

Causeway traffic has been rerouted onto a temporary roadway on the median for both northbound and southbound traffic. The Contractor is driving piles on the west side of the projects. Work is approximately 37% complete.

West Return Levee/Floodwall - North:

Work is approximately 72% complete. H-pile driving operations are now progressing on three headings. Pile driving hours have been extended (7:00am to 10:00pm). The Contractor is placing concrete monoliths in work area's 2 and 3 on the north end of the Project (north of West Esplanade). The USACE requested permission from the City of Kenner to work on the protected side of the old flood wall. This request was denied.

West Return Levee/Floodwall – South:

Work is approximately 73% complete. The Contractor is driving H-piles for the T-Wall foundation. H-Pile driving remains only in the canal area North of I-10. The sheet pile cut-off wall beneath the I-10 Bridge has been constructed and pipe pile driving operations is at 92% at this location. Limited overhead clearance is causing some problems. Elsewhere, sheet pile driving operations are complete. Work has begun on the concrete monoliths. Rip Rap is being placed on flood side of new wall footers.

Foreshore Protection Reaches 1 and 2:

The Contractor is placing fabric and stone. Work is approximately 44% complete. Reach 2 is 87% complete and Reach 1 is 30% complete.

Foreshore Protection Reaches 3 and 4:

The Contractor is placing fabric and stone. Work is approximately 53% complete. Contractor has completed dredging access channel on Reach 4.

West Return Levee (Airport Runway):

Phase I (northern section) work is approximately 96% complete. Phase II has been delayed because the NOAB runway landing light relocation project will extend into August 2011. The lights had some wiring issues and the FAA will have to reschedule the flight check. The Bonnet Carre Borrow Pit was flooded due to the high River stage. The Contractor has been authorized by the USACE to obtain borrow material from the Willow Bend borrow pit on the West Bank. HESCO baskets are in place to defend against a 100 year storm surge event

Orleans Levee District:

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

Construction is approximately 96% complete. All walls are 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. Contractor repair plan and coating proposal is under review by Corps and includes test panels. The Project pre-final inspection is scheduled for September 1, 2011.

The L1A floodgate column is bowed and prevents proper sealing of the gate in the closed position. The Contractor is surveying the site and has presented a plan to correct the deficiencies. The Corps is reviewing the proposed correction plan. Gates still need to be test fitted and demonstrated to OLD personnel.

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 and construction of the modified Work is now complete. Turf issues still need to be addressed, along with safety and scour protection issues. Final inspection will be scheduled after completion of all punch lists items.

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

Construction is approximately 99% complete. Lakeshore drive is now open at Rail St. and Lake Terrace. Seals at Rail St. and Lake Terrace are being repaired. The punch list resolution meeting is scheduled for August 24, 2011.

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

Construction is approximately 100% complete. All ramps are open to vehicular traffic. Turf establishment is still required. Franklin Avenue ramp was reseeded.

The Contractor is working the punch list items. Final inspection is scheduled for August 25, 2011. Turf establishment will be turned over to a IDIQ contractor after final inspection.

LPV 104.02 (Seabrook West Side IHNC):

Construction is complete. The final inspection was held on June 29, 2011. Notice of Construction Completion (NCC) letter is being prepared by Corps.

LPV 105.01 (Lakefront Airport T-Wall West):

Construction is approximately 97% complete. All lanes of traffic are open at Downman Rd. All T-Wall monoliths are complete. Final inspection will be scheduled on completion of punch lists items. The gates are in final adjustment for operation. The flood side of the T-Wall will be painted by contractor. Final inspection is scheduled for August 31, 2011.

LPV 105.02 (Lakefront Airport T-Wall East):

Construction is approximately 92% complete. All T-Wall monoliths are complete. Work is progressing on the discharge end of the St. Charles Drainage Pump Station. The structure has been dewatered for inspection. Turf establishment is ongoing. The contractor is building 2 manholes on the flood side. Pre-final inspection is scheduled for August 18, 2011. Exercising of valves and sluice gates for OLD still has to be done.

LPV 106 (Citrus Lakefront Levee):

Construction is approximately 90% complete. Turf needs to be established and concrete joints need to be re-sealed. Pre-final inspection still needs to be scheduled. Safety issues still need to be addressed.

LPV 107 (Lincoln Beach Floodgate):

Construction is complete. The punch list resolution meeting is scheduled for August 24, 2011. Gates need to be test fitted and demonstrated to OLD personnel.

LPV 108 (New Orleans East Lakefront Levee):

The Project is substantially complete. The USACE hired labor group is mowing the grass. Turf issues still remain, access roadway has been removed. Final inspection is scheduled for September 7, 2011.

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 98% complete. 98% of the levee is seeded. The T-Wall monoliths associated with the floodgate at HWY 90 and

HWY 11 are complete and the floodgates are installed and exercised. HWY 90 and HWY 11 are open to traffic, except for periodic closure for asphaltting. Remaining work at four drainage structures and two USFWS pump station is scheduled to be completed by end of August 2011. T-Wall inspection was conducted on August 16, 2011.

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 complete. I-10 traffic has been rerouted back to the normal lane configuration. Turf establishment issues remain. Pre-Final inspection is scheduled for September 6, 2011.

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 complete. Pre-final inspection was held on August 10, 2011 and the punch list has been finalized.

LPV 111.01 (North Side GIWW):

The Project is approximately 99% complete. All T-Wall construction and Deep Soil Mixing work is complete. Turf establishment is over 70% complete, all seeded. The Contractor has installed a temporary irrigation system to facilitate turf establishment. Project was divided into 5 pieces for inspections.

USFWS Pump Station CTU #6 is having pumps installed. All levee crossing have been constructed.

Pre-final inspection was held on July 7, 2011 for Pump Station 15 and its T-Wall. New Orleans Sewerage and Water Board participated in the inspection of and the commissioning of Pump Station 15. The contractor is working on punch list items (mechanical and walkways).

Pre-final inspection for the 1000 LF of T-Wall tie in to IHNC surge barrier T-Wall was held on June 30, 2011 along with Reach 12A levee.

Pre-final inspection for the levee section is scheduled for September 7, 2011.

LPV 113 (NASA):

Construction is approximately 99% complete. Pre-final inspection was conducted in the first week of October 2010. The Contractor repaired the ruts and rills and started work on turf establishment. Salt content is high in soil; The USACE is looking into corrective action to get grass growing.

OFC-03 London Ave. Canal:

The work is complete. A mod to the original contract has added 2100 linear feet of sheet pile and 630 linear feet of embankment to this Project, and this additional work has been completed. Turf still needs to be established. Final inspection is scheduled for August 31, 2011.

OFC-04A Orleans Canal:

The work is complete and final inspection is scheduled for August 31, 2011. Turf needs established in isolated areas.

OFC-05 17th Street Canal:

The work is 98% complete. The bike path on the Jefferson Parish side of canal is to be completed by August 19, 2011. Work consisted of deep soil mixing and a grout curtain. A contract modification will be issued for construction of a berm on Reach 16 (between Canal St. Pump Station and I-10). The 2nd pre-final inspection is scheduled for August 30, 2011.

OFC-06 Orleans Canal:

The work is complete. The final inspection was held on August 9, 2011. The punch list was finalized and completed.

LPV192.02bs Buttress Slab:

The scope of work includes installation of pre-stressed/precast concrete piles, placement of a buttress slab, structural backfill and stabilization slabs. All vertical and batter piles have been driven. Work is complete. Final inspection is scheduled for August 25, 2011.

LPV192.02 Berm:

USACE Memphis Hired Labor was scheduled to construct this project (phase 3). Work is complete. Turf establishment still needs to be completed. Final inspection is scheduled for August 25, 2011.

LPV192.03 Relief Wells

In Reach 2, the scope of work includes the installation of 12 new relief wells (awaiting MOD). In Reach 3, the scope of work includes the installation of 50

new relief wells, modification of 9 existing relief wells, and the installation of subsurface collector line and cleanouts. The work is complete. Collector pipes are in place. Final inspection has to be scheduled.

Lake Borgne Basin Levee District:

LPV 144 (Bayou Dupre Control Structure):

Overall, the Work is approximately 88% complete. Concrete has been placed for both walls of the Sector Gate Structure and the Sector Gate leafs are installed. The pre-inundation inspection was held on May 26, 2011. Bayou Dupre will be closed to navigation at the existing Control Structure until construction is complete. The pre fabricated control house and generator building are being renovated on site prior to acceptance. Painting repairs delaying actual flooding of structure. The pre-final inspection is scheduled for September 28, 2011.

LPV 145 (Bayou Bienvenue to Bayou Dupre):

The USACE has instructed the Contractor to use uncoated steel sheet piles and H-piles on this project in order to meet schedule demands. Construction is complete. Interim inspections of the T-Wall monoliths are complete. The final inspection is scheduled for August 23, 2011. Stabilization slab saw cutting modification has been completed.

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 98% complete. All wall monoliths are in place. The emergency by-pass ramp for LA HWY 46 has been completed and paved. Interim inspections of the T-Wall monoliths are complete. The final inspection is scheduled for August 23, 2011. The stabilization slab saw cutting modification is underway.

LPV 147 (LA Hwy 46 Flood Gate):

The work is complete. Both Trolley Gates are in place and exercised.

The USACE has eliminated the emergency stand-by 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.

The final inspection was held on August 5, 2011. Grass is growing well.

There are two modifications to this project that will be done by the contractor for LPV148.02.

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 now 98% complete as of this date. Floodwalls are completed and interim walking inspection is completed. Turf on flood side is growing well.

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

Work on walkways and knife valves at St. Mary's Pump Station is being finalized.

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

The Work is approximately 96% complete. All 90 day breaks (lifts one and two) exceed the minimum requirements for compressive strength.

CPRA has contracted with AECOM to provide technical assistance regarding the concrete issues on this structure. AECOM inspected the structure. Several areas of concern were identified in the sections that contain the 90 day (slow setting) concrete. AECOM recommended additional testing, including the taking of corings to test for in-place compressive strength. CPRA requested permission to conduct this work. On July 18, 2011 HPO asked for a detailed, well thought out plan for the State proposed testing program. The CPRA responded on July 29, 2011. We are still awaiting a response from the Corps.

A Request has been submitted for shielding of exposed gate controls on south side of structure.

The Upper Hinge Keeper Plate and Upper Hinge Bushings supporting the sector gate leafs experienced distress during operational testing. All repairs have been completed and the sector gates are operational. The structure has been flooded.

Pre-final inspection is scheduled for September 15, 2011.

Armoring

On June 6, 2011 the Corps gave a presentation on the results and recommendation from the AEP workgroup for armoring on the protected side of earthen levees in the HSDRRS. Mike Parks gave the presentation as to how the reviews were done, how the rating system was developed and provided the final decision matrix results. A copy of the AEP meeting minutes were also provided with further explanation as to the decision process.

The Corps had 6 alternatives that were reviewed, all for the 50% confidence level, at both 500 year and 750 year occurrence intervals. Three alternatives were given for each time period. One was for armoring on levees to the 2011 design elevation, the next for armoring and a 6" surface on top of the 2011 design elevation, and the final alternative was for armoring at the 2011 elevation

with the risk assessment results included. The armoring for the 2011 elevation with the risk assessment results included at 500 years, had the highest rating from the committee.

A sensitivity study was also run that increased O&M from a 25% to 30% importance factor in the criteria. This resulted in a tie between the armoring for the 2011 elevation with risk assessments for both the 500 and 750 year occurrences.

No T-walls were considered for armoring, and no consideration was given to flood side armoring requirements.

The Risk Analysis work has not been completed and will not be done for several more weeks. Studies for overtopping and eventual ponding levels in the polders have not been completed either. This information is required for further review by the NFS.

We visited a site in Lafitte Levee District (the Penn Levee) to see HPTRM in use and talk to the people who own and maintain it. Our staff is attempting to compile a list of existing sites where HPTRM has been used in the past. Indications are that this material has not been used extensively for erosion protection on levees.

We requested the USACE to construct some test sections to demonstrate installation and maintenance methods, and to collect data to identify and evaluate possible O&M issues. We are also considering constructing some test section on our non-federal levees.

Permanent Pump Stations

The Design Build Contract was awarded on April 13, 2011 for \$675 million to CBY Design Builders, a joint venture of CDM, Brasfield and Gorrie, and Yates Construction, but the Award is under protest. The Government Accountability Office (GAO) processes the protest, and upheld the protest. The decision to re-evaluate the current submittals or go out for new submittals is still to be made.

All three Pump Stations will undergo Independent External Peer Review.

HSDRRS Elevation and Status Maps

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/2010_System_Construction%20Status_Map.pdf

The new Greater New Orleans HSDRRS June 2011 Status Map can be found at the following web address:

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

FEMA NFIP Levee System Accreditation

According to the latest tally compiled by the New Orleans district, 18 projects are “at risk for accreditation”, and all but four are on the West Bank.

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 below 5' at the Carrollton Gage. No formal inspections are being held by MVN or District.

After action reports have been submitted by all Districts and a review meeting was held.

Bonnet Carre Spillway and Morganza Control Structure are both closed.

Design and Construction

East Jefferson Levee District:

Work is continuing on the EJLD Safe House. Discussions are underway with the Jefferson Parish Government and the City of Kenner regarding property acquisition.

Orleans Levee District:

The Safe House Project is approximately 96% complete. The Contractor has completed the installation of the refrigeration equipment.

The Bayou St. John Water Management Study 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 negotiation.

The Outfall Canal Bank Stabilization Monitoring Project, awarded to Gerwick, is 43% 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 95% design submittal. A meeting was held on June 15, 2011 with BKI to discuss LBBLD review comments. The 90% design submittal will address all comments.

LBBLD signed an MOU with CPRA to utilize an ID/IQ Contract between CPRA and Atkins North America (formerly PBS&J) to procure the professional engineering services needed to complete the documents necessary to bid the Repairs to Pumps at Pump Station #6. 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 two 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 involved site investigations to tie down the source of seepage. The second phase will involve the design of the required work to stop the seepage. Phase 1 is complete. LBBLD has received a proposal from Nelson for Phase 2. The proposal is under review in preparation for fee negotiations.

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 95% design submittal has been reviewed by LBBLD and submitted comments will be incorporated into the final plans and specifications.

CPRA 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. A Certificate of Substantial Completion was submitted to LBBLD on May 2, 2011.

One of the three pumps at Pump Station 7 failed on August 8, 2011 (333cfs pump capacity). Preparations are being made for pump removal and repair. Repair costs could exceed \$150,000.

Internal Affairs

Our ID/IQ Consultant, Halcrow Inc. has completed the review the Safe Water Elevation (SWE) Reports and the designs for the remediation work proposed by the USACE for all three outfall canals. All major comments submitted by Halcrow have been incorporated into the current plans or are under further review by the USACE's consultants. The maximum stick-up/minimum embedment issues identified by Halcrow are still being investigated by the USACE. The SWE Report was reissued as "Mean Operating Water Level" (MOWL) report with the text rewritten. Halcrow is preparing to review this final version under their original SOW and will still be within the original budget.

We have four inspectors working with us provided by CPRA. We have been getting additional technical assistance from CPRA staff, LDOTD staff, and Atkins North America [formerly PBS&J] (through an ID/IQ contract with CPRA).

The SLFPA-E Emergency Module for Floodgate Management was completed several months ago. SLFPA-W, CPRA and the USACE expressed a strong interest in modifying the module to make it "web based" so that it can be used on a regional basis. Work to convert the module to a web based product is still underway. This Project is funded by CPRA, SLFPA-E, SLFPA-W and Plaquemines Parish.

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". The Project was approved by the Netherlands Government. Work is underway. A workshop was held on June 22, 2011 with several Commissioners in attendance.

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. A preliminary report was submitted and a meeting will be scheduled with AECOM to address our comments. This work is funded through a CDBG Grant.

Per the request of the USACE team, a safety concern letter with photos was submitted on 14 July 2011. The purpose of the letter was to alert the USACE of safety concerns on various projects within the LPV program where safety measures need to be implemented to help prevent accidents. In addition, we requested that the USACE inspection teams help identify any additional safety issues. The NFS team will continue to monitor this until a suitable solution is achieved.

Safety:

SLFPA-E levee districts will continue to conduct ongoing safety meetings to review levee district safety manuals and emphasize the importance of following safety rules and guidelines at all times. All field inspectors will conduct a similar ongoing safety meetings process.

New Contracts:

None.

Hurricane Preparedness

Preparations for the 2011 hurricane are ongoing. A meeting with the Executive Directors was held at SLFPA-E offices to discuss plans for this year. Each levee district is updating their emergency manual. Weekly radio checks using the State's interoperability communication system began today.

At SLFPAE's urging, the Corps of Engineers hosted a tabletop exercise late last month for participants from the authority and the three levee districts. Maj. Carter presented a major hurricane scenario and asked the district directors and authority regional director to outline what preparatory actions each of them would take from 96 hours out to landfall. The exercise provided a detailed exchange of information between levee directors and key corps personnel from the Emergency Operations Center, HPO and PRO, as well as the corps liaisons who will be assigned to each district and the authority during an event. The exercise included considerable discussion of the need to coordinate gate closings, which this year could well involve contractors on projects that are not yet complete. Of particular importance are gates that must remain open as long as possible to facilitate an evacuation. All parties are working to confect a master gate closure plan, as well as a plan to make certain that contractors with barges working at the West Return Canal floodwall in Kenner and other projects throughout the metro area evacuate those barges in advance of a storm.

The Coast Guard established a Regulated Navigation Area (RNA) for the IHNC that requires evacuation of marine vessels there unless the owners that receive a waiver and utilize CG approved moorings.

A table top exercise was held by the City of New Orleans on July 15, 2011 and was attended by SLFPAE, SLFPAW and CORPS.