

**MINUTES OF THE
SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY – EAST
BOARD MEETING
THURSDAY, JANUARY 19, 2012**

The regular monthly Board Meeting of the Southeast Louisiana Flood Protection Authority - East (Authority or SLFPA-E) was held on Thursday, January 19, 2012, in the Second Floor Council Chambers, Joseph Yenni Building, 1221 Elmwood Park Boulevard, Harahan, Louisiana, after due legal notice of the meeting was sent to each Board member and the news media and posted.

Mr. Doody called the meeting to order at 10:00 a.m. and led in the pledge of allegiance.

PRESENT:

Timothy P. Doody, President
Louis E. Wittie, Secretary
David P. Barnes, Jr.
Thomas L. Jackson
G. Paul Kemp
George Losonsky, PhD
Ricardo S. Pineda

ABSENT:

John M. Barry, Vice President
Stephen Estopinal, Treasurer

OPENING COMMENTS:

Mr. Doody advised that on-going meetings are taking place with legislators regarding the creation of a position of Police Chief or Superintendent for the SLFPA-E. The position would be over both the East Jefferson Levee District (EJLD) and the Orleans Levee District (O.L.D.) with the costs being shared by the two levee districts. Meetings have also been held with representatives from Plaquemines and St. Bernard Parishes concerning levee heights from Caernarvon to Meraux and the modeling associated with the recommended heights. The SLFPA-E questioned the U.S. Army Corps of Engineers (USACE) relative to the issue of the levee heights and the fact that higher heights have been recommended for the West Bank levees in this area.

Mr. Doody reported that a meeting took place with Jarrell Godfrey, SLFPA-E Bond Counsel, and Paul Rainwater, Commissioner of Administration, to discuss the repayment of the Go Zone Bonds. Little hope was given by Mr. Rainwater that the repayment of the bonds would be forgiven. There is a possibility that the interest rate may be lowered, which could result in a savings of about three million dollars. The State has been asked to recalculate the repayment using the current interest rate. The first payment was due on January 15, 2012; however, the SLFPA-E is seeking to postpone the repayment of the bonds.

Mr. Doody reported that the State's Master Plan was released yesterday at a lengthy Coastal Protection and Restoration Authority (CPRA) meeting and that the comment period on the plan is now open. The SLFPA-E Coastal Advisory Committee, which includes Mr. Kemp, Carlton Dufrechou and Dr. John Lopez, has reviewed the plan and will provide recommended comments. Mr. Doody encouraged everyone to review the Plan. The SLFPA-E can request changes to the plan or provide a letter of support. The 400 projects initially considered were whittled down to 150. There is a mechanism to add projects. The High Level Plan has cutoffs and passes not included in the current Mater Plan, but they were included in out-years 2021 through 2036. The High Level Plan provides a cost-benefit; however, there are environmental issues, such as Mississippi and some areas in Louisiana having to face more water. The Framework Team for the Master Plan, which included a group of scientists, prioritized projects. Legislative support is needed for the Master Plan. If the plan becomes political, it will fail. It is anticipated that \$50 billion will be spent over the next 50 years.

Mr. Doody advised that meetings will be needed with Garrett Graves, the Governor's Executive Assistant for Coastal Activities, and Paul Rainwater in order to work out a payback of the \$22 million local cost share for the Hurricane and Storm Damage Risk Reduction System (HSDRRS) over 30 years. An additional estimated \$14 million will be incurred annually for operations and maintenance. This is a huge financial burden that needs to be resolved between the State and the Federal government. He added that the SLFPA-E does not have the expertise to close navigation channels or regulate the maritime industry.

APPROVAL OF AGENDA:

The agenda was amended to add Item XI.B.2 – Motion to authorize the EJLD to sell one vehicle and purchase a replacement 5-Ton Military Style High Water Dump Truck. A motion was offered by Mr. Wittie, seconded by Mr. Barnes and unanimously adopted, to approve the agenda as amended.

PRESENTATIONS:

1. Task Force Guardian mitigation project adjacent to Bayou Sauvage and new plan to rebuild the Manchac mitigation project – U.S. Army Corps of Engineers

Bill Foret, Project Manager, USACE Task Force Guardian Closeout, provided information on the mitigation project adjacent to Bayou Sauvage. The required property will be purchased in the name of the Orleans Levee District and an agreement will be executed with the U.S. Fish and Wildlife Service. Tallow trees in this area are crowding out the native species. Hand spraying will take place in May, a 90 to 95 percent kill rate of the targeted trees is anticipated by June/July, and the project is anticipated be completed by the end of August. There will be limited affect on the wildlife because of the Tallow trees and the lack of food for wildlife in this area. The area will be re-sprayed should the trees re-germinate.

Mr. Losonsky commented that the pilot test may not be cost effective. Mr. Kemp added that some mechanical removal of the trees may be required after the spraying has been accomplished. Robert Turner, SLFPA-E Regional Director, noted that an Operations and Maintenance Manual will be developed for bushes, trees and shrubs. He stated that it would

be beneficial to have the Bayou Sauvage management people look at this project at this early stage. Mr. Jackson suggested that the property be placed in the name of the U.S. Fish and Wildlife service since they manage the wildlife refuge.

Bradley Drouant, E.I., Project Manager, Regional Projects Branch, USACE Protection and Restoration Office, provided information on the Manchac Mitigation Project. The project consists of five-miles of breakwater intended to prevent shoreline erosion. The project will be funded with Supplemental dollars. The continuous rock dike will jump start marsh creation. The gaps in the original project constructed in 1995 had widened and settlement occurred. There will be a 150 to 250-foot gap between the rock dike and the shoreline. The area between the rock dike and the shoreline will be backfilled up to three-feet in order to account for anticipated settlement. This project is part of the original Lake Pontchartrain and Vicinity (LPV) Hurricane Protection Project. The project is expected to take 450 days and is estimated to be completed in the summer of 2013. Vegetation growth will be monitored for a one year period after which the USACE will issue the notification of completion to the State. The State will decide which entity will be named as the local sponsor.

2. Levee Permit Automation – Coastal Protection and Restoration Authority (CPRA)

Billy Wall, P.E., Operations Branch, Engineering and Operations Division of the Louisiana Office of Coastal Protection and Restoration, provided information on the proposed Levee Permit Automation system.

Mr. Turner commented that links to the standard drawings and specifications required by the USACE can be placed in the system as it is programmed. The SLFPA-E will rely on the standards developed by the USACE and on guidance received from the CPRA. Applicants for complicated permits are required to have an engineer provide stamped designs as a part of the permitting process. An important part of this process is the development of a procedure for a pre-application meeting for complicated permits that would include the USACE, CPRA and the appropriate levee district. The applicant would be able to lay out the project and receive advice on the actions required for the permit. He pointed out that the information being provided on the system today is very preliminary. Each levee district has its own rules and regulations and its own way of doing permits. Therefore, it is not going to be a one size fits all process. Each levee district will have its own link for applicants to file permits. Application forms can be tailored to each levee district.

Mr. Jackson pointed out that a side issue that may need to be taken into account is the issuance of permits by local governments prior to an applicant receiving a permit from the appropriate levee district.

Mr. Losonsky asked whether a cost-benefit analysis had been performed. Mr. Turner explained that the anticipated costs were just received. The cost savings from a clerical perspective are not yet known. However, there will be specific advantages in moving towards a system such as this, not only for the levee districts, but also for the permit applicants. In addition, this is the first step for the Levee Information Management System Permitting Module. The Levee Permit Automation system will provide the automated process to start collecting the data and storing it on the server in Baton Rouge. The information will be geo-

referenced with latitude and longitude and at some point in time the information from the permits will be incorporated into a GIS system. The permit information can be tracked and easily located. The system can include pop-up reminders for inspections or other types of checks. The system will be cost shared by multiple levee districts from across the State (approximately \$10,000 per levee district) and the State of Louisiana will pay for half of the cost. Mr. Pineda pointed out that use of the system will improve operations and maintenance since levee district inspectors will be able to access permits more quickly. In addition, the levee districts will be able to notify permit applicants more quickly in the event a problem develops. Mr. Wall advised that future costs will be captured by the applicants/agents. The system will be maintained through user fees. Each levee district has its own schedule of permit fees. An estimated \$15 would be tacked onto the levee districts' permit fees in order to pay for the maintenance of the program and the hardware in Baton Rouge.

PUBLIC COMMENTS:

Roy Arrigo, a resident along the 17th Street Canal, commented on the five-year anniversary of the Board and how the Board made bitter enemies of the homeowners along the 17th Street Canal by taking their land and forcing a costly legal battle, and on some of the Board's decisions and abuses.

Epsie Hennesy, a resident along the 17th Street Canal in Lakewood South, showed a picture of the property behind her home adjacent to the 17th Street Canal taken in 1980 prior to the construction of the floodwall. She commented on the width of the levee and its crest and that the canal itself appeared narrower in the picture than it does today. She stated that it is her opinion that the canal was broadened and deepened during the construction of the wall which came a decade later. She stated that at that time she was visited by representatives of the construction company who were concerned that the homeowners not experience any damage from the project that was under way. The floodwall was placed to come inward towards the residents' properties to accommodate the connection required for the new gates at the railroad tracks. She stated that Dr. Gray, the residents' expert geotechnical engineer, stated that there was plenty of room to adjust the location of the crest and levee toe outwards towards the canal. The photo shows that the levee remained the same over the years until the wall was put in place and changed the levee. She stated that the property lines did not change and that this section of levee is still the strongest section along the 17th Street Canal, with the highest safe water level and the deepest sand trap. She stated that this photo provides plenty of reason to return the property to the residents. She commented that she found it unconscionable that other properties were left untouched along this canal while the residents in this section have had more of their property taken even though they live adjacent to the safest, strongest section of the levee.

Terry Lonatro, a resident along the 17th Street Canal, commented that he sustained \$6,270 worth of damage as a result of the remediation work constructed by Bailey CKW. At the Board meeting held in April of 2011, the USACE provided a 1-800 telephone number and advised that the claim process would begin with the filing of a standard form (SF) 95. Mr. Lonatro stated that he filed the SF 95 on June 29, 2011, and the USACE advised it would take six months to process the claim. On December 28th, one day before the expiration of the six month period, Mr. Lonatro stated that he sent an e-mail to the USACE. The USACE

responded the next day that it is not responsible for any work that is done outside of its USACE employees and that Mr. Lonatro should seek restitution from Bailey CKW.

Mr. Doody requested that Brett Herr with the USACE look into this situation. Mr. Lonatro added that there is a two-year period for filing claims against the USACE; however, there is a one-year prescriptive period for filing claims against a contractor. Mr. Herr explained that he has not been involved in the 17th Street Canal remediation project; however, there have been similar claims relative to the construction of the new West Return Floodwall in Jefferson Parish. The USACE in this situation sends out an acknowledgment letter to the party filing the SF 95 giving them the name of the contractor and in most cases their insuring agency or insurance company, as well as the point of contact with the State (the nonfederal sponsor). Mr. Lonator stated that he received a certified letter from the USACE, which did not include the name of the insurance company, shifting the blame to Bailey CKW.

Craig Berthold, a resident along the 17th Street Canal, commented on the USACE's six month period for processing a claim and on the resulting delay in the homeowners' filing a claim with the contractor or their insurance company. He commented that the homeowners are lead to believe when they call the 1-800 telephone number that they have a two-year period to file a claim with the USACE; however, they actually have only a one-year period to file a claim against the contractor. He asked that a letter be sent to the homeowners advising them to file their claims directly with the contractor and that the USACE's representative answering the 1-800 calls inform homeowners about the one-year prescriptive period. Mr. Herr advised that the USACE's letter should now state that homeowners only have a one-year period to pursue action against a contractor. Mr. Doody indicated that a letter would be sent to the USACE requesting that the instructions from the person taking the 1-800 telephone calls be changed so that it is consistent with the prescriptive periods. Mr. Berthold asked about the residents who have already called the USACE and received misleading information. Mr. Herr stated that he would look into this situation and added that logs were kept of calls that were received on the West Return Floodwall.

Carol Byram, a resident along the 17th Street Canal, commented that Judge Reese told the plaintiffs that he strongly urged them to make their voices heard loud and long about the situation and that they have been trying to do this for five years. She asked that her fence be moved back to the legal property line without any servitudes or permits, since there were never any servitudes or permits in the first place and never any justification for taking the property in Lakewood South.

Mr. Pineda commented on his review of technical, policy and fiscal information in preparation for Board meetings and that his votes are based on engineering guidance. He commented on the picture shown to Board members and on the wall of vegetation at the levee toe. He explained that the levee in the picture is not a safe levee because you cannot see the levee toe or see off the landside of the levee. This situation has now changed and you can see off the landside levee toe, which is very important for the maintenance of man-made engineering structures. This is backed up by engineering documents that are promulgated across the country. You need to be able to see the waterside, the levee slopes and off the landside toe.

Ms. Byram commented that the levee toe in Lakewood South is buried eight-feet beneath her property.

COMMITTEE REPORTS:

Finance Committee: The Finance Committee met on January 5th.

Operations Committee: Mr. Wittie reported that the Operations Committee met on January 5th and received a presentation from Design Engineering, Inc. (DEI) on the Lakeshore Drive Erosion Protection Project. The Committee discussed the project, modifications to the work and the associated costs. A resolution has been placed on the Board Agenda to authorize the execution of a supplemental agreement with DEI for the project. Mr. Jackson advised that he was invited to the offices of DEI to review the project design. He noted that he made several suggestions that included a public meeting and a presentation to the Non-Flood Protection Assets Management Authority so that the public can be fully informed prior to construction of the project.

Legal Committee: The Legal Committee did not meet during the month of January. A motion to approve the legal invoices has been placed on the Board Agenda.

Engineering Advisory Committee: The Engineering Advisory Committee did not meet during the month of January.

CPRA/Governmental Affairs: Mr. Doody advised that he attended yesterday's CPRA meeting. The CPRA received a presentation on the State Master Plan. He noted that there was an Atchafalaya Basin Plan and commented that perhaps a Pontchartrain Basin Plan should be developed. He asked that the Coastal Advisory Committee look into the development of this plan. David Peterson with the Attorney General's Office provided information concerning the authority of the CPRA and the requirement that projects to be constructed must be a part of the State Master Plan.

Coastal Advisory Committee: Mr. Kemp reported that the Coastal Advisory Committee met on January 13th and discussed the following items:

- State Master Plan - A preliminary report has been issued by the consultant on the Pontchartrain barrier, which includes the proposed line of flood protection and gates for the Chef Menteur and Rigolets Passes. The Committee has not yet reached a decision concerning the proposed Pontchartrain Barrier; however, it did reach a decision on the type of modeling that should be done next by the contractor (Gerwick Engineering and Jim Chen of LSU). Mr. Doody commented that he would like to see this project moved up from 2030 and on the project's cost-benefit, since its construction would preclude the need to construct ring levees in Slidell and Tangipahoa Parish. Mr. Jackson pointed out that this would also include pumping stations, gravity structures, etc. Mr. Doody noted that it will take a monumental effort to overcome the environmental concerns and pointed out that the SLFPA-E's primary responsibility is flood protection. He added that the USACE has done a tremendous amount of modeling and that the SLFPA-E may need to refine this modeling in order to assist the State. Mr. Kemp advised that the Committee

members continue to analyze the Master Plan and that a resolution providing comments will be crafted for the next Board meeting. The Master Plan (a \$50 billion plan) includes 50 percent for flood protection and 50 percent for restoration. The \$25 billion for flood protection is split 50/50 between structural and non-structural elements.

- LaBranche Wetlands Projects - The Committee discussed partnering with the Pontchartrain Levee District on some add-on LaBranche Wetlands projects. The Committee will discuss this matter further in a future meeting.
- Modified Charleston Method (MCM) – A meeting will be held with the USACE on the MCM.

REPORT BY SLFPA-E REGIONAL DIRECTOR:

The Regional Director's Report is appended to the minutes.

Mr. Turner provided a brief update on the HSDRRS armoring. Several meetings have been held on this issue since the last update. Consideration is being given to two pilot projects (one on the East Bank and one on the West Bank) for the installation of 2,500-foot long sections of High Performance Turn Reinforcement Mat (HPTRM). The pilot projects would be tested over time as the grass is maintained. The testing would determine whether changes are needed in the HPTRM specifications. The June 1, 2012, armoring deadline has been changed since the vast majority of the work will not start until the fall of 2012 and will probably progress into early 2013. The SLFPA-E is still working with the USACE in an attempt to have several additional items considered. These items include a requirement for the contractor to maintain the HPTRM for a period of time during and after the establishment of grass and recommendations for the repair of damaged HPTRM. The USACE did a HPTRM test section at the wildlife refuge in New Orleans East to assess the potential for hog damage.

Mr. Pineda requested that the questions brought up about the inequity in the East Bank/West bank levee heights during the presentation given by the USACE on the Co-located Mississippi River Levees at the December Board meeting be reviewed at a future meeting. Mr. Doody advised that the CPRA also requested that the USACE provide a presentation on this issue; however, the USACE asked for time extension for preparation purposes.

Mr. Doody advised that the Board would take Items XI.C.1, C.3 and B.1 as the next orders of business. There was no objection.

RESOLUTION NO. 01-19-12-01 – SEAWALL EROSION DESIGN AND BIDDING PHASE FOR DESIGN ENGINEERING, INC.

Gerry Gillen, O.L.D. Executive Director, explained that the resolution before the Board would allow Design Engineering, Inc. (DEI) to proceed with the design phase for two reaches along Lakeshore Drive. Each reach is approximately 3,500 feet in length. Mr. Doody stated that this is a seawall stabilization project and that an Attorney General's opinion was received that allows the addition of some amenities.

John Holtgreve with DEI advised that a presentation was given on this project at the last Operations Committee meeting. Copies of the project report were made available to Board members. In addition, Mr. Jackson met with representatives of DEI to review the project.

Mr. Pineda commented on the need for the seawall stabilization project and that application should be made for a FEMA grant. Application had been made to include the lakefront seawall under the Nonfederal Flood Facility Program (8499); however, it was denied. He also commented on the need for a multi-objective project because of the significant usage of this area by the public. Mr. Doody explained that fewer steps are exposed than when the seawall was originally constructed due to sea level rise and area subsidence. Waves washing over the seawall erode the dirt between the wall and Lakeshore Drive causing stability problems and safety hazards. Construction of the project will not only stabilize the seawall, but will also significantly lessen maintenance costs. The project will also include measures to make the area ADA (American with Disabilities Act) compliant.

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

WHEREAS, an Amendment to Engineering Agreement for Professional Services was made between the Orleans Levee District and Design Engineering, Inc. in accordance with SLFPA-E Resolution No. 12-16-10-07 that authorizes the completion of the remaining Scope of Services for Lakeshore Drive Erosion Protection within Reach 1 and Reaches 4 and 5; and

WHEREAS, a proposal was negotiated on a per plan sheet change basis to modify the Design Phase and Bidding Phase for Reach 1 and Reaches 4 and 5; and

WHEREAS, the proposal is structured as follows:

FEE CATEGORY	FEE AMOUNT
PRELIMINARY DESIGN ANALYSIS	\$ 30,800.91
ENGINEERING DESIGN SERVICES	
Reach 1B Modify Plans and Specifications	\$185,241.21
Reach 4 & 5 Modify Plans and Specifications	\$153,871.11
Reach 1B BIDDING PHASE	\$ 16,429.18
Reach 4&5 BIDDING PHASE	\$ 16,429.18
OTHER DIRECT EXPENSES	
Reach 1 Design Phase	\$ 1,127.49
Reach 4&5 Design Phase	\$ 921.24
Reach 1 Bidding Phase	\$ 5,140.74
Reach 4&5 Bidding Phase	\$ 3,903.24
TOTAL	\$413,864.30

BE IT HEREBY RESOLVED, that a Supplemental Agreement for the Design Phase and Bidding Phase for Reach 1 and Reaches 4 and 5 be confected in the amount of \$413,864.30.

BE IT FURTHER RESOLVED, that the Executive Director of the Orleans Levee District be authorized to sign the Supplemental Agreement.

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

YEAS: Mr. Barnes, Mr. Jackson, Mr. Kemp, Mr. Losonsky, Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: Mr. Barry and Mr. Estopinal

RESOLUTION NO. 01-19-12-02 – COMPROMISE AND SETTLEMENT AGREEMENT WITH THE ALGIERS LEVEE DISTRICT

Jarrell Godfrey with the Godfrey Firm advised that there was an outstanding Orleans Levee District (O.L.D.) debt that was paid by taxes from both East and West Banks of the Mississippi River at the time the Flood Protection Authorities were created. Provisions were included in the Act that created the Authorities, in order to prevent an unconstitutional impairment of contract, to provide that until such time as the O.L.D. could either refinance or pay off all of the outstanding debt issued before January 1, 2007, which was the effective date of the creation of the Algiers Levee District (A.L.D), the taxes collected on the West Bank, which after January 1, 2007 were to go to the A.L.D., would have to first come from the City of New Orleans, Department of Finance to the O.L.D. The O.L.D. would take the amount of money required to pay all of the bonds as the first money in, and only then remit the portion to the Algiers Levee District that came from the West Bank. The idea was that the taxes from the West Bank would be available to pay the debt on all of the old O.L.D. debt. This statute is still in place. The resolution before the Board authorizes a compromise and settlement agreement between the O.L.D. and the A.L.D. The agreement provides that the A.L.D. will pay 7.62 percent of all of the outstanding debt that has been paid off or is due as of the date of the agreement; and as a result of this, the O.L.D. will support legislation that changes the statute and allows the taxes collected on the West Bank to go directly from the Finance Department of the City of New Orleans to the A.L.D.

Mr. Godfrey explained that a compromise and settlement agreement between the two levee districts cannot change a State statute; however, a commitment would be made to receive the money (7.62 percent from the A.L.D.) to pay off the debt and then to support legislation as stated in the agreement. The debt due the State of Louisiana Office of Community Development for monies lent to the O.L.D. after Hurricane Katrina (Go Zone Bonds) would be the only debt that would remain outstanding under this agreement. The A.L.D. acknowledges in the agreement that it has no interest or right to the non-flood assets, the Bohemia properties or any of the income therefrom. The law that created the A.L.D. gave it ownership of all of the assets that resided on the West Bank at that time.

Mr. Godfrey advised that the resolution authorizes the Officers of the Board to execute the agreement with such changes that are necessary. The agreement is 99 percent finalized. There will be some minor changes to the principal balance, interest calculations and items of that nature.

Mr. Doody explained that there is currently a balance in an escrow account of monies collected to pay off the bonds that are due in the future. The A.L.D. will also provide a check to bring the escrow account amount up to somewhere in the neighborhood of \$6 million. Mr. Godfrey added that the \$6 million escrowed will be dedicated to paying off specific bond

issues. There is a provision in the resolution that authorizes the Officers to call for the redemption or payment of the two outstanding bond issues that are due to the JP Morgan Chase Bank, which are the only two bond issues that are held by private entities. He reiterated that the only other debt that would be outstanding would be the debt due to the State of Louisiana, which is roughly \$26 million. Mr. Doody noted that the A.L.D. owns 7.62 percent of this debt and will be providing this percentage of the principal balance.

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

Authorizing the execution of a Compromise and Settlement Agreement with the Algiers Levee District providing for the Algiers Levee District to pay a 7.62 percent portion of all of the debt of the Orleans Levee District incurred prior to January 1, 2007; acknowledging that the Algiers Levee District has no claim or other interest in and to the Non-Flood Assets and the Bohemia Properties of the Orleans Levee District; the Orleans Levee District supporting legislation designed to allow the Algiers District to receive its ad valorem taxes directly from the Department of Finance of the City of New Orleans; authorizing taking all actions contemplated by such agreement, including redeeming certain outstanding bonds; and providing for other matters in connection therewith.

WHEREAS, the members of the Board of Commissioners of the Southeast Louisiana Flood Protection Authority – East (the “Authority”) acting as the governing authority of the Orleans Levee District (the “Orleans District”) desires to authorize the execution and delivery by the Orleans District of a Compromise and Settlement Agreement between the Orleans District and the Algiers Levee District (the “Algiers District”) so as to: (i) provide for the payment by the Algiers District of its 7.62 percent proportionate share of all of the debt issued by the Orleans District prior to January 1, 2007; (ii) provide that the Orleans Levee District will support legislation designed to allow the Algiers District to receive its ad valorem taxes directly from the Department of Finance of the City; and (iii) acknowledging that the Algiers District has no claims regarding ownership interests in the Non-flood Assets and the Bohemia Properties of the Orleans District, nor any right to receive or share in the net revenues derived from the Non-flood Assets and the Bohemia Properties.

NOW THEREFORE BE IT HEREBY RESOLVED BY THE SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY - EAST as the governing authority of the Orleans Levee District that:

Section 1. Authorization of Compromise and Settlement Agreement. The Authority does hereby approve the Orleans District’s entering, executing, and delivering a Compromise and Settlement Agreement with the Algiers District (i) providing for the payment by the Algiers District of its 7.62 percent proportionate share of all of the debt issued by the Orleans District prior to January 1, 2007; (ii) provide that the Orleans Levee District will support legislation designed to allowing the Algiers District to receive its ad valorem taxes directly from the Department of Finance of the City; and (iii) acknowledging that the Algiers District has no claims regarding ownership interests in the Non-flood Assets and the Bohemia Properties of the Orleans District and any right to receive or share in the net

revenues derived from the Non-flood Assets and the Bohemia Properties said agreement to be substantially in the form of Exhibit "A" attached hereto together with such additions, changes, completions and deletions as shall be approved by the officer of the Orleans District authorized to execute it as provided in Section 2 hereof.

Section 2. Authorization of Officers to Execute the Compromise and Settlement Agreement. The President of the Authority or in his absence the Vice President of the Authority or the Director of Hurricane and Flood Protection of the Orleans District is hereby authorized to execute and deliver on behalf of the Authority and the Orleans District the Compromise and Settlement Agreement with the Algiers District substantially in the form attached hereto as Exhibit "A" together with such additions, changes, completions and deletions as shall be approved by said officer executing same on behalf of the Authority and the Orleans District in his sole discretion.

Section 3. Authorization taking all Actions Contemplated by Said Agreement. The Authority does hereby authorize the appropriate officers and staff of the Authority and the Orleans District to take all actions contemplated by the Compromise and Settlement Agreement, including without limitation, redeeming on the earliest possible date the present outstanding balances of the (i) \$6,775,000 original principal amount Orleans Levee District Levee Improvement Refunding Bonds Series 1996 and the (ii) \$2,795,000 original principal amount Orleans Levee District Public Improvement Refunding Bonds Series 1996.

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

YEAS: Mr. Barnes, Mr. Jackson, Mr. Kemp, Mr. Losonsky, Mr. Pineda and Mr. Wittie

NAYS: None

ABSTAINED: None

ABSENT: Mr. Barry and Mr. Estopinal

RESOLUTION NO. 01-19-12-03
EJLD LAKESHORE LINEAR PARK EROSION PROTECTION PROJECT

Fran Campbell, EJLD Executive Director, explained that the Board at its November meeting approved a change order to the FEMA Lakeshore Linear Park Erosion Protection Project in an amount of \$800,000 for additional rock. Due to the subsidence, an additional change order is required for approximately 5,000 tons of rock at a cost of \$350,000. Mr. Doody added that this change order was discussed and recommended by the Operations Committee.

Mark Roberts with Burk-Kleinpeter, Inc. (BKI) explained that some settlement has been experienced as the rock is being replaced. The project is anticipated to be completed by the weekend and the placement of rock will be finished. At that point, BKI will have a final quantity. BKI noticed last August after the contractor had been working on the project about five months that the placement of rock per foot (tons per foot) was a little more than what was expected based on the quantities developed in the original bid. BKI contacted FEMA to begin modification of the project worksheet so that the EJLD could be compensated for the additional rock that would be placed. At that time an additional 25,000 tons of rock was

requested; however, this is nowhere near the actual quantity once the final rock is placed. BKI will learn the final quantity in the next couple of weeks when the contractor submits the final invoice and calculations on the rock quantity.

Mr. Roberts advised that there was uncertainty in the subgrade underneath the rock. The quantity of rock was based upon cross-sections every hundred feet, borings every so often, and settlement initially put into the quantity calculations. The tons of rock per foot were based upon the template in the plans. BKI anticipated a little less than seven tons of rock per foot; however, the actual quantity may be eight tons per foot. Sand is being replaced with geotextile and well-graded rock that will lock in place. The project design life is 50 years.

Mr. Doody pointed out that it is anticipated that FEMA will fund 100 percent of the project. FEMA was advised that the initial quantity of rock was only an estimate. Should FEMA not approve the additional cost, it will have to be funded by the EJLD.

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

WHEREAS, the Southeast Louisiana Flood Protection Authority - East authorized the award of a contract to Hill Brothers Construction Company, Inc., in the amount of \$11,322,107.50 for the FEMA Lakeshore Linear Park Erosion Protection Project; and

WHEREAS, an estimate of the amount of rock required for construction to the project design was provided in the specifications and contract; and

WHEREAS, due to subsidence and other factors, additional rock is required to complete the project; and

WHEREAS, by Resolution No. 11-17-11-08, the Board approved the issuance of a Contract Change Order in an amount not to exceed \$800,000 for additional rock required to complete the Lakeshore Linear Park Erosion Protection Project; and

WHEREAS, it has been determined that an additional 5,000 tons of rock will be required to complete the aforementioned project, which is estimated at a cost not exceed \$350,000.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) approves the issuance of a Contract Change Order in an amount not to exceed \$350,000 for the additional rock required to complete the Lakeshore Linear Park Erosion Protection Project.

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

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

YEAS: Mr. Barnes, Mr. Jackson, Mr. Kemp, Mr. Losonsky, Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: Mr. Barry and Mr. Estopinal

RESOLUTION NO. 01-19-12-04 - APPROVAL OF LEGAL INVOICES

On the motion of Mr. Wittie,
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 January 19, 2012", 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 January 19, 2012" are hereby approved.

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

YEAS: Mr. Barnes, Mr. Jackson, Mr. Kemp, Mr. Losonsky, Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: Mr. Barry and Mr. Estopinal

RESOLUTION NO. 01-19-12-05 - GRANT APPLICATIONS

Mr. Doody advised that the resolution before the Board basically allows the levee district Executive Directors to sign grant applications. Mr. Gillen added that the resolution is necessary to meet federal grant requirements.

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

WHEREAS, instructions for grant applications require written authority for application signatures.

BE IT HEREBY RESOLVED that the Levee District Executive Directors are authorized to sign grant applications.

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

YEAS: Mr. Barnes, Mr. Jackson, Mr. Kemp, Mr. Losonsky, Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: Mr. Barry and Mr. Estopinal

Motion to adopt a resolution in support of the State's draft Coastal Master Plan, with recommendations for additional consideration of certain subjects.

Mr. Kemp requested that the motion be deferred to the next meeting.

Motion to adopt a resolution reaffirming nomination of Coastal Wetlands Planning, Protection & Restoration Act (CWPPRA) project by the Lake Pontchartrain Basin Foundation and the EPA to reintroduce Mississippi River Water into the LaBranche Wetlands, as well as continued support for the specific CWPPRA wetlands project the Coastal Advisory Committee nominated in 2009.

Mr. Kemp requested that the motion be deferred to the next meeting.

RESOLUTION NO. 01-19-12-06 - LEVEE PERMIT AUTOMATION SOFTWARE

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

WHEREAS, the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) supports the Coastal Protection and Restoration Authority's (CPRA) proposed Levee Permit Automation Software to assist and provide the levee districts with online access, review and electronic comment letters from the U.S. Army Corps of Engineers and CPRA; and

WHEREAS, the aforementioned software and database will reside on the Department of Natural Resources servers; and

WHEREAS, the SLFPA-E Board of Commissioners pledges its support to the CPRA's proposed Levee Permitting, Automated System and further agrees to share in the development cost of the Levee Permitting Automated Software up to a maximum one-time-only software payment in the amount of \$29,600.00; and

WHEREAS, any future costs for the operation and maintenance of this permitting database shall be borne by future applicants' fees and at no cost to SLFPA-E.

BE IT HEREBY RESOLVED, that Southeast Louisiana Flood Protection - East does hereby declare its support of the CPRA's proposed Levee Permitting Automated Software and agrees to share in the development cost of the Levee Permitting Automated Software up to a maximum one-time-only software payment in the amount of \$29,600.00.

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

YEAS: Mr. Barnes, Mr. Jackson, Mr. Kemp, Mr. Losonsky, Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: Mr. Barry and Mr. Estopinal

RESOLUTION NO. 01-19-12-07 – EJLD 5-TON DUMP TRUCK

Ms. Campbell explained that in February of 2005 the EJLD purchased a used 1974 Army dump truck for \$7,500. Several weeks ago the EJLD discovered a 1989 dump truck in the State's surplus equipment that is available for purchase at a cost of \$10,000. The old truck has 25,000 miles and the newer truck has 450 miles. The EJLD anticipates selling the old truck for an estimated price of \$6,000.

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

WHEREAS, a 1989 5 Ton Dump Truck with approximately 450 miles is available for purchase by the East Jefferson Levee District (EJLD) from the Division of Administration for \$10,000; and

WHEREAS, the EJLD will auction its 1974 model in order to offset the cost of the newer model; and

WHEREAS, the truck will be used as a high water emergency vehicle, for debris pick up and maintenance along the EJLD flood protection system.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East authorizes the East Jefferson Levee District's purchase of a 1989 5-Ton Dump Truck for \$10,000 from the Division of Administration.

BE IT FURTHER RESOLVED, that the East Jefferson Levee District is authorized to auction of its currently owned 1974 5-Ton Dump Truck.

BE IT FURTHER RESOLVED, that the EJLD Executive Director is authorized to sign 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. Jackson, Mr. Kemp, Mr. Losonsky, Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: Mr. Barry and Mr. Estopinal

RESOLUTION NO. 01-19-12-08 –
O.L.D. POLICE PROFESSIONAL LIABILITY INSURANCE RENEWAL

Mr. Gillen advised that the premium is \$2,800 less than last year's premium. It was noted that police details are included under the liability coverage and that this cost is considered in the hour rate for details.

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

WHEREAS, the Orleans Levee District (O.L.D.) Flood Protection Assets Division is now responsible for the procurement of Police Professional Liability Insurance Coverage for the O.L.D., and

WHEREAS, the current coverage will expire on February 10, 2012; and

WHEREAS, Indian Harbor Insurance Company, the incumbent provider, offered to renew the current Police Professional Liability Insurance Coverage with defense cost outside of policy limits through the Morrison Insurance Agency at a reduced (8%) annual cost of \$33,193.10, and with a \$50,000 deductible, for a period of one year, commencing on February 10, 2012, and expiring on February 10, 2013, at 12:01 am.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East authorizes the renewal of the Police Professional Liability Insurance Coverage with

Indian Harbor Insurance Company through the Morrison Insurance Agency at the renewal quote of \$33,193.10 for a period of one year commencing on February 10, 2012, and expiring on February 10, 2013, at 12:01 am.

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

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

YEAS: Mr. Barnes, Mr. Jackson, Mr. Kemp, Mr. Losonsky, Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: Mr. Barry and Mr. Estopinal

Mr. Doody announced that the next regular Board meeting will be held on February 16, 2012 and hosted by the Orleans Levee District.

There was no further business; therefore, the meeting was adjourned at 12:45 p.m.

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

January 19, 2012

100 Year Level of Protection

IHNC 01- Seabrook Structure:

The Seabrook Project is approximately 55% complete.

All tie-in T-Wall monoliths are complete. The sector gate foundation is complete. Concrete for all four lift gate piers is placed up to elevation +52' (final elevation is +54') and is 97% complete. Sector-gate leafs are 75% complete and are to be delivered on site for March 15, 2012. The steel vertical lift gates have been delivered to the site. The Corps is planning a media event for installation. All structural concrete work is on schedule for completion in mid-January.

The railroad floodgate originally included in the LPV104.02A Project has been constructed under the IHNC-01 Project, and all work on the gate is now complete. The gate has been exercised for the Orleans Levee District. The gate will not be turned over to the NFS for OMRR&R until the entire IHNC-01 Project is complete.

Four of the ten cast bearings for the sector gate leafs failed inspection and have been recast. Two have been inspected and are being machined and two are in final inspection. The contractor will also cast two additional bearings for spares. One set of replacement castings has been declared "good" and is undergoing inspection/weld repairs. Recasting will delay completion of construction for up to 23 weeks. Construction on the Project is now scheduled for completion in July of 2012. All gates should be in place by early May 2012 but will initially require manual operation.

Pile driving for the Generator Building has been completed.

The IHNC is completely closed to navigation at the Seabrook construction site. Seabrook is scheduled to meet HYLA prior to this hurricane season (June 1, 2012).

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 barge gate is open to navigation while work continues on the sector gate. A "Red Zone" inspection was held on December 6, 2011.

Work on placing the filter fabric and Class 1000 scour stone continues along the protected side of the wall and is approximately 99% complete.

The additional Right of Way has been acquired that is needed for shoreline protection. The NTP for construction of the shoreline protection is ready to be issued.

The first load of 48" steel approach wall piles for the GIWW end piers has arrived. Traylor, the approach wall subcontractor, has completed the pile driving at the north GIWW approach wall. They are 85% complete driving piles for the north side of the center approach walls. 15% of the precast skirt beams have been placed for the approach wall.

At the GIWW gate structure, Massman has completed the mechanical gates activities. They are adjusting and aligning the gates' fenders with the concrete abutments.

Baker, the barge gate subcontractor, is completing the handrails, epoxy coating the mechanical room, and placing the tide guard. The barge mechanical work is getting started and material is being stocked inside the barge.

The Bayou Bienvenue steel towers and bridge are erected and miscellaneous bolting and welding is being completed. The mechanical equipment has started arriving at the job site (2 of 6 shipments).

At the Bayou Bienvenue control house, the structure and roof deck are being completed. The windows, doors and shutters are installed. The roof membrane, wall coatings and epoxy floor coating are also being installed.

The site wide electrical contractor is installing conduit at the Bienvenue control house and installing conduit and wire at the GIWW sector gate and control houses.

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

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. Final Inspections on Reaches 1 and 5 were completed in late August and early September. There has been an additional Final Inspection for Reach 1 held November 9, 2011. The turf was acceptably established by the contractor and the contractor was released from the project. However, there are still minor concerns that have been expressed by the East Jefferson Levee District. Another inspection will be held in the spring of 2012.

Reach's 2, 3 and 4 still have turf establishment issues and Final Inspections are pending. The USACE has modified contracts to address East Jefferson Levee District's concerns with access ramps in all 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.

Bonnabel Floodwall and Gate:

Work is substantially complete. Final inspection was held on December 20, 2010. Turf establishment issues remain. The gate failed paint inspection and will have to be repainted. Roadway striping needs to be redone. The contractor has completed the bolt torque modification.

Pump Station Fronting Protection:

The Work is approximately 58% complete. Work is ongoing at all 4 Pump Stations. The breakwater concrete has been completed at all pump stations. The contractor has completed the west crane pad and is currently working on slope stability at Bonnabel Pump Station. Concrete work inside the basins as well as pile driving continues at both Elmwood and Suburban Pump Stations. There have been some issues with voids around piles. Also the contractor is degrading and placing rip rap under the TRS platforms at Elmwood and Suburban Pump Stations. Contractor is driving concrete piles at Duncan Pump Station as well.

LPV 017.2 (Causeway Crossing):

The phase II traffic shift has been completed for both the northbound and southbound lanes. The contractor is continuing to drive piles for phase III. They are placing slope paving along the northbound lane north of the T-wall. Excavation is ongoing for the mainline T-wall between the bridge spans. The contractor is also working on placing girders in the southbound lane for Phase III. Work is approximately 64% complete for the project.

West Return Levee/Floodwall - North:

Work is approximately 90% complete. Pile driving is complete. All base slabs and walls have been completed. The concrete rub/patch work is ongoing as well as joint sealant installation. The contractor is continuing demolition on the existing floodwall as well as hauling concrete debris off site. The rip rap installation on the flood side of the new wall is ongoing. There have been some areas of settlement in the rip rap and additional stone will need to be placed. There was a preliminary walkthrough of approx 60 monoliths held on November 9, 2011. A punch list was created during the meeting by the East Jefferson Levee District. Due to unbalanced loads there will be additional concrete scour protection added to the entire protected side of the new wall. This additional scour protection will double as an access road for the Levee District. The new wall alignment has increased the amount of runoff. The existing contract will be modified to include landside runoff. The 95% plans for landside runoff should be out shortly. There are utility conflicts that have been discovered with the drainage tie-ins at West Esplanade and Vintage Dr.

West Return Levee/Floodwall – South:

Work is approximately 87% complete. The Contractor has completed all pile driving for the project. All base slabs are complete and only one wall remains. Contractor has completed sheet pile removal and is hauling sheets off site. Demolition of the existing wall has been completed. They will continue to place embankment in the airport triangle area. Due to unbalanced loads there will be additional concrete scour protection added to the entire protected side of the new wall. The scour protection has been installed under I-10 and work is heading south towards the airport. The contractor has begun to install the tie-downs under I-10 Bridge. The new wall alignment has increased the amount of runoff. The existing contract will be modified to include landside runoff. The 95% plans for landside runoff should be out shortly. There is an issue with the tie-ins crossing existing utilities. The contractor will have to take concrete coring samples on Mono 84 due to 28 day breaks coming in below the required 4000 psi. The breaks averaged 3300 psi. These low breaks were believed to be caused by additional fly ash added to the mix.

Foreshore Protection Reaches 1 and 2:

Work is approximately 84% complete. Work on Reach 2 has been completed and compliance surveys have been taken. Seeding and mulching still needs to be completed on Reach 2. The contractor has placed rip rap and sand throughout Reach 1 and is now working on placing non-compacted fill. They will need to come back in the spring to recap the stone and also to seed and mulch the berm.

Foreshore Protection Reaches 3 and 4:

Work is approximately 86% complete. The contractor has completed sand placement and is continuing to work on placing non-compacted fill on Reach 3 and 4. The contractor has begun to recap the stone in low areas on Reach 3

where settlement has taken place. There has also been some settlement in the clay near the rock dike that will have to be addressed. Compliance surveys are underway on portions of Reach 3 and seeding and mulching has begun. The contractor is also continuing to work on Reach 4 with stone and clay.

West Return Levee (Airport Runway):

The contractor began Phase II of the project on September 21, 2011 and is 97% complete with the overall project. The contractor has completed the excavation and placement of the reinforcement fabric. He has completed surfacing for roads and ramps. The electrical conduit bridge installed by the airport's electrical contractor was placed at the wrong elevation. The contractor has proposed a revised design that raises the center of the bridge 2 feet, which gives the needed clearance for embankment. The new proposed design was forwarded to the FAA for an airspace study to determine if the raising of the bridge will violate airspace restrictions. The FAA approved the revised design on December 1, 2011. Work will begin on the bridge in January 2012 and is scheduled to be completed by the end of February. The entire levee has been raised to elevation 16.5' except under the electrical conduit bridge.

Orleans Levee District:

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

Construction is approximately 99% complete. All walls are complete and are painted. Retaining walls are being built for the approaches to gate L-4.

The L-1A floodgate column is bowed and prevents proper sealing of the gate in the closed position. The Contractor has presented a plan to the USACE to correct the deficiencies. The Corps allowed the contractor to proceed with their proposed correction plan, it didn't work. Further corrective plans are in review and involve relaying the tracks and repairs to the floodgate off site. L-5 may also be done this way as well. All gates, with the exception of gate L-5, were exercised for the OLD on October 18, 2011.

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 103.01A1 (Bayou St. John):

Construction is 99% complete. The Punch List Resolution meeting was held on July 6, 2011. Turf issues still need to be addressed, along with safety and scour protection issues. Additional slope pavement has been added near the control structure. Final inspection will be scheduled after completion of all punch lists items.

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

Construction is 99% complete. Lakeshore drive is now fully open to traffic. The final inspection is scheduled for January 9, 2012. The guard rail at the Lake Terrace floodgate has to be realigned, MOD to be prepared. Safety fence to be added at Rail Street floodwall by MOD

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

Construction is complete. All ramps are open to vehicular traffic. Turf establishment is still required at the Franklin Ave. and Canal Blvd. (salinity issues) ramps. The Contractor is working the punch list items. Turf establishment will be turned over to an IDIQ contractor after final inspection. I-walls at Franklin Avenue will be converted to L-Walls with a modification to contract. Work will be completed in the spring 2012.

LPV 104.02 (Seabrook West Side IHNC):

Construction is complete. The final inspection will be rescheduled Punch list items (cracks in slope pavement) are being resolved.

LPV 105.01 (Lakefront Airport T-Wall West):

Construction is complete. All lanes of traffic are open at Downman Rd. Final inspection to be rescheduled. The flood side of the T-Wall has been painted by the contractor. One street light and pole still have to be replaced on protected side of floodwalls, the City is okay with the power source. Guard rails at Downman Road are being corrected per LADOTD's direction.

LPV 105.02 (Lakefront Airport T-Wall East):

Construction is 99% complete. All T-Wall monoliths are complete. Work is progressing on the discharge end of the St. Charles Drainage Pump Station. Turf establishment is ongoing. Exercising of valves and sluice gates for OLD will be scheduled after installation of the actuators. Pre-final inspection still needs to be rescheduled. Concrete joints need to be redone. Problems with the valve actuators have been resolved. The street curb must be modified per LDOTD.

LPV 106 (Citrus Lakefront Levee):

Construction is approximately 98% complete. Turf needs to be established. Concrete slope pavement cracks must be repaired. A white paper authored by the USACE on "Crack Repair" is being finalized as it relates to inspections. Safety issues still need to be addressed. The type of "safety" device for installation on the top of the I-Wall will be a 2' high PVC coated chain link fence, work not started yet. Drains along railroad tracks being excavated and slope pavement shaped to drain.

Ramps must be paved. Pre-final inspection still needs to be scheduled. Armoring may still be required on protected side of the levee, in review.

LPV 107 (Lincoln Beach Floodgate):

Construction is complete. Final inspection is scheduled for January 10, 2012. The winch pedestal was repaired and other project pedestals also being reviewed for repairs.

LPV 108 (New Orleans East Lakefront Levee):

The Project is substantially complete. The USACE hired labor group is mowing the grass and correcting rill problems (flattening out). The access roadway has been removed, and is being seeded. Slope pavement at Collins pipeline crossing repaired, but needs further lasting repairs completed.

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 complete. Grass is growing well in most areas due to irrigation. Acceptable turf still needs to be established on the protected side of Area 4. The T-Wall monoliths associated with the floodgate at HWY 90 and HWY 11 are complete and the floodgates are installed and have been exercised. HWY 90 and HWY 11 are open to traffic. Dips in asphalt pavement need corrected at Hwy. 11 & 90 per DOTD. Slope pavement north of CSX railroad floodgate has severe cracking and will be repaired in the Spring 2012. All remaining work at four drainage structures and two USFWS pump stations has been completed. The Punch List Resolution meeting was held on November 22, 2011. Stations have been tested for USFWS and need retesting along with drainage structures. Pre-final inspection will be held in spring of 2012 when turf is established.

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. Final inspection is still to be scheduled. A few turf and rill issues still need to be addressed. Turf to be maintained by LPV-109.02a contractor.

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. Final inspection was held on October 25, 2011. The flood side berm needs turf reestablished due to damage caused by debris washed up by Tropical Storm Lee. Some repainting is required. The gate was exercised for OLD. The allowable gap on gate seals is being reviewed by USACE Engineering. The punch list resolution meeting was held on December 15, 2011. Turf to be maintained by LPV-111.01 contractor until it is established.

LPV 111.01 (North Side GIWW):

The Project is complete. All T-Wall construction and Deep Soil Mixing work is complete. Turf establishment is over 80% complete. The Contractor has installed a temporary irrigation system to facilitate turf establishment. The area between the protected side toe and the access roadway require turf establishment. Rills still need to be repaired, and some repair is currently underway.

Pumps at USFWS Pump Station CTU #6, will need to be operated successfully for USFWS. All required levee crossings have been constructed.

Pre-final inspection was held on July 7, 2011 for Pump Station 15 and the adjacent T-Wall. New Orleans Sewerage and Water Board participated in the inspection of and the commissioning of Pump Station 15. The contractor is almost finished work on a contract modification involving additional items (mechanical and walkways). The temporary construction bridges have been removed from Maxent Canal.

The project punch list resolution meeting was held on November 17, 2011. Turf and rills remain an outstanding issue. Pre-final inspection will be held in Spring 2012 when turf is established.

LPV 113 (NASA):

Construction is complete. Pre-final inspection was conducted in the first week of October 2010. Corps in-house forces are repairing ruts and rills. Crown damage is being inspected.

OFC-03 London Ave. Canal:

The work is complete. A modification 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 was held on November 15, 2011. NCC planned for June 1, 2012.

OFC-04A Orleans Canal:

The work is complete and punch list resolution meeting was held on September 28, 2011. Rill problems have been corrected. NCC planned for June 15, 2012.

Contractor will maintain grass through winter and re-establish turf as necessary.

OFC-05 17th Street Canal:

The work is complete. A punch list resolution meeting was held on October 12 and 13, 2011. The contractor will maintain grass through the winter and re-establish turf as necessary. NCC planned for June 29, 2012.

OFC-06 Orleans Canal:

The work is complete. The final inspection was held on August 9, 2011. The punch list was finalized and completed. The NCC letter is being prepared by the USACE, planned for April 5, 2012.

LPV192.02b Buttress Slab:

The scope of work includes installation of pre-stressed/precast concrete piles, placement of a buttress slab, structural backfill and stabilization slabs. The Work is 99% complete. Final inspection is pending turf establishment. The punch list meeting was held on December 13, 2011.

LPV192.02 Berm:

USACE Memphis Hired Labor constructed this project (Phase 3). The Work is 99.7% complete. Turf establishment issues still remain. Hydro seeding is ongoing. Final inspection is to be scheduled, pending successful turf establishment. Sod was placed but the project will not be released until March 2012.

LPV192.03 Relief Wells

In Reach 2, the scope of work includes the installation of 12 new relief wells. 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 a subsurface collector line with cleanouts. The work is complete. Collector pipes are in place. Final inspection is pending turf establishment.

France Road Floodgate

New floodgate is being built at request of Port on IHNC. Funding from Port and Corps

Contractor has completed the gate track alignment in the storage monolith and has installed formwork for the second concrete placement in the bolster block up to the gate track.

Entergy electric temporarily dropped their overhead lines last week. This allowed the Contractor to drive the remaining Sheet pile and H-pile on the west side. This also marks the end of all delays and impacts from the utilities.

Currently the Contractor is installing form work at the tie-in area to the RR monolith. Concrete placement for the tie-in at the RR and the second placement in the Mono 3 bolster block is scheduled for this week.

The Contractor is backfilling around the utilities penetrations underneath the footprint of the new floodwall and will grade the area in order to place the stab slab.

Lake Borgne Basin Levee District:

LPV 144 (Bayou Dupre Control Structure):

Overall, the work is approximately 97% complete. The contractor is currently working on punch list items and establishing turf. Sub-Contractor has completed the fender system. Vibrations were detected during gate operation. Further investigations have determined that there is a problem with the hinge and pintle assemblies. The proposed plan is to replace both the hinge and pintle bearings using a different type of bearing.

The design (geotechnical) issues with the jib crane pad have been resolved. We now have a copy of stamped plans for the jib crane pad. The USACE is now ready to issue a Modification for the construction of the jib crane pad.

The PDD on abandonment of the old Bayou Dupre Structure is being revised by Corps.

LPV 145 (Bayou Bienvenue to Bayou Dupre):

The project is 99% complete. The USACE has instructed the contractor to use uncoated steel sheet piles and H-piles on this project in order to meet schedule demands. Turf establishment is ongoing. The Project was inspected on 11/15/11. Wet spots shown on previous inspections were found to be dry during this inspection. The USACE took soil samples on some monoliths for agronomy testing. The testing results recommended the use of 200 pounds of seed per acre and a high nitrogen fertilizer. A letter requesting a plan for turf establishment was sent on 11/21/11. A turf plan is to be provided next week. No further progress payments will be made until the contractor establishes turf on the entire project area. Final inspection is dependent upon completion of turf establishment with an estimated date of 04/30/12. The estimated date for notice of substantial completion is 06/30/12.

The access swing bridge will be designed by Arcadis.

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 99% 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 was held on 08-23-11. The stabilization slab saw cutting has been completed. As-built plans and the O&M Manual are under review by USACE. The as-built plans are completed and will be provided to LBBLD shortly. Access Road Designer of Record has completed a site visit. A 60% design will be provided to SLFPAE by early January 2012.

LPV 147 (LA Hwy 46 Flood Gate):

The work is 100% 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 has been constructed under the LPV 148.02 Project. The final inspection was held on 08-05-11. Grass is growing well. Revised as-built drawings were reviewed by the Designer of Record. Comments on revised as-built drawings were provided to the contractor on 11-17-11 and are under review by USACE.

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 inspection has been completed. Turf on the 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 the walkways and knife gate valves at St. Mary's Pump Station are complete. Slope paving under discharge pipes is complete. Slope paving on protected side is nearly complete. A meeting was held at LBBLD offices on 11/13/11 between the USACE, the Designer of Record, and SLFPA-E. The USACE has provided to LBBLD an alternative plan for air release valves at PS #8. The valves will be moved to flood side of T-Wall on discharge pipes. Security fence issues in the area next to the by-pass road were brought to the attention of the USACE on 11/23/11. These issues have been resolved. The USACE has issued NTP to contractor to provide lighting protection for cat walks and actuators on discharge pipes and T-Walls. Contractor is in process of hiring a sub-contractor to do this work.

The 4" clearance between the Bayou Road floodgate and the gate monoliths makes it difficult to properly close and seal the gate. No other gates in the

system are designed and constructed with such a large clearance. The designer of record has proposed a revision to reduce the gap to allow for reasonable gate closure procedures, and it will be implemented.

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

The Work is approximately 99% complete. The fender system is now complete. Pre-final inspection was completed on 10-21-11. All power supply issues are resolved. Permanent power to gate was installed on Tuesday 12-13-2011. The contractor will have to do turf establishment in spring 2012.

Water level gauges are being installed on both flood and protected side of sector gate. The readings from these gauges will be on River Gauges web site.

Armoring:

Staff continues to engage the USACE on armoring planning and design.

SLFPA-E has reviewed the Armoring Project Description Document (PDD) and provided its comments to the Corps through CPRA. CPRA has asked for a response to its comments before the PDD is forwarded to the Mississippi Valley Division Commander for signature. We have not yet received a response to our comments. The PDD is currently scheduled for signature on February 12, 2012.

An armoring test site was constructed in St. Charles Parish during the latter part of September 2011. It contains the following HPTRM variations:

1. HPTRM covered with a layer of sod applied directly to the mat.
2. HPTRM covered with a layer of soil and then a layer of sod, and
3. HPTRM covered with soil and hydro-seeded.

The test site is being used to collect data pertaining to HPTRM installation, turf establishment, and operation and maintenance. SLFPAE and CPRA representatives have visited the site several times.

A “tractor test” was performed on December 1, 2011 after approx. 60 days of grass growth. Tractors of various size and type were operated over all three sections to simulate typical O&M procedures. Only small ruts were evident as a result of the test on the sections containing HPTRM. Heavier ruts developed on sections that did not contain HPTRM. There was no evidence of damage or “pull-out” of the HPTRM.

An additional test section was constructed on the LPV 111 project site in late October/early November 2011. The purpose of the test was to determine the potential for damage to HPTRM from wild hogs. Three different brands of HPTRM were used at the test site for comparative purposes. Apples were placed under and atop the HPTRM to attract the hogs. The hogs tore up the weakest material in 5 days. The second weakest material was significantly damaged in 7 days. The hogs managed to tear a hole in the strongest material in about 21 days. We are awaiting a written report on this test section.

The USACE proposes to let the first armoring contract on the east bank HSDRRS levee in St. Charles Parish. Scheduled award is for February 24, 2012. The work will include the installation of HPTRM and sod. 95% P&S for the project is now under review by SLFPAE and CPRA. Additional pilot projects are currently under consideration. Most of the armoring work will not begin until the fall of 2012.

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) upheld the protest. The decision was to re-evaluate the revised current submittals. A decision briefing was held by the Corps on Sept. 28, 2011. No schedule has been set for proposal resubmittals.

The permanent pump stations winning bidder filed suit last week, contesting plans by the Corps to allow companies to offer new proposals. It's too soon to know if the lawsuit will further delay the project. The courts are expected to make a decision by the end of February 2012.

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, 20 perimeter contracts, including seven LPV contracts, and 17 interior contracts, three of which are LPV contracts, are "at risk for accreditation". Corps leadership is pushing hard find ways of making up lost time and accelerating contracts that have slipped beyond original completion dates so that accreditation isn't adversely affected. Estimated completion dates change on most of these contracts from month to month as new issues present themselves and existing ones are resolved.

50% models for interior flooding have been developed by the Corps for FEMA. The models are in review by the pertinent drainage district.

OLD and LBBLD may have to “certify” the non-federal levees in the lower ninth ward/St. Bernard area and the New Orleans East area. We are working with FEMA and the USACE to develop a plausible path forward. We are also investigating funding sources that could be used to pay for a full certification effort.

Coastal Protection and Restoration

State of Louisiana – CPRA

The Draft “Coastal Master Plan” was issued on January 12, 2012, plan is in review.

Lake Borgne Basin Levee District:

The Violet Freshwater Diversion is flowing.

Flood Fight

We are awaiting the Tropical Storm Lee after action review document from the New Orleans District.

The Mississippi River crested at 13.05' on December 27, 2011 and is currently near 8.0' at the Carrollton Gage. The Corps is no longer in the Phase 1 of the Flood Response Plan. The levee districts are monitoring the river levee in accordance with their Emergency Operations Manual as the river level drops.

Design and Construction

East Jefferson Levee District:

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

Orleans Levee District:

The Safe House Project is approximately 98% complete. The State Fire Marshal inspection has been rescheduled.

The Audio/Visual work in the OLD Safe House is approximately 99% complete.

The Administration Building Refurbishment Project designs are 100% complete. Waiting on Safe House completion before bidding refurbishment project.

We have received “conditional approval” of SEA Grant for the Bayou St. John Waterfall Removal Project.

The Outfall Canal Bank Stabilization Monitoring Project, awarded to Gerwick, is 49% complete.

"The Florida Avenue Sheet Pile Rehabilitation" Project is to be bid on January 31, 2012.

Lakefront Seawall Erosion Control Project Design Modification is pending Board approval.

Lake Borgne Basin Levee District:

The 95% design submittal for the Engine Replacement Project at Pump Station 4 was reviewed by LBBLD staff and comments were forwarded to the consultant.

100% Plans and Specifications have been completed by the consultant (Atkins Global) for pump inspections and repairs at Pump Station 6. The cost to complete the work has been estimated to be \$674,000.

In September 2011, LBBLD was authorized to execute an amendment to an existing consultant contract with W.S. Nelson to include basic design services for Phase 2 of the project to address seepage at Pump Stations 2 and 3. The amendment and associated contract documents are under review by the consultant.

Final bid documents are being prepared by the consultant (W.S. Nelson) for the Remote Control/Telemetry for Pump Station 2 and 3.

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 complete except for installation of rip-rap for erosion control. The required rip-rap will be installed under a new contract after work on the Bayou Dupre Control Structure is complete and open to barge traffic.

One of the three pumps at Pump Station 7 failed on August 8, 2011 (333cfs pump capacity). The pump will be repaired off site by Conhagen, Inc. Repair costs could exceed \$150,000.

The Mississippi River Levee - Chalmette Ferry Landing Seepage Repair Project has been awarded by the USACE to Cycle Construction for \$750,000. Work involves the installation of a sheet pile cut-off wall approximately 400' long. The work has been completed.

Internal Affairs

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

Our ID/IQ Consultant, Halcrow Inc. has completed the review of 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 the "Mean Operating Water Level" (MOWL) Report with the text rewritten. Halcrow has completed the review of the final version of the MOWL Report for the London Ave. Canal and 17th St. Canal. Final review has just been completed for the Orleans Canal. This work is being conducted under Halcrow's original SOW. The New Orleans District is having each canal's report reviewed in detail by other Corps Districts. The USACE ETL 1110-2-575 (6/14/2011) regarding Evaluation of I-Walls has been released by the Corps and Halcrow is reviewing the document to determine potential impacts to previously completed work. An additional remediation report was done by Corps and we are awaiting a copy, according to the Corps it should address remaining Orleans issues found by Halcrow. Additional remediation investigations will begin within the next month and SOW is in review.

The structural review of the LPV 144 sector gate leaf by Halcrow/Fenstermaker is complete. No specific problems were identified, but our consultant recommended that the USACE run additional analysis on the eccentricity of members and structure deflection for completeness. The designer of record recently submitted additional hand calculations for the analysis of joint/member eccentricities which were reviewed by Halcrow/Fenstermaker. The Corps has completed the additional recommended computer analysis (STAAD). H/F has found no problems and their final report has been sent to the Corps.

The "Hurricane Risk & Safety Module for the New Orleans Levee System" demonstration project is at 80% complete. Most of the updated GIS, geotechnical H&H, P&S, etc. has been obtained from the USACE for the two demonstration sites (LPV 109.02A and LPV 111.01 totaling 15 miles of earthen levees). Additional geotechnical information has been received from Corps on LPV-111.01; unfortunately it was received too late for finalizing in the project. The final geotechnical information is being reviewed and will be incorporated at a later date. The "dashboard" test screen will be provided to SLFPA-E by the end of December. The Project is partially funded through a grant from the Netherlands Government (50/50 cost share).

The O&M Cost Study for all three levee districts is underway by AECOM. This work is funded through a CDBG Grant.

The contract documents for the LIMS Strategic Implementation Plan have been completed and interviews have been held with staff. This project 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 and security concerns on various projects within the LPV program where safety measures need to be implemented to help prevent accidents. Security fencing and railing has been incorporated for floodwalls and floodwall base drop offs, and mods are being issued for OLD and LBBLD projects.

SLFPA-E staff is working closely with CPRA staff to develop an automated on line permitting process for levee districts. A meeting was held at the DNR training facility in the LaSalle Building in Baton Rouge on December 20, 2011 to get input from other interested Louisiana levee districts. CPRA will give a presentation at today's SLFPAE Board meeting.

A FEMA Hazard Mitigation Grant Program (HMGP) application has been submitted for the construction of a safe room on the site of LBBLD Pump Stations 1 and 6.

Two new internal workgroups have been established to deal with new O&M requirements for the HSDRRS. One will deal with general Operation and Maintenance and the other will deal with the specialized O&M requirements for the surge barrier and navigation gates.

SLFPA-E staff has submitted a list of questions and comments to the Corps regarding the Mississippi River Levee Co-located work. The New Orleans District office is working to answer the questions and address the comments. A meeting will be scheduled with the Corps to review the technical aspects of the project.

RFQ's for survey firms to survey and confirm the Levee Districts servitudes and properties is out for advertisement. Closure date for the RFQ's is 1/26/12. Staff recommends exercising the option to extend the ID/IQ Contract with GCR to provide mapping services in conjunction with the right-of-way surveys.

SLFPAE staff is working with the Coastal Advisory Committee on a number of issues including analyzing the State's draft Master Plan and offering comments for the Board to consider for incorporation in a resolution at next month's meeting, in advance of the February 25, 2012 deadline for public comments.

Comments and suggested changes on the ALBL Position Paper were forwarded to Larry Ardoine and Steve Wilson. They will be discussed at the February 2012 ALBL Executive Meeting.

CPRA and SLFPAE attended the kick-off meeting of the Independent External Peer Review of LPV 145 – Corrosion Review.

SLFPAE staff met with the Executive Directors and Carol Kiefer to finalize the forms that will be used to collect data that will allow commissioners to look at health benefits offered to current and retired employees across the three Districts. The data will be presented to the Finance Committee in March 2012.

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:

The 2011 Hurricane Season officially ended on November 30, 2011.