

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

The regular monthly Board Meeting of the Southeast Louisiana Flood Protection Authority - East (Authority or SLFPA-E) was held on Thursday, April 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 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
Thomas L. Jackson
G. Paul Kemp
Richard A. Luetlich, Jr.
Ricardo S. Pineda

ABSENT:

Stephen Estopinal, Treasurer
David P. Barnes, Jr.

OPENING COMMENTS:

Mr. Doody explained that the acquisition by the Lake Borgne Basin Levee District (LBBLD) of a number of lots located along the drainage canals in St. Bernard Parish that are available through the Road Home Program would be helpful in maintaining the canals. Robert Turner, SLFPA-E Regional Director, Robert Lacour, SLFPA-E General Counsel, and LBBLD staff are identifying the lots that are needed. The legal process will culminate with the Board's acceptance of the lots.

Mr. Doody reported that the U.S. Army Corps of Engineers (USACE) and the U.S. Coast Guard are continuing to work on a new Regulated Navigation Area (RNA). A new RNA will not be issued this year; however, some emergency procedures will be put into effect for the current RNA. The SLFPA-E's desire is that the new RNA will minimize, as much as possible, the risks within the Inner Harbor Navigation Canal (IHNC) area. The USACE and the Coast Guard are assessing and addressing the risks.

Mr. Doody advised that representatives of the SLFPA-E, the State and the SLFPA-West met relative to the Notice of Construction Complete (NCC) letters being issued by the USACE to ensure that everyone is in agreement on the receipt of the Hurricane and Storm Damage Risk Reduction System (HSDRRS) projects. The position of the State

and SLFPA-E is that the USACE is building a perimeter system and that projects should be accepted as a system.

ADOPTION OF AGENDA:

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

**RESOLUTION NO. 04-19-12-01 –
APPROVAL OF MARCH 15, 2012 BOARD MEETING MINUTES**

On the motion of Mr. Wittie,
Seconded by Mr. Luettich, 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 March 15, 2012.

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

PRESENTATIONS:

1. Diversions – Coastal Protection and Restoration Authority (CPRA)

Mr. Barry commented that the Board is not satisfied with 100-year protection and has discussed attempting to achieve at a minimum a 500-year level of protection. As the HSDRRS nears completion the Board needs to turn its focus to figuring out ways to achieve a higher level of protection for the metropolitan area. The Board needs to begin identifying projects in key strategic areas that could significantly enhance flood protection that may be within its resources to develop and are consistent with the State Master Plan.

James Pahl, Ph.D., with the CPRA, acknowledged the co-authors on the presentation, Richard C. Raynie and Dawn Davis. He explained that the presentation covers two general areas: (1) the description of the state of the science and technical investigations regarding the benefits, uncertainties and risks associated with diversions and (2) the description of the set of diversions in the 2012 State Master Plan. The state of the science of diversions covers priority topics and ongoing activities, including riverside sediment and freshwater availability and potential induced shoaling, and bayside sediment transport and land-building and the response of wetland soils and vegetation. The portion of the presentation covering the diversions in the 2012 Master Plan includes a list of projects and operational assumptions and considerations. He explained that diversions will change the physical and biological environments of rivers and receiving basins, and that the best understanding of these effects is critical to inform stakeholder and management decisions regarding diversion structure site location and operation.

Mr. Pahl advised that in the State of the Science of Diversions - Priority "Riverside" Technical Topics - three questions dealing with Sediment and Freshwater Availability must be addressed:

- How much freshwater can we remove from the river, and when?
- Is the Mississippi River transporting enough (especially coarse-grained) sediment to meet land-building goals?
- When and where is that sediment accessible?

Mr. Pahl reviewed some of the operational restraints with regard to how much water can be removed from the river and when:

- Minimum flows needed to ensure stakeholder activities can continue
 - Industrial freshwater supplies
 - Municipal drinking water supplies
 - Navigation needs
- Most guidelines (Coast Guard, Master Plan, etc.) assume a minimum flow from which we could not divert between 200,000-300,000 cfs

Mr. Pahl explained that the monitoring of the river over years has indicated that there is a small, but persistent increase in the annual average discharge of the river. A study indicated that the total sediment load within the river has dropped since the mid-1800's. However, care must be taken with this data set, since the very high values in the mid to late 1800's may actually represent an artificial high resulting from farming and soil erosion in the upper portion of the basin. He noted that the total sediment load of the river slightly decreased in the 1955 to 2005 time period; however, there is a definable slightly increasing trend of sand transport within the river, which is important in terms of land-building, for this same time period. Most sediment (especially larger-grained, land-building sediment) is transported in the river on a rising hydrograph (typically in the spring as the river is rising). He pointed out that there is not a complete agreement between when the sand is available in suspension versus the water. Generally, the highest suspended sediments are seen ahead of the peak in the river discharge. Operational considerations for the diversions in terms of capturing sediments during a spring flush must include monitoring the sediment in the river instead of just using the river stage for this guidance.

Mr. Pahl discussed the Mississippi and Atchafalaya River Sediment Budget, which considered a three year average of freshwater discharge, as well as sediment availability within the river, for the years 2008 thru 2010. The division of suspended sediment at the Old River Control (ORC) structure differs from the 70:30 water split of Mississippi and Red River discharge due to the distinct Red River suspended sediment load. The sand is apportioned between the lower Mississippi and Atchafalaya pathways at an 83:17 ratio and the fines at a 60:40 ratio. He pointed out that there is a very large drop in total sediment between the Baton Rouge station and just upstream at Tarbert Landing. A tremendous amount of sand is being sequestered in the channel and battures between Tarbert Landing and Baton Rouge due to the significant amount of water pulled out at the ORC structure. A slide was shown that focused on the sand load distribution within the river and its potential removal from the river between Baton

Rouge and the three main passes at the bottom of the bird's foot delta. He stated that there is not a lot of sand actually making its way down and out of the passes. There is some loss of sand between Baton Rouge and Belle Chase and a tremendous loss of sand before it can get out into the passes and move offshore. The maps of sediment going out into the Gulf of Mexico during a high discharge year are primarily showing the fines. The sands are primarily being sequestered within the channel itself and are slowly being removed by some of the side channels. There is a progressive downstream reduction in the efficiency of the channels in passing sediment, and in particular the coarse grain sediment. This is an important factor in the location of the diversions and argues for locating the diversions in the upper part of the system where the coarse grain sediment that is still in transport can be accessed. The State Master Plan focuses on diversion activities in the reach between New Orleans and Empire and does not propose any diversion projects south of about the Empire area. It was noted that the amount of sand each year (1.3 million tons) that is making it out of the three passes is still significant enough for the USACE to dedicate at least one or more full time dredges to Southwest Pass.

Mr. Pahl stated that the medium diversion at Myrtle Gove demonstrates the new approach in handling diversions. The structure is being designed in terms of location and operation to maximize the sediment transport per unit of water and to minimize potential shoaling and over freshening of the basin.

Mr. Pahl discussed the LCA Delta Hydrodynamic and Delta Management Feasibility Study. The State has just signed a cost share agreement with the USACE for this feasibility study. The purpose and information related to the study are as follows:

- Developing a calibrated hydrodynamic and sediment management model to predict changes in depositional patterns across the system and inform dredging and sediment management
- Five-year, \$25M cost-share between CPRA and USACE (MVD and MVN)
- Initial river hydrodynamic steps include
 - River hydrodynamic and sediment transport data collection
 - Geomorphic analysis
 - One-dimensional river hydrodynamic and sediment modeling
 - Multi-dimensional river hydrodynamic and sediment modeling
 - Data management
- Basically, Myrtle Grove approach on steroids

Mr. Pahl reviewed the Topic Summary on Sediment and Freshwater Availability:

- We can likely only divert river water and sediment when flows exceed 200,000-300,000 cfs
 - Those flows are available most of the year
 - Long-term trends support expectation of adequate availability, especially higher in the system
- Adequate sand is being transported for immediate needs – issue is more access to available material than adequate amount of material

- Progressive downstream reduction in the efficiency of distributary channels in passing sediment favors the location of diversions further upriver and above existing Balize Delta water exits.
- Estimated amount of sediment available from the River
 - 145 million tons per year (Meade and Moody 2010)
 - 200 million tons per year (MS River Delta Science and Engineering Special Team)

Mr. Pahl addressed the Technical Topic of Induced Shoaling and the question: Does the removal of large amounts of freshwater from the river lead to downstream deposition of suspended sediment? A tremendous amount of shoaling occurred because of the opening of the Bonnet Carre Spillway in 2011. The total accretion in the channel below the Spillway during the two-month period was 8.7 million tons of sand. There is some evidence of short term erosion after the closure of the Spillway and the question remains open as to how much of this material will remain. The results of the CWPPRA West Bay Sediment Diversion Study were reviewed. The initial results of this study suggested that 10 to 40 percent of the observed shoaling in the Pilottown Anchorage Area was due to the diversion. The majority of the shoaling in this area is thus independent of the actual diversion. There is a record going back 30 to 40 years of a persistently aggrading lateral bar at this location. The final report is forthcoming. He noted that draft report produced by the LCA Science Board Review on diversion land-building potential states that “given the diversity of factors that can influence shoaling, even in the absence of diversions, predictions to establish cause-effect relationships must be recognized as a challenge.” The topic summary for induced shoaling included the following points:

- Future medium and large diversions must be designed to remove proportionally more sediment than freshwater and be coupled to robust sediment management to recognize opportunities for beneficial use if downstream shoaling occurs.
- Shoaling should be viewed as a potential opportunity for accessing riverine sediment

Mr. Pahl addressed the Priority “Bayside” Technical Topics. Questions related to Technical Topic of Land-building Potential are: Can diversions build land at rates fast enough to offset coastal land loss, and can the best locations be identified in the river to build diversions to maximize project success? He reviewed state of the science generalities that should be remembered from a public and policy standpoint:

- Sediment diversions must fill the subaqueous portion of the receiving coastal embayment before sub-aerial expression
 - Filling may not be visually noticeable during early stages
- Land-building is slow and episodic, but more energy efficient than wetland creation via dredged sediment placement
- Expectations for diversion-related land building can be informed by a robust understanding of river sediment dynamics and monitoring of past projects

Mr. Pahl discussed the West Bay Freshwater Diversion. It was determined in a study prior to the 2011 flood event that the sediment accumulation rate was actually lower than the rate of subsidence. However, the 2011 flood occurred a year or two after the study and suddenly there was four acres of sub-aerial wetland.

Mr. Pahl reviewed Big Mar in association with the Caernarvon Freshwater Diversion. He noted that the Caernarvon Freshwater Diversion was intended as a freshwater delivery system and not a land-building diversion. However, even with the diversion skimming suspended sediments off the top of the river along with the water, an estimated 344 to 600 acres of new wetland was created in Big Mar between 1998 and 2010. This process continues. The wetland development on the west side may have been assisted by the organic and eroded marsh material being thrown into Big Mar by Hurricane Katrina, which slowed down flows in the area.

Mr. Pahl discussed the West Point-a-la-Hache Siphon, which is a small project intended to move water and not sediment. The capacity for significant sediment accumulation in this system was observed.

Mr. Pahl stated that an upcoming LCS Science Board report looks at the potential for diversions to build land in the Delta. The draft recommendation for maximizing success is the selection of sites that are in areas of low subsidence, have relatively thin Holocene stratigraphic sequences, are likely to have very high trapping efficiency, that do not exceed two meters in depth and that have very low bottom gradients.

Mr. Pahl explained that the LCS Science Board also tackled the question: Are fewer larger diversions better than multiple smaller diversions? The LCA Science Board model looked at two individual small diversions versus a large diversion. The Science Board's position is that fewer larger diversions are going to be much better for land building than multiple small diversions. He discussed the building of sub-aerial wetland.

Mr. Pahl reviewed the Topic Summary for Land-Building:

- Land-building is slow and episodic
- Widespread evidence that diversions can build land
- Holds even for small projects and projects not intended as sediment diversions
- Criteria for successful project location reinforces discussion from look at river sediment transport data that "higher up in the system" is the better place to locate future projects

Mr. Pahl discussed the Bayside Technical Topic of the Response of Wetland Soils and Vegetation. He asked to what extent are the freshwater, nutrients and sediments in diversion flows beneficial and/or detrimental to wetland soils and vegetation? The response of the soils and vegetation is an extremely complex issue. Diversions are recognized to have the potential for improving wetlands by providing fresh water to alleviate saltwater intrusion and salt stress on vegetation, providing nutrients for plant growth, and providing mineral sediments to increase soil strength and structure. However, several authors have suggested that the introduction of nutrients can increase decomposition of organic matter in fresh marsh soils (Swarzenski et al. 2008), change biomass allocation in vegetation (Darby and Turner 2008), and can lead to marshes that are more susceptible to hurricane-induced conversion to open water (Howes et al. 2010). He stressed the need with many of the studies to be very cognizant of the caveats and limitations in terms of how far the results can be extrapolated beyond the

confines of the study and applied to generalities in the system. As an example he discussed two specific studies with results that could not necessarily be applied in generalities.

Mr. Pahl explained that the LCA Science and Technology Program and NOAA put together an expert panel of academic and government researchers in February, 2011, for an external review of the response of wetland soils and vegetation to diversion flows. The panel indicated that this is a difficult issue and that the answers are not very clear at this time. Studies on the diversion effects on elevation have provided some insights, but have not rigorously tested the relations. There is no clear answer to the question of whether river diversions reduce soil strength through degradation of peat soil, or are they a positive influence, promoting plant growth and peat accretion with no impact on organic soil strength. Conditions vary considerably from site to site so data from one site is not necessarily useful at another.

Mr. Pahl reviewed the Topic Summary on the issue of the Response of Wetland Soils and Vegetation:

- The available data is sometimes contradictory on this topic.
- The individual studies held up both in support of and against diversions need to be closely examined for caveats in study design and extrapolation of results.
- CPRA will continue to pursue more comprehensive studies to address this topic.
- Some aspects of this debate also go beyond data comparisons and involve stakeholder policy preferences.

Mr. Pahl addressed the diversions included in the 2012 State Master Plan. The Master Plan has eight diversions for Southeast Louisiana:

- Bayou Lafourche Diversion (1,000 cfs - \$189 Million)
- West Maurepas Diversion (Small -\$127 Million)
- Central Wetlands Diversion (Small - \$189 Million)
- Upper Breton Diversion (Large - \$885 Million)
- Mid-Barataria Diversion (Medium - \$275 Million; second implementation Large - \$820 Million)
- Mid-Breton Diversion (Small - \$123 Million)
- Lower Breton Diversion (Medium - \$212 Million)
- Lower Barataria Diversion (Medium - \$203 Million)

Mr. Pahl pointed out that the specific locations for these diversions have not necessarily been nailed down. The total estimated cost of the eight diversions is approximately \$3 billion. These diversions would join the existing set of diversions.

Mr. Pahl discussed the operational assumptions that went into the 2012 Master Plan modeling, which were dependent upon river stage. The exact maximum capacities in the specific locations of the diversions are intended to be determined through feasibility-level investigations. It is anticipated that the diversions will be operated as a suite of diversions and as a system. It is not expected that all of the diversions will be opened all of the time. Many of the diversions may not be open most of the time. Over-freshening will be prevented. Tools are being developed, such as a small scale

physical model, to help consider the collection of individual projects as a system. Operational details will be project specific to maximize benefits.

Mr. Pahl summarized by stating that diversions have been recognized as a critical component in many of the most recent coastal restoration plans dating back several decades. Much has been learned during the past decade due to research and development. The location and operation of planned diversions have become more strategic. Adaptive management is active management. An adequate amount of sand is anticipated to be available for the 47 proposed marsh creation projects. It was pointed out that diversions not only build land, but also add nutrients and mineral soils that can help build land by increased plant productivity.

Mr. Doody requested that Mr. Kemp and Mr. Pahl work together to consider the benefits of the crevasse at Bohemia. Mr. Pahl responded that the CPRA has been working with Dr. Lopez and the Lake Pontchartrain Basin Foundation and a joint scope of work is being developed to monitor the developing Mardi Gras Pass. Mr. Doody requested that the SLFPA-E be included in this process.

Mr. Pahl advised that the Mississippi River Hydro and Delta Management Feasibility Study is being cost shared between the State and the USACE and will start looking into the issues of operating multiple diversions as a system. The State anticipates operating the diversions jointly with the USACE, especially in the short term. Each individual diversion project will also have a cost shared feasibility study with the USACE.

A motion was offered by Mr. Barry, seconded by Mr. Pineda and unanimously adopted by a roll call vote, to add Item XII.A.8 to the agenda relative to a motion to enter into a Memorandum of Understanding with the CPRA for utilizing the services of Bob Jacobsen for hydrological studies for the West Bank and Vicinity Project.

Mr. Doody requested that Items XII.C.1 and XII.B.2 dealing with insurance issues be taken out of order and as the next items of business. There was no objection.

RESOLUTION NO. 04-19-12-02 - ORLEANS LEVEE DISTRICT PROPERTY HAZARD (WIND/FIRE) INSURANCE COVERAGE

Gerry Gillen, Orleans Levee District (O.L.D.) Executive Director, explained that a competitive quote was received from AmRisc with two options. The first option was for \$15 million of coverage and the second option was for the full value of the buildings and contents (approximately \$38 million). Mr. Gillen recommended that the option for the full value (\$38 million) be selected, which would cost \$26,000 more than the option for \$15 million of coverage. This is an all risk policy covering theft, vandalism, fire, explosion and wind damage, subject to policy exclusions. Mr. Doody advised that this issue was discussed at the Finance Committee meeting and was referred to the Board for further discussion. Prior to Katrina, the property was insured for its full value.

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

WHEREAS, the Orleans Levee District (O.L.D.) Flood Protection Division's (wind/fire) property insurance coverage is due to expire on April 20, 2012; and

WHEREAS, Eagan Insurance Agency shopped the market for insurance coverage, and obtained a risk pool renewal quote for \$38,610,019 in coverage from AmRisc Insurance Company (non-admitted risk pool of insurance companies), AM Best Rated A11-AXI, at an estimated annual premium of \$329,826.00 with a \$25,000 deductible per occurrence or a five percent deductible per building value for named wind/hail storms or a \$100,000 minimum deductible for all other wind/hail storms; and

WHEREAS, the surplus line tax is \$16,541.30, the policy fee is \$100 and the inspection fee is \$1,000.00 with the total estimated annual cost for the renewal of the layered property insurance coverage being \$347,467.30.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East authorizes the procurement of property (wind/fire) insurance coverage for properties under the jurisdiction of the Orleans Levee District Flood Protection Division from AmRisc Insurance Company through the Eagan Insurance Agency at an estimated annual cost of \$347,467.30, for a period of one year commencing April 20, 2012 and expiring on April 20, 2013, and authorizes the O.L.D. Executive Director to execute any and all documents necessary to carry out the above.

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

YEAS: Mr. Barry, Mr. Jackson, Mr. Kemp, Mr. Luettich, Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: Mr. Barnes and Mr. Estopinal

RESOLUTION NO. 04-19-12-03 - EJLD HEALTHCARE RENEWAL

Fran Campbell, East Jefferson Levee District (EJLD) Executive Director, provided a schedule of quotes for healthcare coverage. Since there was a 16.9 percent premium increase to renew the current coverage, options were requested in order to keep the cost as low as possible. Lynn Bogran with Best Group Health Insurance advised that John Thomas recommended that due to the cost increase that the EJLD switch to a HMO plan, which would save the EJLD \$75,000 over the year. There is a \$100 deductible on the prescription card and there are no out of network benefits with the HMO plan. A dual option was recommended in which employees can basically keep the existing plan with only the \$100 deductible on the prescription card; however, an employee would pay for the difference in cost between the two coverages. This would allow employees to go out of network should they choose to do so. Ms. Campbell recommended Option 2 (HMO12) coverage with the ability for an employee to buy up to Option 3 (POS12) coverage. Mr. Jackson added that the recommendation is fair for both the taxpayers and the employees. Mr. Doody commented that the Finance Committee is working to address benefits across the levee districts in an attempt to bring consistency.

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

WHEREAS, the East Jefferson Levee District (EJLD) healthcare coverage will expire on May 31, 2012, and Blue Cross Blue Shield of Louisiana has offered to provide Option 2 (HMO12) coverage effective June 1, 2012, at a 5.9 percent increase in cost over the current Blue Cross Blue Shield premium; and

WHEREAS, the total estimated current monthly premium for Option 2 (HMO 12) coverage is \$60,543.82, subject to change based upon employee enrollment.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East authorizes the EJLD to procure Option 2 (HMO12) employee healthcare coverage with Blue Cross Blue Shield of Louisiana and to allow employees the ability to buy up to Option 3 (POS12) coverage, which includes out of network services, at their own cost.

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. Barry, Mr. Jackson, Mr. Kemp, Mr. Luettich, Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: Mr. Barnes and Mr. Estopinal

PUBLIC COMMENTS:

Craig Berthold, a resident along the 17th Street Canal, addressed Agenda Item XI.1. He commented that after four years this issue is back in the Board's hands. One-third of the current Board members have been appointed since the tree and fence removal issue was voted on four years ago. He commented that he sincerely believes that the Board members who voted to move forward with the removal of the property and property rights without compensation were misled by the State and its attorneys. He stated that the State did not legally follow R.S. 19:14 and intentionally obscured the truth about having servitudes on the surveys and property descriptions. This resulted in the homeowners being dragged through four years of litigation at the cost of hundreds of thousands of dollars just to protect themselves. He hoped that this issue will be discussed today with truth, documentation and fact.

Roy Arrigo, a resident along the 17th Street Canal, stated that House Bill (HB) 246 basically rolls back the law that expanded the toe plus 6-ft. zone to toe plus 15-ft. He commented that several individuals spoke out at the House committee meeting on Monday and presented themselves as representing this Board. He asked has the Board taken an official position on HB 246 and by what authority were these individuals making their comments.

Mr. Doody reminded everyone about the on-going litigation. Mr. Barry commented that bills and amendments come up very suddenly in the Legislature and that he did not

recall the Board passing a resolution to take a position on any piece of legislation before the State Legislature.

COMMITTEE REPORTS:

Finance Committee: Mr. Doody advised that the Finance Committee met on April 5th. All of the items discussed by the Committee have been placed on the Board agenda for action.

Operations Committee: Mr. Wittie reported that the Operations Committee met on April 5th and considered the following matters:

- A presentation was provided on the American Society of Civil Engineers' (ASCE) Report Card on Levees. The State received a grade of C- and the SLFPA-E received a C+. Mr. Turner discussed the grading by the ASCE State Chapter. A subcommittee was formed to deal with the grading of levees, which included participation by the USACE, LA DOTD and the CPRA. A grading matrix was developed. Information on the report card is available on the ASCE web site. Ricky Brouillette with the CPRA added that a request for a list of information was sent to the levee districts. The levee districts responded to the data request. A decision tree was developed. Some subjectivity was applied. Individual scores of the elements should be considered, as well as the final grade. Mr. Turner pointed out that USACE has revamped its Levee Safety Program and is developing a means to screen levees and determine a Levee Safety Action Classification number. Test screenings are currently underway. The levee screenings are based on structural integrity and risk.
- NTB & Associates' representatives provided information on the verification of certain benchmarks and elevations. NTB will take some elevations on the St. Bernard floodwall.
- Design Engineering, Inc. provided an update on the modifications to the Lake Pontchartrain Seawall Erosion Project.
- The SLFPA-E Communications Plan currently being developed was discussed. Modifications will be made to the preliminary plan.
- The need for a Request for Qualifications (RFQ) for services to assist with the certification of the non-federal levees was discussed. A letter was sent by the CPRA to the USACE requesting that the USACE include the non-federal levees in their system evaluation report.

Legal Committee: Mr. Barry advised that the Legal Committee did not meet during the month of April. Items have been placed on the Board agenda to approve the legal invoices and the extension of the existing legal services contracts for one year.

CPRA/Governmental Affairs: Mr. Barry advised that the CPRA will meet next week. He commented that the legislation that would direct 80 percent of the British Petroleum (BP) fines to the affected states is doing well. It has been placed in the Transportation Bill for both the Senate and the House; therefore, it has an excellent chance of being included in the final package. Several issues must be worked out, such as the division

of this money between the states. If the legislation is not passed and the Justice Department reaches a settlement with BP, funds can be directed to the states and deducted from the settlement. Much of the funding that the State is counting on for the Master Plan for the short term will come from these BP monies.

Coastal Advisory Committee: Mr. Kemp reported that the Coastal Advisory Committee met on March 15th. The Committee is working its way through a series of presentations by Bob Jacobsen on the assumptions inherent in the analysis of hurricane recurrence and intensity used in the 100-year design. The expectation is that at some point the SLFPA-E can look into actions that can be taken to reduce risks beyond the 100-year perimeter of protection. He invited everyone to attend the Committee meeting to be held immediately following the Board meeting to hear the next presentation in this series. Mr. Kemp advised that the State Master Plan has passed through the joint resolution phase of the Legislature and is now officially adopted. He also advised that a resolution has been placed on the Board agenda relative to Mardi Gras Pass. Mr. Doody requested that Mr. Kemp take a look at the Atchafalaya Master Plan to determine whether a similar plan should be developed for the Lake Pontchartrain Basin. Steve Wilson, President of the Pontchartrain Levee District, has expressed an interest in discussing such a plan.

EXECUTIVE SESSION:

1. Review and consider plaintiffs' settlement offer in Status Report on Lonatro, et al v. Orleans Levee District, et al, No. 11-357, Section J(5), U. S. District Court, Eastern District of Louisiana.
2. Haspel & Davis Milling and Planting Co., Ltd., Jean Mayer Connell, Joseph Jean Torre, Sr., Bohemia Planting Co., Inc., Leonie Davis Rothschild and Arthur Q. Davis, for Themselves and on Behalf of all Others Similarly Situated vs. Board of Commissioners of the Orleans Levee District, 25th Judicial Court, Parish of Plaquemines, No. 31-357, Div. A.

A motion was offered by Mr. Barry, seconded by Mr. Luetlich 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 12:10 p.m.

A motion was offered by Mr. Wittie, seconded by Mr. Luetlich and unanimously adopted for the Board to reconvene in regular session at 1:35 p.m.

RESOLUTION NO. 04-19-12-04 – LEGAL ACTION

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

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East authorizes that action be taken as recommended by Counsel in Executive Session held this date in the case entitled Lonatro, et al v. Orleans Levee

District, et al, No. 11-357, Section J(5), U. S. District Court, Eastern District of Louisiana.

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

YEAS: Mr. Barry, Mr. Jackson, Mr. Kemp, Mr. Luettich, Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: Mr. Barnes and Mr. Estopinal

RESOLUTION NO. 04-19-12-05 – LEGAL ACTION

On the motion of Mr. Pineda,

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

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East authorizes that action be taken as recommended by Counsel in Executive Session held this date in the case entitled Haspel & Davis Milling and Planting Co., Ltd., Jean Mayer Connell, Joseph Jean Torre, Sr., Bohemia Planting Co., Inc., Leonie Davis Rothschild and Arthur Q. Davis, for Themselves and on Behalf of all Others Similarly Situated vs. Board of Commissioners of the Orleans Levee District, 25th Judicial Court, Parish of Plaquemines, No. 31-357, Div. A..

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

YEAS: Mr. Barry, Mr. Jackson, Mr. Kemp, Mr. Luettich, Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: Mr. Barnes and Mr. Estopinal

REGIONAL DIRECTOR'S REPORT:

Mr. Turner provided a written copy of the Regional Director's Report to the Board (copy appended to the minutes).

Mr. Turner discussed the certification of the non-federal levees in Orleans and St. Bernard Parishes. Levees must be certified in order to be accredited and mapped in the FEMA National Flood Insurance Program (NFIP). The USACE is doing the levee system evaluation report to satisfy the certification requirements to allow accreditation of the federal levees by FEMA. The work being done by the USACE includes the perimeter, outfall canal and IHNC levees. The USACE will also do the hydraulic work required for the internal drainage for submission to FEMA. The SLFPA-E hoped that the USACE would include the non-federal levees in its levee system evaluation report. In some cases the USACE worked on the non-federal levees after Hurricane Katrina in order to provide some level of protection while the federal levees were being rebuilt. The CPRA recently sent a letter to the USACE requesting that the USACE include the non-federal levees in its system evaluation report; however, the USACE may respond that it does not have the money, authority or time to include the work on the non-federal levees.

Mr. Turner advised that a response must be given to FEMA on whether or not the SLFPA-E wants to have the non-federal levees accredited. If the SLFPA-E wants the non-federal levees to be accredited, FEMA recommends that in lieu of providing the certification documents at this time that the SLFPA-E join the Provisionally Accredited Levee (PAL) Program. A template PAL agreement was developed by FEMA, which states that there are no known problems with the levees at this time for the intended purpose. Execution of the PAL agreement would allow two years for the data collection process and certification report to be submitted to FEMA. Should the levee certification document or executed PAL agreement not be submitted to FEMA within about the next thirty days, the flood insurance rate maps (FIRMS) will be issued based on no levees being in place at these locations. The non-federal levees include the Maxent Levee, which affects the New Orleans East polder, and the Forty Arpent Levee, which affects the Lower Ninth Ward and St. Bernard Polders. He requested that the Board and legal counsel review the PAL agreement in the event that the USACE responds that it will not include the non-federal levees in its evaluation report to FEMA. If the USACE does not do this work, the SLFPA-E will need to do it using a consultant. A motion is included on the agenda to authorize the advertisement and issuance of a Request for Qualifications for services required for the certification of the non-federal levees.

Mr. Tuner explained that the non-federal levees provide a drainage divide between the pumped and non-pumped areas. The required height of the non-federal levees was discussed. Discussions are on-going with FEMA regarding the height of the non-federal levee in the Central Wetland Area. It was noted that the non-federal levees did not fail during Hurricanes Katrina and Rita

Mr. Jackson voiced concern about attempting to hire a consultant to certify a levee because of liability issues for the consultant. The Board discussed the adoption of a resolution that would inform the congressional delegation and other officials about the need to include the non-federal levees in the accreditation process for the entire system. Mr. Turner pointed out that the USACE is doing the internal drainage modeling for all three parishes, which includes pump station capacities, the structural ability of the pump stations to withstand wind load and the conveyance channels as a part of the evaluation report. The USACE has not yet made a decision as to whether or not they have the authority and funds to include the non-federal levees. He stressed that if the non-federal levees are not certified, the base flood elevations in St. Bernard Parish and the Lower Ninth Ward will increase due to rainfall, which will have a significant impact on property values and business development. The supplemental appropriations were written to provide a system that can be certified for the NFIP. In addition, if a non-federal levee is not certified, then the pump stations located along the levee are no longer considered in calculating the base flood elevation. Mr. Doody pointed out that Mr. Turner has the authority to direct Legal Counsel to review the PAL template agreement. Mr. Turner noted that the levee certification process could cost an estimated \$4 million and that the SLFPA-E is attempting to locate funding for this work.

Shelly Midura, Grants Consultant, provided a status report on grant activities. The SLFPA-E applied for and received two grants from the Community Development Block Grant Program in 2009 and 2010 totaling \$1.4 million. The State Disaster Planning

CDBG in the amount of \$900,000 is being used for Surge Modeling (Jacobsen), New Orleans East Land Bridge (Gerwick) and Levee Information Management System (LIMS) (Atkins) projects. The State Disaster Technical CDBG in the amount of \$500,000 is being used to fund the Operations and Maintenance (O&M) Cost studies (AECOM) and GIS Employee (2 years' salary). Two new grants have been received: the Bayou St. John Sea Grant to remove the obsolete waterfall structure (\$76,375) and the 2010 Port Security Grant for LBBLD equipment (\$188,500). The grants received to-date total \$1,665,875.

Ms. Midura advised that Hazard Mitigation Grant Program (HMPG) funding has been approved for St. Bernard Parish. The SLFPA-E requested some of the Parish's HMPG funding to meet some of the LBBLD's needs. A request has been submitted for three safe rooms at \$665,000 each (one with a telemetry system for pump stations 3 and 4) and a flood risk awareness, education and outreach campaign (\$125,000).

Approximately \$500,000 of pre-award costs has been included. The total amount of the grants in the process of being award is approximately \$3.2 million.

Ms. Midura explained that the requests for HMGP funding for which scopes of work are being developed include: three pump engines (\$1.5 million), Violet Canal Repairs (\$3 million) and Backflow Prevention at two pump stations (\$680,000). It is not yet known whether the projects will meet HMGP criteria. The LBBLD applied for an additional Port Security Grant in the amount of \$76,125. The total amount of the grant requests awaiting a decision is approximately \$7,756,125.

Ms. Midura advised that a grant request was submitted on behalf of the Orleans Levee District to the EPA Urban Waters Small Grants Program (\$60,000) and the request was denied. The request was to fund a study of the land jurisdiction around Bayou St. John.

Ms. Midura explained that FEMA reviewed the initial funding request for the repair of the New Orleans lakefront seawall and the SLFPA-E was advised that the original funding sought is not available. The project has been modified and FEMA asked that the new scope of work and specifications be submitted to review the cost-benefit ratio and determine whether the new project can be funded. She noted that St. Bernard Parish is attempting to determine projects for its CDBG money. She suggested that St. Bernard Parish be approached relative to CDBG funding for the non-federal certification process.

RESOLUTION NO. 04-19-12-06 - APPROVAL OF LEGAL INVOICES

On the motion of Mr. Barry,

Seconded by Mr. Wittie, 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 April 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 April 19, 2012" are hereby approved.

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

YEAS: Mr. Barry, Mr. Jackson, Mr. Kemp, Mr. Luettich, Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: Mr. Barnes and Mr. Estopinal

RESOLUTION NO. 04-19-12-07 - SLFPA-W AND SLFPA-E COOPERATIVE ENDEAVOR AGREEMENT FOR EMERGENCY SERVICES

Mr. Doody advised that the SLFPA-West requested that the SLFPA-E enter into a Cooperative Endeavor Agreement (CEA) to provide mutual aid during emergencies. The Orleans, East Jefferson and Lake Borgne Basin Levee Districts have executed mutual aid CEAs with other levee districts in the State through the Association of Levee Boards of Louisiana.

On the motion of Mr. Wittie,

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

WHEREAS, the Southeast Louisiana Flood Protection-West (SLFPA-W) and Southeast Louisiana Flood Protection-East (SLFPA-E) desire to furnish mutual aid to each other in the event of an emergency, when requested, to the extent of its ability considering its resources and its own impact from the emergency; and

WHEREAS, each Flood Protection Authority will document the aid and assistance provided to the other during a time of emergency for reimbursement purposes.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East approves the Cooperative Endeavor Agreement for Emergency Services with the SLFPA-W, and authorizes the SLFPA-E President to execute said document and any and all documents necessary to accomplish the above.

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

YEAS: Mr. Barry, Mr. Jackson, Mr. Kemp, Mr. Luettich, Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: Mr. Barnes and Mr. Estopinal

RESOLUTION NO. 04-19-12-08 - ADVERTISEMENT OF RFQ FOR PROFESSIONAL CONSULTING SERVICES

Mr. Turner noted that the SLFPA-E will need to develop a plan and a scope of work with the selected consultant for the non-federal certification process.

On the motion of Mr. Barry,

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

WHEREAS, the Southeast Louisiana Flood Protection Authority-East is in need of professional consulting services in connection with the FEMA certification of the non-federal back levees in Orleans and St. Bernard Parishes.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East authorizes the advertisement and issuance of a Request for Qualifications for professional consulting services in connection with the FEMA certification of the non-federal back levees in Orleans and St. Bernard Parishes.

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

YEAS: Mr. Barry, Mr. Jackson, Mr. Kemp, Mr. Luettich, Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: Mr. Barnes and Mr. Estopinal

RESOLUTION NO. 04-19-12-09 - CDBG – ID-IQ CONTRACT TASK ORDER

On the motion of Mr. Wittie,

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

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

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

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

WHEREAS, the SLFPA-E wishes to proceed with the next phase of the study identified as System Wide Compartmentalization Study – Evaluation of Risk Reduction Scenarios; and

WHEREAS, by Resolution No. 07-21-11-05, adopted on July 21, 2011, the Board approved the assignment of the ID/IQ contract with Taylor Engineering, Inc. to Bob Jacobsen, PE, LLC; and

WHEREAS, the aforementioned ID-IQ contract will expire on June 30, 2012.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East approves an extension of the expiration date of the aforementioned ID-IQ contract with Bob Jacobsen, PE, LLC, to December 31, 2012.

BE IT FURTHER RESOLVED, that the Southeast Louisiana Flood Protection Authority-East approves Task Order No. 02-03-009 for the System Wide Compartmentalization Study – Evaluation of Risk Reduction Scenarios in an amount not to exceed \$176,000, and authorizes the SLFPA-E Regional Director to

execute said task order with Bob Jacobsen, PE, LLC, with payment predicated upon the receipt of grant funds.

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

YEAS: Mr. Barry, Mr. Jackson, Mr. Kemp, Mr. Luettich, Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: Mr. Barnes and Mr. Estopinal

**RESOLUTION NO. 04-19-12-10 –
CONTRACT EXTENSION FOR ATTORNEYS AND LAW FIRMS**

Mr. Lacour explained that the legal fees have dropped tremendously. The Board inherited a number of pre-Katrina legal cases dealing with employment issues, which have been cleared, and the Bohemia Spillway litigation. There is a number of Katrina cases related to the commandeering of property as requested by the USACE. The Board has not generated much litigation other than the 17th Street Canal litigation. The Board approved contracts for services on an as needed basis with about twenty attorneys or legal firms and about 15 of these attorneys or firms have never been used. The Board approved contracts with a number of attorneys or firms in the event that it had to acquire lands for the HSDRRS; however, this effort has been accomplished by the State. The attorneys handling the current litigation are vested in these cases. In addition, the Attorney General's Office has been providing legal service to the Authority. Therefore, he asked that the legal contracts be extended for one year and that a Request for Qualifications for legal services be issued for next year.

On the motion of Mr. Wittie,

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

“A resolution to extend for one (1) year the existing contracts of the attorneys and law firms which the SLFPA-E may use to provide legal services, as needed, by the SLFPA-E and the levee districts within its jurisdiction”

WHEREAS, the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) by Resolutions Nos. 11-08-07-11 and 05-21-09-08 selected and approved a list of attorneys and law firms for legal services for the SLFPA-E and the levee districts within its jurisdiction; and

WHEREAS, the contracts with those attorneys and law firms expire on June 30, 2012; and

WHEREAS, SLFPA-E and the levee districts within its jurisdiction need for legal services appears to be declining.

BE IT RESOLVED, that the SLFPA-E extends all existing contracts with the previously approved attorneys and law firms for one (1) year on the same terms and conditions, subject to acceptance of the extension by the attorneys and law firms and approval by the Attorney General.

BE IT FURTHER RESOLVED, that this Resolution be submitted to the Attorney General for the State of Louisiana for approval.

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

**RESOLUTION NO. 04-19-12-11 –
AUTHORIZATION TO APPROVE CONTRACT TIME EXTENSIONS**

Mr. Doody pointed out that the resolution before the Board does not provide the ability to change the monetary value of a contract, but only to extend the completion date.

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

WHEREAS, the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) and the levee districts under its jurisdiction (East Jefferson Levee District, Lake Borgne Basin Levee District and Orleans Levee District) have need to enter into contracts for professional consulting services, public works and other types of services; and

WHEREAS, subsequent to the approval and execution of said contracts, a need may arise to extend the expiration date of a contract without the need for additional compensation or changing any of the other terms and conditions of the contract.

BE IT HEREBY RESOLVED, that the SLFPA-E President or SLFPA-E Regional Director is authorized to approve the extension of a contract expiration date to accomplish the completion of the original tasks, without additional compensation or changing any of the other terms and conditions of the contract, and said individuals are authorized to sign any and all documents necessary to accomplish the above.

BE IT FURTHER RESOLVED, that no new Task Orders will be assigned to a contractor/consultant after the original contract expiration date without approval of the Board.

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

RESOLUTION NO. 04-19-12-12 - MARDI GRAS PASS

Mr. Kemp explained that the resolution before the Board deals with the new crevasse that has opened in the Bohemia Spillway. Instrumentation is being placed and surveys are being obtained in this area. It is important that as much information as possible is obtained from the crevasse. He stressed that it is important that this crevasse not be closed unless there is some demonstrable threat to flood protection or navigation

projects. He requested that the resolution be modified to state, “any other appropriate public entity consider favorably all options to allow Mardi Gras Pass to remain open and free flowing so long as no adverse impact to flood control and navigation projects can be demonstrated...” He also requested that the first WHEREAS be modified to add “and continues to provide this service” at the end of the paragraph. Mr. Barry pointed out that the Bohemia Spillway was originally created as a demonstration project to prove that spillways work; however, it did, in fact, lower flood heights in New Orleans. Mr. Doody recommended that the resolution be further modified to state, “...that the Bohemia Spillway was created in 1926 for the purpose of illustrating the potential for spillways to reduce flooding and it, in fact, reduces river induced flooding to the Metropolitan New Orleans area...”. The modifications to the resolution were accepted by the Board.

Mr. Doody commented that the State will be doing some work with the Lake Pontchartrain Basin Foundation to study the Bohemia Spillway and he asked that the SLFPA-E be involved in this process.

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

WHEREAS, the Bohemia Spillway was created in 1926 for the purpose of illustrating the potential for spillways to reduce flooding and it, in fact, reduces river induced flooding to the Metropolitan New Orleans area and continues to provide this service; and

WHEREAS, reconnecting the Mississippi River to the Louisiana coastal wetlands is necessary for the long-term sustainability of metropolitan New Orleans 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 7000 years; and

WHEREAS, reconnecting the Mississippi River to deltaic wetlands is central to the success of the 2012 State Master Plan for the long-term sustainability of metropolitan New Orleans and the coast of southeast Louisiana; and

WHEREAS, in 2011 and 2012 a new channel referred to as Mardi Gras Pass developed in the Bohemia Spillway and reconnected the river to the adjacent wetlands; and

WHEREAS, the new breaches, cut-channels and enlarged existing channels, which were enlarged in 2011 and 2012 in Mardi Gras Pass, were the result of un-manipulated Mississippi River flow and is an avulsive process due to natural physical processes of stream development through erosion, and deposition; and

WHEREAS, Mardi Gras Pass is demonstrating characteristics of riverine ecology with fish, beaver, and river otters; and

WHEREAS, allowing Mardi Gras Pass to develop illustrates important natural river processes that may need to be emulated elsewhere for coastal restoration; and

WHEREAS, Mardi Gras Pass now extends from the Mississippi River (River Mile 43.7) to the Back Levee Canal within nearby wetlands, and it has the potential to divert river water that would otherwise be diverted by expensive artificial diversions to wetlands; and

WHEREAS, allowing Mardi Gras Pass to flow has the potential to meet objectives of proposed artificial diversions and result in significant savings of state or federal funds by eliminating the need to construct artificial diversions nearby.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority East requests that the State of Louisiana, the Corps of Engineers, and any other appropriate public entity favorably consider all options to allow Mardi Gras Pass to remain open and free flowing so long as no adverse impact to flood control and navigation projects can be demonstrated, and that the State monitor Mardi Gras Pass carefully and evaluate its suitability to replace other artificial diversions within the vicinity of the Bohemia Spillway.

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

YEAS: Mr. Barry, Mr. Jackson, Mr. Kemp, Mr. Luettich, Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: Mr. Barnes and Mr. Estopinal

RESOLUTION NO. 04-19-12-13 - MOU WITH CPRA

Mr. Doody asked that if the CPRA is going to pay for the work on the West Bank, the SLFPA-E submit a request to the CPRA for it to consider reimbursing the SLFPA-E for the work done on the East Bank.

On the motion of Mr. Luettich,

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

“A resolution agreeing to enter a memorandum of understanding with the Coastal Protection and Restoration Authority for expanded research to verify Hydraulics and Hydrology underpinning the 100-year flood elevations.”

WHEREAS, the state Coastal Protection and Restoration Authority (CPRA) recognizes the value of ongoing efforts by the Southeast Louisiana Flood Protection Authority East (SLFPA-E) to confirm and verify the Hydraulics and Hydrology used by the United States Army Corps of Engineers to establish 100-year-level flood elevations for the Greater New Orleans area flood protection system; and

WHEREAS, this authority desires to continue working in concert with the CPRA in all ways that benefit our residents, increase the effectiveness of our work, eliminate unnecessary duplication of effort and expense, and lead to the best possible flood risk reduction system; and

WHEREAS, the CPRA has asked to join SLFPA-E in expanding the H&H work this authority already has underway via a contract with engineer Robert Jacobsen.

BE IT HEREBY RESOLVED, that SLFPA-E will enter into the Memorandum of Understanding requested by the CPRA, under which SLFPA-E will utilize its existing contract with Mr. Jacobsen to request that he carry out additional H&H work as directed.

BE IT FURTHER RESOLVED, that the scope of work, costs, deliverables, schedule, additional sub-consultants, and associated activities will be planned and coordinated between SLFPA-E and the CPRA Flood Protection Staff, and that the cost of this work in support of CPRA's Verification of the Hydraulics and Hydrology will be covered by the CPRA.

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

YEAS: Mr. Barry, Mr. Jackson, Mr. Kemp, Mr. Luetlich, Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: Mr. Barnes and Mr. Estopinal

A motion was offered by Mr. Barry, seconded by Mr. Pineda and unanimously adopted by a roll call vote, to add Item XII.A.9 to the agenda for a motion relative to the certification of non-federal levees.

RESOLUTION NO. 04-19-12-14 – NON-FEDERAL LEVEE CERTIFICATION

The draft resolution was read to the Board. Mr. Turner advised that a WHEREAS, paragraph would be included in the resolution to state that the USACE has been authorized and funded by Congress to provide a system to defend against a one percent chance annual occurrence event. Mr. Doody requested that a paragraph be included in the resolution to list the individuals that should be sent a copy of the resolution.

On the motion of Mr. Pineda,

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

“A resolution to urge the United States Army Corps of Engineers to include non-federal levees in New Orleans East, the Lower Ninth Ward, and St. Bernard Parish in their Levee System Evaluation Report that will be submitted to FEMA to fulfill levee certification requirements for the National Flood Insurance Program.”

WHEREAS, FEMA accredits levees that provide protection against a one percent (1%) annual chance flood event; and

WHEREAS, the U.S. Army Corps of Engineers (USACE) has been authorized and funded by Congress to provide a system to defend against a one percent chance annual occurrence event; and

WHEREAS, the USACE has agreed to provide FEMA with a Levee System Evaluation Report for the Hurricane and Storm Damage Risk Reduction System (HSDRRS); and

WHEREAS, the USACE Levee System Evaluation Report will fulfill FEMA's levee system certification requirement and allow FEMA to accredit the HSDRRS; and

WHEREAS, levees that are uncertified or decertified are not depicted on FEMA flood insurance rate maps (FIRMS) as providing any level of flood protection; and

WHEREAS, if the Maxent Levee in New Orleans East and the Forty Arpent Levee in the Lower Ninth Ward and St. Bernard Parish are not accredited by FEMA, the new base flood elevations in the areas behind those levees will be set significantly above the pre-Katrina base flood elevations; and

WHEREAS, raising the base flood elevations to such an extent will stifle the ongoing recovery efforts in New Orleans East, the Lower Ninth Ward and St. Bernard Parish and create hardship for the residents and businesses that have returned to rebuild and live in these communities.

NOW THEREFORE BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority East urges the United States Army Corps of Engineers to include the Maxent Levee in New Orleans East and the Forty Arpent Levee in the Lower Ninth Ward and St. Bernard Parish in the Levee System Evaluation Report that will be submitted to FEMA to fulfill levee certification requirements for the National Flood Insurance Program.

BE IT FURTHER RESOLVED, that copies of this resolution will be forwarded to our congressional delegation, the Assistant Secretary of the Army, Colonel Edward R Fleming, New Orleans District Commander USACE, Garret Graves, Governor's Executive Assistant for Coastal Activities-CPRA, the state legislative delegation, the Mayor of New Orleans, the New Orleans City Council, the St. Bernard Parish President, and the St. Bernard Parish Council.

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

YEAS: Mr. Barry, Mr. Jackson, Mr. Kemp, Mr. Luettich, Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: Mr. Barnes and Mr. Estopinal

**RESOLUTION NO. 04-19-12-15 –
RENEWAL OF EJLD FLOOD INSURANCE COVERAGE**

On the motion of Mr. Barry,

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

WHEREAS, the East Jefferson Levee District (EJLD) flood insurance coverage is due to expire on May 19, 2011 and a quotation was received for renewal through Arthur Gallagher Risk Management Services; and

WHEREAS, coverage for the EJLD Administration Building (203 Plauche) can be renewed under National Flood Insurance Plan at an annual premium of \$2,502 with coverage of \$320,000 on the building and \$80,000 on contents, each with a \$1,000 deductible.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East authorizes the renewal of Flood Insurance Coverage as stated above under the National Flood Insurance Plan through Arthur Gallagher Risk

Management Services, for a one year period commencing on May 19, 2012, and authorizes the EJLD Executive Director 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. Barry, Mr. Jackson, Mr. Kemp, Mr. Luettich, Mr. Pineda and Mr. Wittie
NAYS: None
ABSENT: Mr. Barnes and Mr. Estopinal

Motion to approve the extension of the expiration date of the Consulting Engineering Services Contract with Burk-Kleinpeter, Inc. for the Lakefront Linear Park Shoreline Protection Project to March 31, 2013.

The motion was removed from the agenda as it is no longer needed with the passage of Resolution No. 04-19-12-11.

**RESOLUTION NO. 04-19-12-16 –
APPROVAL TO ADVERTISE PUBLIC HEARING FOR LBBLD**

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

WHEREAS, the St. Bernard Parish Assessor was mandated by the Louisiana Tax Commission to reassess the tax rolls for 2012; and

WHEREAS, there is a need for the Board to consider levying additional or increased millage rates above the adjusted millage rates, in accordance with Art. 7, Sec. 23(C) of the LA Constitution and R.S. 47:1705, in order to meet the financial obligations of the Lake Borgne Basin Levee District.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East authorizes the advertising, as required, of a public hearing on June 21, 2012, in conjunction with the regular monthly Board meeting to be held on the same date, for the Lake Borgne Basin Levee District, in order to consider levying additional or increased millage rates without further voter approval or adopting the adjusted millage rates not to exceed the prior year's maximum in accordance with Art. 7, Sec. 23(C) of the LA Constitution and R.S. 47:1705.

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

RESOLUTION NO. 04-19-12-17 - AMENDMENT OF VCI, LLC CONTRACT

Mr. Turner advised that the resolution before the Board would provide about two months of service. The Civil Service posting for the position expires at the end of April, 2012, and the interview process can begin at that point. The services provided under this

contract would fulfill two positions that are vacant (i.e., LBBLD Executive Director and LBBLD Levee Foreman).

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

WHEREAS, the Executive Director of the Lake Borgne Basin Levee District (LBBLD) resigned his position with the District effective March 2, 2012; and

WHEREAS, in order to effect a smooth transition and ensure the efficient continuation of the LBBLD's operations until such time as a new Executive Director is hired, the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) entered into a Contract for Professional Services with VCI, LLC, to provide services on the Executive Director level during the transition and interim periods; and

WHEREAS, the aforementioned contract is for an amount not-to-exceed \$50,000, commencing on February 27, 2012, and terminating at the direction of the SLFPA-E Regional Director; and

WHEREAS, an amendment of the contract is required to increase the not-to-exceed amount by an additional \$40,000 in order to ensure the continuation of services through the interim period and to effect a smooth transition when a new Executive Director is hired.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East authorizes the amendment of the aforementioned contract with VCI, LLC to increase the not-to-exceed amount by an additional \$40,000, for a total not-to-exceed amount of \$90,000, and authorized the SLFPA-E President or SLFPA-E Regional Director to sign the contract amendment and 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. Barry, Mr. Jackson, Mr. Kemp, Mr. Luettich, Mr. Pineda and Mr. Wittie
NAYS: None
ABSENT: Mr. Barnes and Mr. Estopinal

RESOLUTION NO. 04-19-12-18 - LBBLD – SELECTION OF A FIRM TO PROVIDE PROFESSIONAL ENGINEERING SERVICES FOR REMOVAL OF FLOOD GATE #9

Mr. Turner explained that the selection committee reviewed the Statements of Qualifications received in response to the RFQ issued by the Authority and proceeded through the grading process. The selection committee recommended the firm of Fenstermaker & Associates, Inc. for the preparation of plans, specifications and bid documents for the removal of Flood Gate #9. The project is being funded through a FEMA Public Assistance Grant.

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

WHEREAS, by Resolution No., 11-17-11-10, the Board approved the advertisement and issuance of a Request for Qualifications for Professional Engineering Services to Prepare Plans & Specifications to Remove an Abandoned Flood Control Facility (Flood Gate #9) and Backfill with Suitable Material on the 40 Arpent Canal Levee in St. Bernard Parish, LA; and

WHEREAS, the aforementioned work will be accomplished under FEMA Project Work Sheet (PW) #19699; and

WHEREAS, fourteen Statements of Qualifications (SOQ) were received and reviewed by the selection team and competitively rated; and

WHEREAS, the selection team has recommended the selection of Fenstermaker & Associates, Inc. to provide the aforementioned Professional Engineering Services.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) approves the selection of Fenstermaker & Associates, Inc. to provide the Professional Engineering Services to Prepare Plans & Specifications to Remove an Abandoned Flood Control Facility (Flood Gate #9) and Backfill with Suitable Material on the 40 Arpent Canal Levee in St. Bernard Parish, LA.

BE IT FURTHER RESOLVED, that the SLFPA-E Regional Director is hereby authorized to negotiate a contract with Fenstermaker & Associates, Inc. for the above mentioned services and the SLFPA-E President or SLFPA-E Regional Director is hereby authorized to execute said contract and any and all documents necessary to accomplish the above.

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

YEAS: Mr. Barry, Mr. Jackson, Mr. Kemp, Mr. Luetlich, Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: Mr. Barnes and Mr. Estopinal

The next regular Board meeting will be held on May 17, 2012 and hosted by the O.L.D.

There was no further business; therefore, the meeting was adjourned at 3:05 p.m.

SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY - EAST
REGIONAL DIRECTOR'S REPORT
April 19, 2012

100 Year Level of Protection

IHNC 01- Seabrook Complex:

The Seabrook Project is about 75% complete.

Seabrook is still expected to meet Hyla prior to the 2012 hurricane season. Both Vertical Lift Gates and both sector gates are installed; all coffer cells have been removed, and channel armoring is underway.

Pile driving for the fender system and guide walls will begin next week.

The IHNC is completely closed to navigation at the Seabrook construction site.

IHNC 02 - Inner Harbor Navigation Canal Hurricane Storm Surge Barrier:

The project is 96% complete. Navigational traffic is now using the sector gate channel.

The shoreline protection filter fabric and stone placement is 46% complete.

Traylor Bros., the approach wall subcontractor, has completed driving the 48" steel piles for the north, center, and south GIWW end piers - that's all of the piles. The end pier concrete is approximately 10% complete. The 36" pile driving at the north GIWW approach wall and the north side of the center approach walls is completed. 70% of the precast skirt beams have been set and concrete for the approach walls is being placed along the sector gate channel. The contractor will begin driving landing beam piles along the closed bypass channel this week.

At the GIWW gate structure, Massman has completed the mechanical gates activities. They are adjusting and aligning the gates' fenders with the concrete abutments and trying to resolve a tolerance issue. They are almost complete sliding and welding the cylinder's base (the pillow block) to handle the over travel issue (provide a cushion when the cylinder comes back) and some of the alignment issues. Shaw's DOR and Engineering Division are reviewing the buoyancy conditions and determining the necessary action on the sector gate. The gate is basically more buoyant than anticipated.

Baker, the barge gate subcontractor, is 72% complete with installing the mechanical and plumbing work. Hydrostatic test of the pipe should begin next week. There is still a great deal of electrical work to go. The two big deliveries left are the MCC and the Windlass equipment that pulls the chain.

The rebar and forms for the walls of the safe house at the north shore complex are being set. The north vehicle access ramp is approximately 32% percent complete with most of the footings and columns placed. Some of the bent caps are in place and we are getting ready to place the deck slabs. The contractor has begun driving the piles for the permanent bulkhead storage. Splash pads installation will start in a couple weeks.

The BB steel towers and bridge are complete. All of the mechanical equipment is set in place, checked for alignment, and bolted down. The load test on both the north and south motors were completed and everything is OK. The generators have been delivered and are undergoing final terminations. The lift cables for the gate have been strung and the screw jacks have been aligned for the vehicle bridge. The vehicle bridge was raised last week and will be raised again this week. The commissioning should be by the end of April

The south vehicle access ramp is approximately 42% percent complete with all of the footings and columns placed and some bent caps and decks placed. The prep work for placing the rebar in the splash pads has started and they should make their first placement this week.

The site wide electrical contractor is installing conduit and wire at the BB control house, BB mechanical equipment, GIWW sector gate, and GIWW sector gate control houses.

O&M manuals are under development and onsite training for the Non-Federal Sponsor, or NFS, is scheduled to begin this month.

East Jefferson Levee District:

Reaches 1 thru 5:

The Work is substantially complete. Turf establishment issues still remain. 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 9th. The turf was acceptably established by the contractor and the contractor was released from the project. However, there are still minor concerns by the East Jefferson Levee District and they are not willing to accept the project until the spring when another inspection will be held. Reaches 2, 3 and 4 still have turf establishment issues and Final Inspections are pending. The contractor has fertilized both Reach 2 and 3 in early February and completely seeded them at the end of February. This was an error on the part of the contractor because no fertilizer was to be added to the levee reaches until substantial Bermuda growth was established. Reach 1 and Reach 4 are scheduled to be fertilized this month. USACE is in contact with the contractor about this issue. The USACE have modified contracts to address East Jefferson Levee District's concerns with access ramps in all Reaches. There are repairs to the access roads on Reach 1, 4 and 5 that will be addressed on a separate contract.

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 gate winch, which was sent back to the manufacturer for inspection and repair/replacement, has now been given to East Jefferson Levee District. Final Inspection was held on November 28, 2011. There are repairs needed on the scour protection as well as repairs to the joint sealant in some areas. These repairs are scheduled to be completed by mid-April.

Bonnabel Floodwall and Gate:

Work is substantially complete. Final Inspection was held on November 28, 2011. There are repairs needed on the scour protection as well as repairs to the joint sealant in some areas. Hired labor is to re-stripe the roadway on the flood side of the new gate. These repairs are scheduled to be completed by mid-April.

Pump Station Fronting Protection:

The Work is approximately 67% complete. Work is ongoing at all four Pump Stations. The breakwater concrete has been completed at all pump stations. The contractor has completed the west crane pad and slope stability sheets at Bonnabel Pump Station. All major features of work have been completed in the basin at Suburban Pump Station and it has been permanently flooded. A Pre-Inundation Inspection was held on March 2nd at Suburban Pump Station. Contractor is continuing to work on the slide gates, sluice gates and rip rap installation at Elmwood Pump Station. Concrete work for the land monoliths is also ongoing at Elmwood Pump Station. Pile driving and concrete for the land monoliths is ongoing at Duncan Pump Station. An updated hurricane plan is to be submitted by the contractor for any open gaps in the flood protection. They should only have gaps in hurricane protection at Duncan Pump Station.

LPV 017.2 (Causeway Crossing):

The phase II traffic switch to the new roadway has been completed in both directions. An additional turning lane has been added to the southbound lane to alleviate congestion. The contractor is continuing to drive Phase III bridge piles. They are beginning to construct the all weather access road retaining wall as well as the scour protection on the both ends of the project. Contractor is continuing to work on slab spans in the southbound lane. There has been a temporary bulkhead

installed at Monolith M5 to achieve 100 year hurricane protection. Work is approximately 73% complete for the project.

West Return Levee/Floodwall - North:

Work is approximately 96% complete. All base slabs and walls have been completed. Demolition and debris removal of the existing wall is complete. 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 Red Zone Meeting held on March 28th. 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 contractor has begun work on the scour protection and is approx. 95% complete. The only scour protection remaining is around the pump station. The contractor is waiting for the design and direction from USACE to finish the work. Embankment work has begun as well. The new wall alignment has increased the amount of runoff. The existing contract will NOT be modified to include the new landside runoff. There will be a separate contract.

West Return Levee/Floodwall – South:

Work is approximately 96% complete. The contractor has completed all concrete work for the floodwall. The contractor has also completed the concrete for the scour protection modification. The landside runoff modification work is also complete. They are continuing to fine grade embankment in all areas of the project. Seeding and mulching is scheduled to begin on the project April 9th. The steel doors that go under I-10 are in fabrication. Completion of the steel doors is scheduled for the middle of May. Pre-Final Inspection was held March 14th. There were some issues with the scour protection that will need to be addressed. A punch list was created.

Foreshore Protection Reaches 1 and 2:

Work is approximately 92% complete. Work on Reach 2 has been completed and compliance surveys taken. Seeding and mulching remains to be completed on Reach 2. The contractor is continuing to place uncompacted fill on Reach 1. They will need to come back in the spring to recap the stone and also to seed and mulch the berm. There will be a modification to the contract that will add geotextile fabric and 9" of coarse aggregate between the clay and the rock dike. Drawings have been issued by the USACE and contractor should be starting the work shortly.

Foreshore Protection Reaches 3 and 4:

Work is approximately 86% complete. Contractor has completed sand placement and is continuing to work on placing uncompacted fill on Reach 4. The contractor has begun to recap the stone in low areas on Reach 3 where settlement has taken place. They are approx. 65% complete with the recapping. There has also been some settlement in the clay close to rock dike that will have to be addressed. There has been some compliance surveys taken on portions of Reach 3 and seeding and mulching has begun. Contractor is also continuing to work on Reach 4 with

uncompacted fill placement. There will be a modification to the contract that will add geotextile fabric and 9" of coarse aggregate between the clay and the rock dike. Drawings have been issued by the USACE and contractor should be starting the work shortly.

West Return Levee (Airport Runway):

Contractor has begun Phase II of the project on September 21st and is 97% complete with the overall project. The contractor has completed the excavation and placement of the reinforcement fabric. Contractor has completed surfacing for access roads, permanent ramp and permanent road. There will be an additional permanent ramp added to the contract near the northeast end of the project. The electrical conduit bridge installed by the airports electrical contractor is only 16.56' at its peak height. Contractor has proposed design that raises the center of the bridge 2 feet, which gives the needed clearance for embankment. The Airspace study was approved on December 1st. Work by the Airport contractor to raise the conduit bridge has been completed. The embankment work is ongoing and the contractor is scheduled to be finished by the end of April. Red Zone Meeting was held on November 30th.

Orleans Levee District:

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

Construction is about 99% complete.

Floodgates L-1A and L-5 columns were bowed, which prevented proper sealing of the gate in the closed position. The USACE approved the contractor's plan to correct the deficiencies, which includes column repair and track replacement for both gates. The tracks have been replaced and are grouted in place. Reforming the vertical monoliths (that the gates seal against) is underway.

LPV 102.01, 103.01, and 104.01:

Projects are 100% complete, and NCCs have been transmitted to Orleans Levee District on all three projects.

LPV 103.01A1 (Bayou St. John):

Construction is complete. The Punch List Resolution meeting was held July 6, 2011. Turf issues had to be addressed, along with safety and scour protection issues. Additional slope pavement was added near the control structure. Final inspection is scheduled for April 30, 2012.

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

Construction is 99% complete, and Lakeshore Drive is now fully open to traffic. The guard rail at Lake Terrace floodgate must be realigned, which will require a

contract modification. Safety fence will added at Rail Street floodwall, also by contract modification. Final inspection is scheduled for April 30, 2012.

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

Construction is complete, and all ramps are open to vehicular traffic. Turf establishment is still required at the Franklin Avenue and Canal Boulevard ramps. 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 must be converted to L-Walls (LPV-104.02b), cost being negotiated. The conversion work is scheduled to finish by June 1, 2012.

LPV 104.02 (Seabrook West Side IHNC):

Construction is complete. The final inspection will be rescheduled, and punch list items (cracks in slope pavement) are being resolved. I-Wall section to be converted to L-Wall at miter gates onto Lakeshore Drive. Work to be done by August 30, 2012. Seepage issues to be addressed by cutoff wall or sheet pile wall between Franklin Avenue and Seabrook.

LPV 105.01 (Lakefront Airport T-Wall West):

Construction is complete. All lanes of traffic are open at Downman Road. Final inspection is scheduled for May 9, 2012. The flood side of the T-Wall has been painted by the contractor. One street light and pole still must be replaced on the protected side of the floodwalls. Guard rails at Downman Road were 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 actuators are installed. 2,000 LF of levee slope was regraded and seeded. Pre-final inspection still needs to be rescheduled. Concrete joints need to be redone. Problems with the valve actuators have been resolved; waiting on equipment (delivery on June 9, 2012). Small area requires safety fence, similar to LPV-106.

LPV 106 (Citrus Lakefront Levee):

Construction is about 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. Operation and Maintenance safety concerns still need to be addressed. The proposed type of "safety" device for installation on the top of the I-Wall (2' high PVC coated chain link fence) is being fabricated, installation will take 60 days when started. Drains along railroad tracks are being excavated and slope pavement will be shaped to drain.

Ramps must be asphalt paved and curbs redone. Pre-final inspection still needs to be scheduled. Armoring may still be required on the protected side of the levee (under review by USACE).

LPV 107 (Lincoln Beach Floodgate):

Construction is complete. Final inspection has not yet been scheduled. The winch pedestal needs repair 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); a bigger roller was used and appears to have been successful. The access roadway has been removed and is being seeded. Slope pavement at Collins pipeline crossing has been partially repaired. Final inspection is still to be scheduled, pending turf establishment.

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. Slope pavement north of CSX railroad floodgate has severe cracking and will be repaired in the spring 2012. All work at four drainage structures and two USFWS pump stations is complete. The Punch List Resolution meeting was held Nov. 22, 2011. Stations have been tested for USFWS and require retesting, along with the drainage structures. Pre-final inspection will be held in the spring of 2012 when turf is established.

Hwy. 11 floodgate monoliths are leaning away from gate, URS is investigating and preparing a report.

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 was held on March 28, 2012.

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

Construction is being done under LPV 109.02a.

LPV 110 (CSX Railroad Crossing):

Construction is complete. The gate was exercised for OLD. The allowable gap on gate seals is acceptable to USACE Engineering (based on white paper). The punch list resolution meeting was held Dec. 15, 2011. Final inspection was held on March 28, 2012.

LPV 111.01 (North Side GIWW):

Project complete, including all T-Wall construction and deep soil mixing. Turf establishment is over 80% complete. The area between the protected side toe and the access roadway still requires turf establishment. Rills need to be repaired, and some repair is currently underway. The contractor gave a demonstration of a spiked-vibrating drum that can be pulled along the levee slope to remove the rills without damaging the turf. It worked best on dry ground, didn't work as well on wet ground; has limited use, but is being used.

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

The project punch list resolution meeting was held on Nov. 17, 2011. Turf and rills remain as outstanding issues. Pre-final inspection is scheduled for April 25, 2012.

LPV 113 (NASA):

Construction is complete. Pre-final inspection was conducted in the first week of October 2010. Corps in-house forces repaired ruts and rills. Final inspection still to be scheduled, pending turf establishment.

OFC-03 London Ave. Canal:

The work is complete. A modification to the original contract has added 2,100 linear feet of sheet pile and 630 linear feet of embankment to this project, and this additional work has been done. Turf still needs to be established. Final inspection was held on Nov. 15, 2011. NCC planned for September 18, 2012.

OFC-04A Orleans Canal:

The work is complete and the punch list resolution meeting was held on Sept. 28, 2011. Rill problems have been corrected and re-establishment of turf is still necessary. Contractor maintained grass through winter and re-established turf is still necessary. NCC is planned for July 16, 2012.

OFC-05 17th Street Canal:

Project complete. Punch list resolution meetings were held on Oct.12 and 19, 2011. The contractor maintained grass through the winter, and re-established turf is still necessary. NCC planned for September 21, 2012.

OFC-06 Orleans Canal:

Project is complete.

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 Dec. 13, 2011. Work on turf establishment, and resloping the levee to from 1V to 3H, was done by in-house labor, punch list is being prepared.

LPV192.02 Berm:

USACE Memphis Hired Labor force constructed this project (Phase III), and the work is 99.7% complete. Turf establishment issues remain. Hydro seeding is ongoing. Final inspection will be scheduled once successful turf is established.

LPV192.03 Relief Wells

On Reach 2, the scope of work includes installation of 12 new relief wells; on Reach 3, the installation of 50 new relief wells, modification of 9 existing wells, and installation of a subsurface collector line with cleanouts. Collector pipes are in place. With the exception of proper turf establishment, work is complete. Final inspection pending turf establishment.

France Road Floodgate

A new floodgate in the IHNC west side levee/floodwall is being built at the request of the Port of New Orleans. Funding from Port and Corps

The monoliths and concrete floodwalls for the gate are 98% complete. The Project is 70% complete, with substantial completion anticipated on April 16, 2012. Site grading and roadway surface preparation continues. The gate will be delivered to the site by the end of May. The roadway embankment is being placed on each side of the floodgate in four lifts.

Lake Borgne Basin Levee District:

LPV 144 (Bayou Dupre Control Structure):

The work is about 99% complete. A Final Inspection of the Structure was held on March 8, 2012. The contractor has completed all punch list items. Vibrations were

detected during gate operation. Further investigations have determined there is a problem with the hinge and pintle assemblies. Operations Branch from USACE has dewatered the Structure and is in the process of cleaning and examining it for cause of vibration.

The construction of the jib crane pad will be done as part of the access road modifications.

The section of the PDD dealing with 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. No further progress payments will be made until the contractor establishes turf on entire project area. Final inspection depends upon completion of turf establishment, which is estimated to occur by April 30, 2012. The estimated date for notice of substantial completion is June 30, 2012.

The USACE is installing instrumentation to do "bending moment analysis" on this reach. Worked start on April 12, 2012, and is being coordinated with OCPR.

The access swing bridge is to be designed by Arcadis.

LPV 146 (Bayou Dupre to Verret):

The work is 99% complete, with all wall monoliths are in place. The emergency bypass ramp for LA Hwy 46 is complete and paved. The final inspection was held on Aug. 23, 2011. As-built plans and the O&M Manual are under review by USACE.

Access Road design is under review by USACE. The design will be sent to NFS for review.

LPV 147 (LA Hwy 46 Flood Gate):

Project complete. 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 Aug. 5, 2011. As-built drawings and O/M manuals are being prepared.

LPV 148.02 (Verret to Caernarvon):

Construction is 99% complete. Pre-final inspection and Punch List Resolution Inspection have been held.

The USACE has determined that the Creedmore Drainage Structure is no longer needed and removed it from the project without replacing the structure's drainage capacity.

Turf establishment is all that remains on this project.

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

The work is about 99% complete. Pre-final inspection held Oct. 21, 2011. All power supply issues are resolved; permanent power to gate was installed on Dec. 13, 2011. Punch List Resolution meeting Jan. 23, 2012. Contractor must do turf establishment in spring 2012.

Water level gauges are installed on both flood and protected sides of sector gate. The readings from these gauges will be included 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 USACE through CPRA. CPRA has asked for a response to its comments before the PDD is forwarded to the Mississippi Valley Division Commander for signature.

An armoring test site was constructed in St. Charles Parish during the latter part of September 2011, and 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. The USACE proposes two more armoring pilot projects, the first of which will be constructed on an east bank HSDRRS levee in Jefferson Parish (LPV-19.2, Reach 4). The project is about one-mile long. The USACE has received the ROE from the EJLD for the work to be done within its jurisdiction and work will begin within 60 days of that issuance. Work will start in May and should be completed in October 2012. The work will include installation of high performance turf reinforced mat, or HPTRM. Sod will be placed on half the mat, and the other half will be seeded. Plans and specs have been reviewed by SLFPAE, EJLD, and CPRA and those comments are being incorporated for final P&S. An additional pilot project is currently under consideration for the SLFPAW. Lessons learned from all these pilot projects are to be incorporated into the permanent armoring work, which is not expected to begin 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 was protested, kicking off a string of events that continues to hamper project construction. The courts are expected to make a decision by mid-April, 2012.

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

USACE 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. Board approval for issuing a RFQ for the accreditation of these non-federal levees is being requested at the April 19, 2012 Board meeting. We are also investigating funding sources that could be used to pay for a full certification effort. The OCPR is preparing a letter to the Corps asking them to do the accreditation for these levees. SLFPAE representatives met with FEMA on April 17, 2012 to discuss free board and gate closure issues and how they affect new BFE.

Coastal Protection and Restoration

State of Louisiana – CPRA

The Draft "Coastal Master Plan" was issued on January 12, 2012 for public comment. Comments were provided by February 25, 2012.

Lake Borgne Basin Levee District:

The Violet Freshwater Diversion is flowing. Flow is decreasing with the dropping of the river level.

Flood Fight

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

The Mississippi River crested at El. 12.44' at the Carrollton Gage on March 30, 2012. It is predicted to drop to El. 6.0' by April 20, 2012.

Design and Construction

East Jefferson Levee District:

Work is continuing on the EJLD Safe House. Discussions are underway with the City of New Orleans, Jefferson Parish Government the City of Kenner regarding required property acquisitions. The EJLD was notified that the New Orleans City Planning Commission approved the sale of the Kenner Airport property to the EJLD at their April 10th meeting. The next hurdle is the New Orleans City Council.

The EJLD has already begun updating the EOP manual.

Orleans Levee District:

The State Fire Marshall inspection was completed on March 16, 2012. A/C testing and balance report is pending.

The Audio/Visual work in the OLD Safe House is 100% complete.

The Administration Building Refurbishment Project designs are 100% complete. The bid will be solicited for the work upon completion of the Safe House Project.

The SEA Grant for the Bayou St. John Waterfall Removal Project signed and Burk-Kleinpeter has Task Orders to design demolition of waterfall structure and removal of sandbar under Lakeshore Drive Bridge.

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

The "Florida Avenue Sheet Pile Rehabilitation" Project contract is signed. Notice to Proceed is pending.

Lakefront Seawall Erosion Control Project Design Modification is progressing.

Lake Borgne Basin Levee District:

Bid documents are on hold for Engine Replacement at PS #4 pending funding source determination

Bid documents for pump station inspection and repair at Drainage Pump Station #6 were completed by Atkins Global and coordinated with LBBLD attorney. LBBLD will conduct final check before putting out for bid.

Pump Station #2 and #3 – 60% review comments were sent to WS Nelson (designer of record) on March 6, 2012, by LBBLD and CPRA.

Bid documents for Violet Canal dredging are in the latter stages of assembly and scheduled to be ready to go out for bid on or about the first week of May, 2012.

Bid documents are on hold for the Telemetry project for Pump Stations #2 and #3, pending FEMA funding determination for seepage project at Pump Stations #2 and #3 and pending approval of LBBLD's application to FEMA HMGP for the Safe Rooms.

No change on Violet Canal Closure Structure.

Repairs were completed for Pump Station #7 (pump 3).

Pump #1 at Pump Station #7 was removed and is being assessed at CONHAGEN shop. CONHAGEN believes the problem lies with the shaft and coupling. LBBLD will execute a task order with the Engineer of Record to review CONHAGEN's proposed fix.

Chalmette Ferry Landing Seepage – verification inspection on March 7, 2012; all punch list items were completed.

Internal Affairs

We continue to have three inspectors working with us provided by CPRA, and we are 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.

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. We met with the Corps on April 18, 2012 to discuss additional remediation work required by the Corps on the three outfall canals.

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; and was incorporated into the project. The final geotechnical information is being reviewed. The "dashboard" test screen was provided to SLFPA-E in January for review. The Project is partially funded through a grant from the Netherlands Government (50/50 cost share). A workshop is planned by the consultant for April 23, 2012 at UNO.

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

The project for the LIMS Strategic Implementation Plan (SIP) is near completion and interviews have been held with staff. The results are being compiled. This project is funded through a CDBG Grant. The next phase is to investigate licensing and hardware requirements for the system, then prioritize various features. A presentation on the SIP was given at the April 5, 2012 Operations Committee meeting.

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 gave a presentation to SLFPAE at the January 19, 2012 Board meeting. Work is proceeding with CPRA.

"SBPG has agreed to use a portion of its HMGP allocation to fund 3 safe rooms. The State submitted LBBLD's initial application for one safe room to FEMA for unofficial review. It will be revised again to incorporate the other two safe rooms. Ultimately, we will submit one application for all 3 safe rooms so they can be designed and constructed simultaneously."

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.

The New Orleans District office briefed the CPRA and both regional levee authorities this week regarding our concerns on the Mississippi River Levee co-located work.

RFQ for survey firms to survey and confirm the Levee District's servitudes and properties have been received. The selection Committee will have a recommendation to the Board in May.

RFQ for a consultant to develop a comprehensive O&M plan for all flood control structures within SLFPAE's jurisdiction have been received. The Board selected a consultant and they are preparing a Scope of Work before negotiations begin.

Three separate ID-IQ RFQ were published in the Times-Picayune April, 2012, for as-required services on Geotechnical, Hydraulic and Coastal Engineering specialties. They are due on May 3, 2012.

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 was presented to the Finance Committee in March 2012.

The ALBL Annual Workshop will be held in Baton Rouge, LA on May 3rd and 4th. Commissioners can contact SLFPAE to be registered.

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 2012 Hurricane Season officially starts on June 1, 2012.

Revisions to the Districts EOP manuals are underway for approval by the Board in May, 2012.