

**MINUTES OF THE  
SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY–EAST  
BOARD MEETING  
THURSDAY, DECEMBER 15, 2011**

The regular monthly Board Meeting of the Southeast Louisiana Flood Protection Authority - East (Authority or SLFPA-E) was held on Thursday, December 15, 2011, in Room 116 of the Nunez Community College Auditorium within the Arts, Science and Technology Building, 3700 Fenelon Street, Chalmette, Louisiana, after due legal notice of the meeting was sent to each Board member and the news media and posted.

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

**PRESENT:**

Timothy P. Doody, President  
John M. Barry, Vice President (left meeting at 2:48 p.m.)  
Louis E. Wittie, Secretary  
Stephen Estopinal, Treasurer  
David P. Barnes, Jr. (left meeting at 2:00 p.m.)  
Thomas L. Jackson  
G. Paul Kemp  
George Losonsky, PhD  
Ricardo S. Pineda

**OPENING COMMENTS:**

Mr. Doody reported that he and Robert Turner, SLFPA-E Regional Director, met this month with Craig Taffaro, St. Bernard Parish President, to inform him concerning some of the needs of the Lake Borgne Basin Levee District (LBBLD), two of which are the construction of a safe room to house pump operators during hurricanes and the replacement of some outdated pumps (estimated at \$1.5 million each). A resolution was adopted by the St. Bernard Parish Council to reserve enough of the Hazard Mitigation Grant money received by the Parish to replace two pumps at one of the pump stations and to build a safe room. A meeting was also held with the new Representative from lower St. Bernard Parish, Raymond Garofalo, who is very interested in flood protection works in the LBBLD.

Mr. Doody advised that he, Robert Lacour, SLFPA-E General Counsel, and Fran Campbell, East Jefferson Levee District (EJLD) Executive Director, met with Aimee Quirk with the City of New Orleans Mayor's Office for assistance to shorten the process for the EJLD's purchase of property from the Louis Armstrong International Airport for the construction of the proposed EJLD Safehouse and Consolidated Facilities.

Mr. Doody commented that he attended the reception for Royal-Haskoning, which has closed its offices in the New Orleans area.

Mr. Doody reported that he, Mr. Estopinal and a number of levee district personnel attended 71<sup>st</sup> Annual Meeting of the Association of Levee Boards of Louisiana on

December 7th and 8<sup>th</sup>. Mr. Doody and Mr. Estopinal also attended the 76<sup>th</sup> Annual Meeting of the Mississippi Valley Flood Control Association on December 8<sup>th</sup> through 10th. Mr. Doody was reelected to the Executive Committee of the Mississippi Valley Flood Control Association.

**ADOPTION OF AGENDA:**

The agenda was amended as follows:

- Add Item No. VI.B - A resolution for the expropriation of certain tracts required for the Inner Harbor Navigation Canal Project (IHNC-02).
- Delete Item No. XIII.C.2 – Motion relative to the confecting of a Supplement Agreement with Design Engineering, Inc. This item was referred to the Operations Committee.
- Move Item No. XIII.D.1 (Resolution declaring results of a special tax election held on October 22, 2011) to Item No. VI.A.

A motion was offered by Mr. Estopinal, seconded by Mr. Kemp and unanimously approved by a roll call vote, to adopt the amended agenda.

**RESOLUTION NO. 12-15-11-01 APPROVAL OF NOVEMBER 17, 2011  
PUBLIC HEARING AND BOARD MEETING MINUTES**

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

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

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

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

NAYS: None

ABSENT: None

**RESOLUTION # 12-15-11-02 - SLFPA-EAST–A RESOLUTION DECLARING THE  
RESULTS OF A SPECIAL TAX ELECTION HELD ON SATURDAY, OCTOBER 22,  
2011, APPROVING A PROCES VERBAL AND PROCLAMATION OF THE CANVASS  
OF THE VOTES CAST IN SAID ELECTION AND OTHER MATTERS IN  
CONNECTION THEREWITH**

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Jarrell Godfrey, SLFPA-E Bond Counsel, explained that the resolution before the Board declares the results of the special tax election held on Saturday, October 22, 2011, and approves the proces verbal and proclamation of the canvas of the votes cast in said election. The special tax election was held to extend a three mil tax for the LBBLD for a period of thirty years. The proposition passed by a majority vote of 61.23 percent (6,824 votes were cast in favor the proposition and 4,321 were cast against the proposition). The proces verbal and proclamation lists a precinct by precinct

determination of the vote with the absentee votes listed last. The documents will be filed in mortgage records of St. Bernard Parish and with the Secretary of State.

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

**WHEREAS**, the Board of Commissioners of the Southeast Louisiana Flood Protection Authority East (the "Governing Authority") as the governing authority of the Lake Borgne Basin Levee District (the "District") desires to, in open and public session pursuant to La. R.S. 18:1292, declare the results of a special election held on Saturday, October 22, 2011 in order to renew a special ad valorem tax of three (3) mills on all property subject to taxation within the District for thirty years beginning in the year 2015 and ending with the year 2044 pursuant to Title 18, Chapter 6-A of the Louisiana Revised Statutes of 1950 as amended for the purposes of constructing and maintaining necessary levees, levee drainage, flood protection, hurricane and flood protection projects and all other purposes incidental thereto; and

**WHEREAS**, the Governing Authority desires to approve a *proces verbal* and proclamation of the canvass of the votes cast in the above described special election held on Saturday, October 22, 2011 in the District which is attached hereto as Exhibit "A"; and

**WHEREAS**, the Governing Authority desires to promulgate the results of the special election held on Saturday, October 22, 2011 in the District by publishing the *proces verbal* and proclamation in accordance with La. R.S. 18:1293; and

**WHEREAS**, the Governing Authority desires to forward a copy of the *proces verbal* and the proclamation to the Louisiana Secretary of State and the Clerk of Court for St. Bernard Parish for recordation once executed as required by La. R.S. 18:1293 in the Mortgage Records of St. Bernard Parish and in the Records of the Louisiana Secretary of State.

**NOW THEREFORE BE IT HEREBY RESOLVED BY THE BOARD OF COMMISSIONERS OF THE SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY-EAST ACTING AS THE GOVERNING AUTHORITY OF THE DISTRICT THAT:**

**SECTION 1. Findings and Determinations.** The Governing Authority hereby finds and determines the following:

- (i) the following proposition was presented to all qualified voters voting in the special election held on Saturday, October 22, 2011 in the District, to wit:

Parishwide Proposition  
(Lake Borgne Basin Levee District)  
(Tax Renewal)

Summary: 30-year 3 mill property tax renewal yielding \$900,000 in the first entire year of collection for constructing and maintaining necessary levees, levee drainage, flood protection, hurricane flood protection and all other purposes incidental thereto in the Lake Borgne

Basin Levee District which tax may be used as security for bonds or other evidences of indebtedness to be used to pay the costs of such projects.

Shall the Lake Borgne Basin Levee District (the "District") continue to levy and collect a special ad valorem tax of three (3) mills on all property subject to taxation within the District for a period of thirty (30) years beginning with the year 2015 and ending with the year 2044 with an estimated amount to be collected for one entire year of \$900,000 for the purposes of constructing and maintaining necessary levees, levee drainage, flood protection, hurricane flood protection and all other purposes incidental thereto which tax may be used as security for bonds or other evidences of indebtedness to be used to pay the costs of such projects?

(the "Proposition");

(ii) There was a total of 6,824 votes cast in favor of the Proposition and a total of 4,321 votes cast against the Proposition; and

(iii) The Proposition was duly carried by a majority of 61.23% of the votes cast by the qualified electors voting in the special election held on Saturday, October 22, 2011.

**SECTION 2. Approval of *Proces Verbal* and Proclamation.** The Governing Authority hereby approves the *proces verbal* and proclamation as set forth in Exhibit "A" attached hereto and incorporated herein by reference the same as if it were set forth herein in full. The President and the Secretary of the Governing Authority are hereby authorized and directed to execute said *proces verbal* and proclamation.

**SECTION 3. Promulgation of Results of Special Election.** The Governing Authority hereby authorizes and directs the promulgation of the results of the special election by publication of the *proces verbal* and proclamation as set forth in Exhibit "A" hereto once in both the *Times Picayune* and the *St. Bernard Voice* as required by La. R.S. 18:1292.

**SECTION 4. Recordation of *Proces Verbal*.** The Governing Authority hereby authorizes and directs the appropriate staff of the Lake Borgne Basin Levee District to forward an executed copy of the *proces verbal* and proclamation as set forth in Exhibit "A" hereto to the Secretary of State for recordation, and to the Clerk of Court for the 34<sup>th</sup> Judicial District Court for St. Bernard Parish, Louisiana for recordation in the mortgage records as required by La. R.S. 18:1293. An executed copy of the *proces verbal* and the proclamation shall be retained in the archives of the office of the Governing Authority.

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

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

NAYS: None

ABSENT: None

This resolution was declared adopted this 15<sup>th</sup> day of December, 2011.

Exhibit A appended hereto.

**RESOLUTION NO. 12-15-11-03 - EXPROPRIATION FOR  
INNER HARBOR NAVIGATION CANAL PROJECT, IHNC-02;  
TRACTS 118E-1, 118E-2, 118E-3, 118E-4, 118E-5, 118E-6, 118E-7, and 118E-8**

Mr. Estopinal advised that a truncated version of the servitude was provided to the Board. The expropriation of the property is required for the operation and maintenance of the IHNC Hurricane Protection Project. Larry Marino with Louisiana Property Acquisitions explained that erosion has taken place along the marsh side of the channel excavated along the wall. The U.S. Army Corps of Engineers (USACE) submitted a supplemental right-of-entry request for the acquisition of additional property for the placement of a rock dike along each side of the canal in order to protect the remaining marsh from further erosion. A price of \$100,000 has been negotiated with the land owners for the acquisition of approximately 37 acres of property and to settle claims for damages. The cost of the property acquisition will be paid by the State of Louisiana.

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

**WHEREAS**, the Coastal Protection and Restoration Authority (“CPRA”) and the United States Army Corps of Engineers (“USACE”) entered into a Project Partnering Agreement dated April 1, 2008 for the Design and Construction of the Inner Harbor Navigation Canal Hurricane Protection Work, Louisiana project, IHNC-02 (the “IHNC Work”), to be constructed by USACE in Orleans and St. Bernard Parishes in order to improve the hurricane protection of the Greater New Orleans area; and

**WHEREAS**, the Southeast Louisiana Flood Protection Authority - East (“SLFPAE”) and CPRA entered into a Cooperative Endeavor Agreement dated November 5, 2008, whereby SLFPAE agreed to operate and maintain the IHNC Work upon its completion and to acquire land, easements, and rights-of-way required for the construction, operation, and maintenance of the IHNC Work; and

**WHEREAS**, the IHNC Work furthers the levee purpose of flood and hurricane protection, and will greatly enhance the protection of persons and property within the territorial jurisdiction of SLFPAE; and

**WHEREAS**, certain lands, easements, or rights-of-way are required for the construction, operation, or maintenance of the IHNC Work, specifically Tracts 118E-1, 118E-2, 118E-3, 118E-4, 118E-5, 118E-6, 118E-7, and 118E-8 (the “Required Property”), as requested by USACE by letters dated May 5, 2011 and December 9, 2011, and as set forth on the plat attached hereto as Exhibit A, with Tracts 118E-3, 118E-4, 118E-7, and 118E-8 being in Orleans Parish and Tracts 118E-1, 118E-2, 118E-5, and 118E-6 being in St. Bernard Parish; and

**WHEREAS**, Orleans Levee District and Lake Borgne Levee District have been unable to acquire the Required Property amicably; and

**WHEREAS**, pursuant to Louisiana Revised Statutes 38:306 and 38:351, Orleans Levee District and Lake Borgne Levee District may acquire and/or expropriate land,

easements, and rights-of-way needed for levee purposes, including for flooding and hurricane protection purposes, within their territorial jurisdictions.

**THEREFORE BE IT RESOLVED** that the Orleans Levee District, by its Board of Commissioners of the Southeast Louisiana Flood Protection Authority - East, by its President, Timothy Doody, is hereby authorized and directed to expropriate Tracts 118E-3, 118E-4, 118E-7, and 118E-8, which is necessary and useful for the public purpose of improving hurricane protection purposes through construction, operation, and maintenance of the IHNC Work.

**BE IT FURTHER RESOLVED** that the Lake Borgne Basin Levee District, by its Board of Commissioners of the Southeast Louisiana Flood Protection Authority - East, by its President, Timothy Doody, is hereby authorized and directed to expropriate Tracts 118E-1, 118E-2, 118E-5, and 118E-6, which is necessary and useful for the public purpose of improving hurricane protection purposes through construction, operation, and maintenance of the IHNC Work.

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

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

NAYS: None

ABSENT: None

A motion was offered by Mr. Barnes, seconded by Mr. Estopinal and unanimously adopted, to take Item No. IX as the next item of business.

**RESOLUTION NO. 12-15-11-04 - RENEWAL OF O.L.D. HEALTH CARE, VISION PLAN AND DENTAL PLAN COVERAGES**

Carol Kiefer, Orleans Levee District (O.L.D.) Safety-Risk Manager, informed the Board that the corrected premium per active employee for the vision program is \$7.31 per employee with an estimated annual cost of \$8,561.40. The estimated annual premium for the health care program is \$2,366,685.80, less the employees' contribution of \$511,237.80, leaving \$1,855,428 to be paid by the O.L.D. The cost of health care coverage increased by 12.48 percent. The co-payment for all office visits was increased last year to \$50 in order to keep down costs.

Mr. Jackson inquired about the status of the review of the levee districts' benefits programs to ensure uniformity. Mr. Doody advised that at the last Finance Committee meeting he requested that the SLFPA-E Regional Director have the Executive Directors and appropriate personnel review the benefits packages across the board in an attempt to standardize coverages at affordable costs. Mr. Jackson stressed that it is important for the Board members to have information on the comparison of costs and benefits for all of the levee districts in order to make informed decisions. Mr. Estopinal noted that insurance rates and benefits are discussed extensively by the Finance Committee and that recommendations are offered by the Committee. Mr. Doody added that the information provided to the Board is presented in a concise manner; however, every Board member is entitled to all of the information vetted prior to voting on a proposal.

Jim Bollinger, O.L.D. Comptroller, pointed out that only the Lake Borgne Basin Levee District is vested in the State Office of Group Benefits program and that some of the issues dealing with health care coverage reflect the age of the agency. Ms. Kiefer noted that the O.L.D. currently has 70 retirees, in addition to an older work force than the other levee districts.

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

**WHEREAS**, the Orleans Levee District's (O.L.D.) Health, Vision and Dental Care Plans will expire on December 31, 2011; and

**WHEREAS**, renewal quotes were submitted by United Healthcare for the Health Care Plan and the Vision Care Plan and by Crescent Dental for the Dental Care Plan for a one year term commencing on January 1, 2012, through the Besselman Little Agency, as follows:

- United Healthcare Plan "M6O-P" renewal is offered at a 12.48% increase in premium by United Healthcare at an estimated annual cost of \$1,855,428.80 to the O.L.D. Flood Protection Division and an estimated annual cost of \$511,237.80 to be paid by employees/retirees.
- The United Health Care Vision Plan is offered at the locked rate of an estimated annual cost of \$8,561.40 to the O.L.D. Flood Protection Division.
- The Crescent Dental Care Plan is offered at an estimated annual cost of \$40,041.60 to the O.L.D. Flood Protection Division.

**WHEREAS**, the renewal of the Health, Vision and Dental Care Plans was reviewed and recommended by the Finance Committee at its meeting held on December 5, 2011.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority-East authorizes the renewal of United Healthcare Plan "M60-P", the United Healthcare Vision Plan and the Crescent Dental Care Plan, as stated above, through the Besselman Little Agency, for a period of one year commencing on January 1, 2012 and ending on December 31, 2012.

**BE IT FURTHER RESOLVED**, that the O.L.D. Executive Director is authorized to execute any and all documents necessary to carry out the above.

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

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

NAYS: None

ABSENT: None

## **PRESENTATIONS:**

### **1. Co-located Mississippi River Levees—U.S. Army Corps of Engineers**

Walter O. Baomy, Jr., P.E., Chief, Engineering Division USACE, New Orleans District, advised that the USACE was asked to provide a presentation on the levee elevations along the Mississippi River Levee (MRL) and the transition where the hurricane protection floodwall ties into the MRL. He explained that some of the highest elevations of the Hurricane and Storm Damage Risk Reduction System (HSDRRS) are in the St. Bernard area. The HSDRRS floodwalls are built for fifty years into the future and take into account sea level rise, global subsidence and foundation costs. Therefore, it is not uncommon throughout the system to have a difference in elevation height between the floodwall and a soft structure such as a levee. Major efforts have been made since Hurricane Katrina to harden transition areas. Levees and floodwalls were designed for the 100-year storm, a 500-year resiliency check was performed and resiliency requirements constructed. The USACE is working on armoring aspects for the system. Transition pieces will be analyzed over time and adjusted over a 50-year period.

Mr. Estopinal commented that the SLFPA-E requested the USACE to provide operations and maintenance (O&M) recommendations on levee subsidence under the St. Bernard T-wall. Mr. Baomy advised that the USACE is working with the modeler to estimate the degree of O&M that could be expected under certain conditions and the effect of stability on the floodwall system. This work has not yet been completed.

Jennifer Vititoe, USACE Project Manager, explained that the USACE looked at the entire system as it went through its analysis to ensure protection for the 1% event along the Mississippi River. The USACE realized that consideration had to be given to potential variances in river flows, as well as storm surge, when looking at a hurricane event. The 1% design elevations along the river were determined in March of 2009. It was determined that work was required along the MRLs on both the East and West Banks. An Engineering Alternatives Report was issued in April, 2010, outlining alternatives to raise the MRLs. A Design Summit was held in January, 2010, to ensure that the approach applied along the river was the best method. Over 100 Design Summit participants from around the country validated the process used by the USACE. The results of the refinements and recommendations from the Design Summit were received in July and changes were made to the design elevations. Experts also reviewed the geotechnical and structural criteria. It was determined that the East Bank MRLs were sufficient at their current elevations to provide risk reduction for a 1% event.

Max Agnew, USACE Hydraulic Modeler, reviewed some of the results of the Design Summit. One of the findings was that the approach to modeling waves needed to be improved since waves in the river are more locally generated by wind and are primarily a function of fetch. Therefore, the USACE developed an in-house model that relies on classical engineering equations (Bret-Schneider) for wind-wave growth. The same 152 storms used with STWAVE were run in the new model. The model was validated with Katrina observational data and approved by the non-USACE experts. The statistical results from the analysis were reviewed. Wave heights of 1.5-ft. on the East Bank and 2.3-ft. on the West Bank were applied at River Mile 85.0 for the 1% design and resulted in an 18.5-ft. levee requirement on the East Bank and a 20.5-ft. levee requirement on the West Bank.

Mr. Agnew advised that the USACE looked closely at the hydraulics and hydraulic design relative to the St. Bernard Floodwall and MRL Tie-In. The St. Bernard Floodwall



height transitions from 26-ft. to 24-ft. then to 21.2-ft. and ties into the MRL at 20.0-ft. The data and conditions for calculating the transition were discussed. He noted that the USACE could take another look at this issue. Mr. Baummy offered to follow up with additional information to more fully answer some of the Board's questions.

Ms. Vititoe explained that with the new 1% design elevations on the East Bank there are four low spots in lengths of 50-ft to 350-ft. with deficiencies ranging from six-inches to one-foot. The USACE looked at the overtopping of the system as a whole and determined that the overtopping volumes were manageable and within the criteria. The USACE is still looking at armoring possibilities. The USACE recognized that additional work is required to meet certification requirements at the Chalmette Seepage Site and near the Chalmette Battle Field. Mr. Baummy pointed out that the USACE runs yearly surveys along the Mississippi River and works with the levee districts during flood fights. Problem areas along the MRLs are identified, prioritized and the most critical areas are being addressed at this time.

Ms. Vititoe reviewed the conclusions:

- The entire HSDRRS system (including the MRL) is designed to provide 1% (100 year) risk reduction.
- Verified wave analysis with Katrina model confirmed that wave overtopping would occur on the East Bank during that specific storm event. However, it is not designed for a single event, but a probabilistic approach of 152 modeled storms.
- In St. Bernard it would take a storm surge in excess of a 700-year event to overtop the MRL.
- Differing elevations of MRL and Carnarvon Floodwall at the tie-in are a result of the probability of different storm events producing the 1% surge elevations (1% storm surge in river versus 1% storm surge from Gulf).

## **2. Update on LaBranche Wetlands Projects.**

Mr. Kemp, Chair of the Coastal Advisory Committee, commented that the Pontchartrain Levee District (PLD) and its consultant Moffatt-Nichols was asked to provide a presentation on the various projects proposed for the LaBranche Wetlands due to the interest expressed in these projects at the December 2<sup>nd</sup> Committee meeting.

Jonathan Hird with Moffatt-Nichols explained that the firm was initially retained by the PLD to complete the engineering design for the shoreline protection enhancement. Moffatt-Nichols was then asked to assemble information on the multitude of other local, State and Federal projects in the LaBranche Wetlands in an attempt to unify a strategy. The shoreline provides a first line of defense and shoreline erosion and retreat is averaging 12 to 15-ft. per year.

Mr. Hird reviewed presentation slides on the various projects constructed to-date, projects currently in progress, projects currently being proposed and de-authorized projects. He explained that one of the issues in constructing some of the projects relates to land rights.

Paul Tschirky with Moffatt-Nichols explained that the various projects can be grouped into shoreline protection, marsh rebuilding, water control and efforts to introduce fresh water into the system. The PLD is attempting to determine what can be done to stabilize and protect the shoreline and then stitch the other various projects together into a sustainable blueprint for the restoration of the wetlands. A study was done on different options for shoreline protection. The first step to attempt to complete the shoreline protection is the LaBranche West – Wetlands Watchers Park Project. An offshore sill will be constructed and wetlands rebuilt behind the sill. Permit approval has been received. The rock sill is funded through the Coastal Impact Assistance Program (CIAP). Design is on-going on a LaBranche East project (PO 43) to stabilize and protect the shoreline and to look at opportunities for enhancement.

Mr. Tschirky advised that the next step is to look at the wetlands as a whole, including freshwater input potential, salinity controls and water control structures. Data was collected in order to design an action plan from a restoration point of view and was fed into the modeling effort. The model is being developed in partnership with the State to look at the hydraulics of the system and fresh water input. A self-regulating tide gate is being considered south of the railway along the Pipeline Canal.

Mr. Doody requested that the Coastal Advisory Committee provide advice to the Board concerning its participation in the LaBranche Wetlands projects.

### **3. Update on the seismic field work - Dr. Juan Lorenzo.**

Dr. Juan Lorenzo showed a brief film produced by WAFB reporting on LSU/UNO's work on the levees earlier this year. He explained that a proactive, predictive approach, rather than a forensic approach, is being used to monitor flood protection levees. The technique developed must be inexpensive, involve education and be complimentary. Past experience is used to postulate a solution. There are many mechanisms that can cause a levee failure; however, the focus of this work is looking at the natural soil conditions. Geo-science models and prediction based on past experience are being used. The strategy is to look at the natural soil conditions beneath the levee. Methodologies employed by the oil and gas industry were examined as an analogy.

Dr. Lorenzo advised that over the past several years some of the work was performed with the support of the Southeast Louisiana Flood Protection Authority-West on the V-line Levee and the SLFPA-E on the 17<sup>th</sup> Street Canal Levee and the Chalmette MRL. He pointed out that ground penetrating radar (GPR) does not seem to work in the clay rich soil conditions in southeast Louisiana. Public awareness is a strong point of the initiative. Research is summarized on the LSU-UNO Levee Monitoring Group web site.

Dr. Lorenzo explained that it is best to work in an integrated manner and not limit the work just to seismology. Two techniques seem to be efficient and work reasonable well: the traditional method of collecting seismic data and the use of surface waves. New tools were developed to collect data. The techniques can pick up anomalies under the soil; however, the exact reason for an anomaly must be determined by use of another tool or other data.

Dr. Lorenzo advised that two or three types of waves and several types of techniques were contrasted on the V-line Levee. He reviewed the conclusions from a Master's Thesis by J. Hicks: From Cone Penetration Test data and a sedimentary facies map the V-Line Levee is made using materials with large amounts of organic clay and peat and was built upon materials with large amounts of organic clay and peat. The highest content of organic clay and peat are near the area of instability. The high content of organic clay and peat within and beneath the levee may be a cause of levee instability.

Dr. Lorenzo reviewed the goals for 2012:

*Demonstrate efficiency*

- Run 500-m profile using active H and Z source

*Integrate Ideas*

- IDEAL site: truck access on either side of levee, CPT data, boring descriptions

*Obtain Recognition*

- Submit manuscript to Journal of Engineering Geology

*Pursue additional funding:*

from USACE (ERDC)  
planning groups  
insurance groups  
professional societies

**PUBLIC COMMENTS:**

Carol Byram, a resident along the 17<sup>th</sup> Street Canal, commented on the decision of the Board affecting the residents in Lakewood South and the need for the residents to fight back. She commented that there were never any servitudes or laws allowing the taking of the land without compensation or any reason to take anything in Lakewood South.

Craig Berthold, a resident along the 17<sup>th</sup> Street Canal, commented on the Board's decision to not discuss the new 15-ft. requirement in Revised Statute 38:225 in open session because of pending litigation. He commented that the resistance of the Board to discuss this issue holds the homeowners hostage.

Tammy Arrigo, a resident along the 17<sup>th</sup> Street Canal, read a statement prepared by Roy Arrigo concerning the fence and tree removal along the 17<sup>th</sup> Street Canal. She commented on statements made by the Board that the enforcement of R.S. 38:225 was needed to ensure public safety and reduce risks; however, today the levees are even more out of compliance with this statute than in 2008 and the Board is not taking action.

**EXECUTIVE SESSION:**

A motion was offered by Mr. Barry, seconded by Mr. Estopinal and unanimously adopted, for the Board to meet in Executive Session to discuss the items listed on the Agenda. The Board convened in Executive Session at 12:45 p.m.

A motion was offered by Mr. Barry, seconded by Mr. Estopinal and unanimously adopted, to reconvene in regular session at 2:05 p.m.

## **RESOLUTION NO. 12-15-11-05**

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

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority-East supports the recommendation of Counsel in accordance with discussions held in Executive Session this date in the matter of United States of America v. 6.17 Acres of Land, More or Less, Situated in Parish of St. Charles, State of Louisiana and Saint Charles Land Company II. L.L.C., et al. (Master Case) C.A. No. 10-4569 United States District Court, Eastern District of Louisiana, Sec. C, Div. 2, c/w Civil Action No. 11-0128 (Member Case).

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

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

NAYS: None

ABSENT: Mr. Barnes

## **RESOLUTION NO. 12-15-11-06**

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 supports the recommendation of Counsel in accordance with discussions held in Executive Session this date in the following Bohemia Spillway cases listed on the Board Agenda under Executive Session as Items 2 through 8:

- *Succession of Helen Katz, wife of/and Sam Mermelstein v. Board of Levee Commissioners of the Orleans Levee District of the State of Louisiana*, No. 55-314, 25<sup>th</sup> Judicial District for the Parish of Plaquemines, State of Louisiana, Division "B".
- *Board of Commissioners of the Southeast Louisiana Flood Protection Authority – East on Behalf of the Orleans Levee District v. Louisiana Department of Natural Resources*, No. 561-776, 19<sup>th</sup> Judicial District Court for the Parish of East Baton Rouge, State of Louisiana, Section 21.
- *Union Title Guarantee Company, Inc. By and Through Its Court-Appointed Liquidators v. Board of Levee Commissioners of the Orleans Levee District*, Docket No. 52-856, Division A, 25<sup>th</sup> Judicial District Court for the Parish of Plaquemines, State of Louisiana.
- *Board of Commissioners of the Orleans Levee District v. Louisiana Department of Natural Resources through its Secretary Scott A. Angelle and Union Title Guarantee Company, Inc. by and through its Court-Appointed Liquidators*, Docket No. 537,924, Division 24, 19<sup>th</sup> Judicial District Court for the Parish of East Baton Rouge, State of Louisiana.

- *Union Title Guarantee Company, Inc. by and through its Court-Appointed Liquidators v. Louisiana Department of Natural Resources, through its Secretary Scott A. Angelle*, No. 561565, 19<sup>th</sup> Judicial District for the Parish of East Baton Rouge, State of Louisiana, Section 25.
- *Board of Commissioners of the Southeast Louisiana Flood Protection Authority – East on Behalf of the Orleans Levee District v. Louisiana Department of Natural Resources*, No. 562122, 19<sup>th</sup> Judicial District Court for the Parish of East Baton Rouge, State of Louisiana, Section 22.
- *Isabella Stevens Conner v. Board of Levee Commissioners of the Orleans Levee District*, Docket No. 52-539, Division B, 25<sup>th</sup> Judicial District Court for the Parish of Plaquemines, State of Louisiana.

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

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

NAYS: None

ABSENT: Mr. Barnes

**RESOLUTION NO. 12-15-11-07 REQUEST FOR ATTORNEY GENERAL OPINION**

Robert Lacour, SLFPA-E General Counsel, advised that this request relates to a question posed by Stradford Goins relative to the construction of canal gate closures by the USACE.

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

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority-East hereby authorizes its General Counsel, T. Robert Lacour, to request and obtain an Attorney General’s opinion relative to Revised Statute 38:219.

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

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

NAYS: None

ABSENT: Mr. Barnes

**COMMITTEE REPORTS:**

**Finance Committee:** Mr. Estopinal reported that the Finance Committee met on December 1<sup>st</sup>. The Committee discussed two Orleans Levee District cellular tower leases. Assistance on the value of the leases and a legal opinion on lease issues are being obtained. The Committee also discussed the Orleans Levee District’s post retirement healthcare benefit policies. The group consisting of SLFPA-E and levee district staff members established to study healthcare benefits will also study post

retirement healthcare benefit policies. Motions were placed on the Board Agenda relative to the other items discussed by the Committee.

**Operations Committee:** Mr. Wittie reported that the Operations Committee met on December 1<sup>st</sup>. New regulations on rights-of-ways surveys recently published by the Louisiana State Board of Registration for Professional Engineers and Land Surveyors were introduced at the meeting. The Committee discussed the U.S. Coast Guard's IHNC Regulated Navigation Area and received an update on the HSDRRS armoring.

**Legal Committee:** Mr. Barry advised that the Legal Committee did not meet in the month of December. A motion was placed on the Board Agenda for the approval of legal invoices.

**Engineering Advisory Committee:** Mr. Jackson advised that the Engineering Advisory Committee did not meet in the month of December.

**CPRA/Governmental Affairs:** Mr. Barry advised that the Coastal Protection and Restoration Authority (CPRA) did not meet yesterday. He commented on the announcement in the press concerning the \$57 million that will be used for several projects—the first projects going forward with British Petroleum (BP) money. Mr. Barry advised that he had several meetings with representatives of the Administration in Washington, D.C., concerning the O&M of the IHNC Surge Barrier. He commented that the climate in Washington has not improved, particularly concerning the fiscal pressure with the failure of the Super Committee to provide recommendations. Mr. Barry commented on a meeting held in Washington on the Unified National Flood Policy. A summary document relative to the updating of this policy will be circulated.

**Coastal Advisory Committee:** Mr. Kemp reported that the Coastal Advisory Committee met on December 2<sup>nd</sup>. The Committee proposed two resolutions placed on the Board Agenda. The Committee discussed the Modified Charleston Method (MCM) for mitigation and determined that a meeting is needed on this matter with the USACE's Regulatory and Mitigation staff. The Committee received information on the various LaBranche Wetlands projects.

## **REGIONAL DIRECTOR'S REPORT:**

Robert Turner, SLFPA-E Regional Director, reviewed highlights of the Regional Director's Report (copy appended to minutes).

- IHNC Regulated Navigation Area (RNA) – The SLFPA-E and USACE requested that the discussion of the IHNC RNA be placed on the agenda for the December 6<sup>th</sup> meeting of the Lower Mississippi River Waterways Safety Advisory Committee. The USACE noted at the meeting that the RNA will need to remain in effect in some form or fashion and the SLFPA-E pointed out that the RNA needed to be tightened up. Several individuals from the navigation group asked to meet with SLFPA-E staff prior to the Safety Advisory Committee subcommittee meeting. Mr. Turner will follow up with representatives from the USACE and the Safety Advisory Committee on the establishment of a subgroup to work on the RNA issues in an effort to redefine the RNA prior to the next hurricane season.

- Bayou Dupre Control Structure – The SLFPA-E retained a consultant to review the eccentric joints and other issues. The USACE will provide some additional formalized computer runs that take into account the eccentricities on a 3-D frame analysis. A vibration was noted after the USACE began testing the structure. The USACE called out a vibrations expert yesterday to attempt to isolate the location of the vibration. It was determined that the vibrations are coming from the hinge and pintle. The SLFPA-E is awaiting a decision from the USACE on this issue. The problem could potentially cause a two-year delay on the USACE's turnover of the project to the local sponsor. Mr. Doody requested that the USACE provide additional information to the Operations Committee on this matter.
- Armoring – The USACE constructed a test section in St. Charles Parish consisting of various combinations and applications of High Performance Turf Reimbursement Mat (HPTRM), sod and grass. Minor tractor rutting was noticed on the HPTRM. There was significant rutting in areas without the HPTRM. The HPTRM did not come up or slide during testing. Additional testing has been discussed. Three types of HPTRM were used in a test section in New Orleans East in order to determine how the materials stand up to hog damage.
- Mississippi River – The levee districts are currently in phase one flood fighting.
- Outfall Canals – Halcrow received and reviewed the USACE's Mean Operating Water Level (MOWL) reports. Comments were provided to the USACE and several issues remain outstanding. The USACE is doing a reevaluation and will be doing additional work and investigations.
- Levee Information Management System (LIMS) – A contract was awarded to Atkins for a Strategic Implementation Plan. Interviews will be conducted with SLFPA-E Commissioners and staff.
- Automated Permitting System – Discussions have been held with the CPRA regarding the development of an Automated Permitting System. The system will be web based and maintained through the State. A meeting will be held on December 20<sup>th</sup> with the participation of levee districts from across Louisiana in order to receive input and determine interest in the program.
- Statements of Qualifications will be received on December 21<sup>st</sup> for the development of an Operations and Maintenance Plan for the IHNC Surge Barrier and navigation gates. Mr. Wittie will chair the selection committee.
- A Request for Qualifications has been issued for surveying levee districts rights-of-ways.
- Co-located work on the Mississippi River Levee – Formal comments were recently submitted to the USACE. Additional meetings are planned with the USACE hydraulics staff.
- FEMA NFIP Levee System Accreditation – The USACE is proceeding with the necessary work for the evaluation required for the levee system accreditation; however, multiple projects are in jeopardy of not meeting the June 1<sup>st</sup> deadline. A decision must be made between January and March as to whether the USACE will seek additional time. FEMA is indicating that certification will be required in

order for the non-federal levees in Orleans and St. Bernard Parishes to be mapped. An option is to sign a Provisional Accredited Levee (PAL) Agreement stating that the levee is certifiable and the levee district would then embark on a two-year mission to have the levee certified. The potential cost for certifying the 30 to 35 miles of non-federal levees could be four to four-and-a-half million dollars. Required remediation would be an additional cost.

**RESOLUTION NO. 12-15-11-08 - ASSIGNMENT OF CONTRACT WITH HASKONING, INC. TO FUGRO CONSULTANTS, INC.**

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

**WHEREAS**, the Dutch government offered and approved a 50/50 percent cost share grant for a project to develop a Storm Forecasting Module, a Levee Strength Module and a Decision Support Module for the Levee Information Management System (LIMS) and selected Royal-Haskoning as the contractor for this project; and

**WHEREAS**, the total cost of the project is \$300,000 with the local cost share being \$150,000; and

**WHEREAS**, the Southeast Louisiana Flood Protection Authority-East adopted Resolution No. 05-19-11-07, which approved the acceptance of the aforementioned grant from the Dutch government and authorized the execution of an agreement with Royal Haskoning for an amount not-to-exceed \$150,000; and

**WHEREAS**, a Contract for Secondment of Employees was executed on June 1, 2011, between the SLFPA-E and Haskoning, Inc. in the amount of \$150,000 for the preparation of the aforementioned modules; and

**WHEREAS**, the project is well underway and is anticipated to be completed in the first half of 2012; and

**WHEREAS**, Haskoning, Inc. is closing its offices in the United States and has requested that the above mentioned contract be assigned to Fugro Consultants, Inc., one of its two subcontractors with offices located in Kenner, Louisiana, and

**WHEREAS**, Fugro Consultants, Inc. will set up subcontracts with Haskoning Nederland and HKV, which will allow the work on the project to continue by the same parties and the content of the work will remain the same.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority-East approves the assignment of the aforementioned Contract for Secondment of Employees with Haskoning, Inc. to Fugro Consultants, Inc., and authorizes the SLFPA-E President or Regional 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. Estopinal, Mr. Jackson, Mr. Kemp, Mr. Losonsky, Mr. Pineda and  
Mr. Wittie

NAYS: None

ABSENT: Mr. Barnes and Mr. Barry



## **RESOLUTION NO. 12-15-11-09 - BOHEMIA SPILLWAY CREVASSE**

Mr. Kemp explained that the Board previously adopted a resolution relative to this crevasse. The resolution before the Board states that it is anticipated that the operator will approach the State for a permit to repair the road breached by the Mississippi River and that the SLFPA-E would like to be able to provide comments on this issue.

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

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

**WHEREAS**, the original Bohemia Spillway project was constructed by the Orleans Levee Board; and

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

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

**WHEREAS**, the area is one of few locations in coastal Louisiana that have experienced little wetlands loss and appear to be self-sustaining; and

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

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

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

**WHEREAS**, the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) has previously expressed a continuing interest in this project (Resolution No. 08-18-11-04, August 18, 2011); and

**WHEREAS**, on-grade repairs to the eroded road may inhibit future flow through the spillway; and

**WHEREAS**, the road repairs require a Coastal Use Permit through the state and Plaquemines Parish.

**BE IT HEREBY RESOLVED**, that the SLFPA-E requests that the Coastal Zone Management Division allow the SLFPA-E to review and comment on any permit application pertaining to road repairs in the Bohemia Spillway, and that the State

and Parish call for a road that will not inhibit future flow of river water through the Bohemia Spillway at the site of the current crevasse.

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

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

NAYS: None

ABSENT: Mr. Barnes and Mr. Barry

### **RESOLUTION NO. 12-15-11-10 - 2012 STATE MASTER PLAN**

Mr. Kemp explained that the resolution requests that projects associated with land bridges not be ruled out because the ADCIRC storm surge modeling has not been completed by the time the State Master Plan is ready.

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

**WHEREAS**, the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) commends the State team drafting the 2012 Louisiana Coastal Master Plan (Master Plan) in the Louisiana Office of Coastal Restoration and Protection (OCPR) for seeking to combine and integrate the many proposed coastal restoration and flood protection measures in a more scientifically rigorous and cost-effective way than has ever been done before; and

**WHEREAS**, the 2012 Master Plan seeks to capture the value of coastal restoration and bolstering natural landscape elements to reduce risks of flooding from hurricane storm surges; and

**WHEREAS**, the OCPR intends to release a draft plan early in January 2012, prior to completion of the ADCIRC surge modeling that will help assess the capacity of restored wetlands and bolstered natural landscape features to reduce flood risk from hurricane surge; and

**WHEREAS**, ADCIRC modeling completed earlier by the U.S. Army Corps of Engineers as part of the Louisiana Coastal Protection and Restoration investigation by the LACPR allowed the Corps to identify "Critical Landscape Features" that were found to inhibit storm surge and reduce flood risk, particularly "land-bridge features".

**BE IT HEREBY RESOLVED**, that the SLFPA-E requests that the OCPR Master Plan team use the LACPR "Critical Landscape Features" analysis and designations – prior to obtaining specific ADCIRC model results – as an initial screening criterion to flag and support project alternatives that are most likely to reduce storm surge flood risk.

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

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

NAYS: None

ABSENT: Mr. Barnes and Mr. Barry

## **RESOLUTION NO. 12-15-11-11 - APPROVAL OF LEGAL INVOICES**

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

**WHEREAS**, the legal invoices submitted to the Southeast Louisiana Flood Protection Authority-East (SLFPA-E), East Jefferson Levee District, Lake Borgne Basin Levee District and Orleans Levee District listed on the spreadsheet entitled "Legal Invoices Approved on December 15, 2011", have been reviewed and approved by the appropriate levee district Executive Director, the SLFPA-E Regional Director and the SLFPA-E General Counsel, Robert Lacour; and

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

**BE IT HEREBY RESOLVED**, that the legal invoices listed on the spreadsheet entitled "Legal Invoices Approved on December 15, 2011" are hereby approved.

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

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

NAYS: None

ABSENT: Mr. Barnes and Mr. Barry

## **RESOLUTION NO. 12-15-11-12 - RENEWAL OF EJLD INSURANCE COVERAGES**

Hardie Edgecombe with Arthur J. Gallagher Risk Management Services provided the following recommendations:

- Renewal of Property Insurance with Allianz at an increase in cost of \$50. All coverages and deductibles are the same as the expiring coverage.
- Renewal of Inland Marine Insurance with Allianz at a two percent reduction in rate. Additional equipment purchased throughout the year was included in coverage.
- Renewal of Law Enforcement Liability Insurance with the Darwin Group. Coverage limits, deductibles and premium are the same as the expiring coverage.
- Renewal of Worker's Comp Insurance with LWCC. The MOD (experience modifier) decreased from 1.02 to .96 and the EJLD received a nine percent discount on rates.
- Renewal of Pollution Insurance with Ironshore with a slight increase in premium due to age of the tanks.
- Renewal of the Accident Policy with ACE for EJLD reserve police officers.

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

**WHEREAS**, the East Jefferson Levee District's (EJLD) Property, Inland Marine, Law Enforcement Liability, Worker's Compensation and Pollution Insurance coverages and Accident Policy will expire on or about January 1, 2011; and

**WHEREAS**, Arthur J. Gallagher Risk Management Services, Inc. obtained and presented quotes for the renewal of the aforementioned insurance coverages to the Finance Committee at its meeting held on December 1, 2011, and the following recommendations were offered for the renewal of said coverages:

- Property Insurance from Allianz at an annual premium of \$13,571.
- Inland Marine Insurance from Allianz at an annual premium of \$13,521.
- Law Enforcement Liability Insurance from the Darwin Group at an annual premium of \$35,223.30.
- Worker's Comp Insurance from LWCC at an estimated annual premium of \$105,990.
- Pollution Insurance from Ironshore at an annual premium of \$11,025.
- Accident Policy from ACE at an annual premium of \$1,200.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority-East authorizes the renewal of Property, Inland Marine, Law Enforcement Liability, Worker's Compensation and Pollution Insurance coverages and Accident Policy, as recommended and stated above, for a one year period commencing on or about January 1, 2012, through Arthur J. Gallagher Risk Management Services, Inc.

**BE IT FURTHER RESOLVED**, that the EJLD Executive Director is authorized to execute any and all documents necessary to accomplish the above.

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

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

NAYS: None

ABSENT: Mr. Barnes and Mr. Barry

**RESOLUTION NO. 12-15-11-13–**  
**PROCUREMENT OF UMBRELLA INSURANCE COVERAGE FOR THE O.L.D.**

Mr. Edgecombe advised that the correct premium for Umbrella Insurance coverage is \$56,688.45. The Orleans Levee District is now able to purchase this coverage because of the division between the Flood Protection and Non-Flood Protection Assets Divisions.

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

**WHEREAS**, Arthur J. Gallagher Risk Management Services, Inc. has shopped the market for Umbrella Insurance coverage for the Orleans Levee District Flood Protection Division; and

**WHEREAS**, Lexington Insurance Company has offered to provide said coverage, with a limit of liability of three million dollars, for a one year period commencing on January 1, 2012, at an annual premium of \$56,688.45; and

**WHEREAS**, the aforementioned coverage was reviewed and recommended by the Finance Committee at its meeting held on December 1, 2011.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority-East authorizes the procurement of Umbrella Insurance coverage from Lexington Insurance Company at an annual premium of \$56,688.45, for a one year period commencing on January 1, 2012, through Arthur J. Gallagher Risk Management Services, Inc.

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

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

NAYS: None

ABSENT: Mr. Barnes and Mr. Barry

#### **RESOLUTION NO. 12-15-11-14 - RATIFICATION OF SETTLEMENT**

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

**BE IT RESOLVED**, in accordance with discussions held in Executive Session, the Board hereby:

- Ratifies the Settlement Agreement dated effective November 7, 2011 by and between the Orleans Levee District (appearing therein through the Southeast Louisiana Flood Protection Authority-East) on the one hand and Clarence Favret on the other hand relating to (among other things) Tract 85 in the Bohemia Spillway and that civil action filed in the 25th Judicial District Court of Plaquemines by Paul Favret under Docket No. 53-951 (the "Settlement Agreement") executed on December 2, 2011 by President Timothy P. Doody; and
- Authorizes President Timothy P. Doody and the Authority's outside counsel Gordon, Arata, McCollam, Duplantis & Eagan, L.L.C. to execute any and all further necessary documents subject to approval of the Authority's general counsel; and
- Approves keeping the terms of this Settlement Agreement confidential as further provided therein.

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

NAYS: None

ABSENT: Mr. Barnes and Mr. Barry

#### **RESOLUTION NO. 12-15-11-15 - RENEWAL OF LBBLD INSURANCE COVERAGES**

Mr. Edgecombe provided the following recommendations:

- Renewal of Worker's Comp Insurance with LWCC. The MOD decreased from 1.07 to 1.03 and the LBBLD received a seven percent discount on rates.

- Renewal of Pollution Insurance with Ironshore with an increase in premium due to the age of the tanks.

On the motion of Mr. Estopinal,

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

**WHEREAS**, the Lake Borgne Basin Levee District's (LBBLD) Worker's Compensation and Pollution Insurance coverages will expire on or about January 1, 2011; and

**WHEREAS**, Arthur J. Gallagher Risk Management Services, Inc. obtained and presented quotes for the renewal of the aforementioned insurance coverages to the Finance Committee at its meeting held on December 1, 2011, and the following recommendations were offered for the renewal of said coverages:

- Worker's Comp Insurance from LWCC at an estimated annual premium of \$88,802.
- Pollution Insurance from Ironshore at an annual premium of \$19,293.75.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority-East authorizes the renewal of Worker's Compensation and Pollution Insurance coverages, as recommended and stated above, for a one year period commencing on or about January 1, 2012, through Arthur J. Gallagher Risk Management Services, Inc.

**BE IT FURTHER RESOLVED**, that the LBBLD Executive Director is authorized to execute any and all documents necessary to accomplish the above.

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

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

NAYS: None

ABSENT: Mr. Barnes and Mr. Barry

Mr. Doody announced that the next regular Board meeting will be held on January 19, 2012 and hosted by the EJLD. He also advised that steps are being taken to move the traffic attenuator on Lakeshore Drive and Lake Terrace Boulevard twenty-feet to the east.

There was no further business; therefore, the meeting was adjourned at 3:15 p.m.

**ATTACHMENT TO RESOLUTION NO. 12-15-11-02**

PROCES VERBAL AND PROCLAMATION OF THE CANVASS OF THE VOTES CAST AT THE SPECIAL ELECTION HELD IN THE LAKE BORGNE BASIN LEVEE DISTRICT, ST. BERNARD PARISH, LOUISIANA ON SATURDAY, OCTOBER 22, 2011.

BE IT KNOWN AND REMEMBERED that on Thursday, December 15, 2011 at 9:30 a.m., at Room 116 of the Nunez Community College Auditorium within the Arts, Science and Technology Building, 3700 Fenelon Street, Chalmette, Louisiana, 70043, the Board of Commissioners of the Southeast Louisiana Flood Protection Authority East (the "Governing Authority"), acting as the governing authority of the Lake Borgne Basin Levee District, Louisiana (the "District"), and being the authority ordering the special tax election held therein on Saturday, October 22, 2011, with the following members present:

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

There being absent: None.

did in open and public session, examine the official certified tabulations of votes cast at the said election, and did examine and canvass the returns of the said election, there having been submitted at said election the following proposition, to wit:

Parishwide Proposition

(Lake Borgne Basin Levee District)

(Tax Renewal)

Summary: 30-year 3 mill property tax renewal yielding \$900,000 in the first entire year of collection for constructing and maintaining necessary levees, levee drainage, flood protection, hurricane flood protection and all other purposes incidental thereto in the Lake Borgne Basin Levee District which tax may be used as security for bonds or other

evidences of indebtedness to be used to pay the costs of such projects.

Shall the Lake Borgne Basin Levee District (the "District") continue to levy and collect a special ad valorem tax of three (3) mills on all property subject to taxation within the District for a period of thirty (30) years beginning with the year 2015 and ending with the year 2044 with an estimated amount to be collected for one entire year of \$900,000 for the purposes of constructing and maintaining necessary levees, levee drainage, flood protection, hurricane flood protection and all other purposes incidental thereto which tax may be used as security for bonds or other evidences of indebtedness to be used to pay the costs of such projects?

There was found by said count and canvass that the following votes had been cast at the said special election **IN FAVOR OF** and **AGAINST**, respectively, the proposition as hereinabove set forth (the "Proposition") at the following polling places to wit:

<u>PRECINCT</u>	<u>LOCATION</u>	<u>VOTE TABULATION</u>	
		<b>YES</b>	<b>NO</b>
10	Arabi Elementary School Cafeteria, 7200 Alexander Ave., Arabi	105	49
11	Arabi Elementary School Cafeteria, 7200 Alexander Ave., Arabi	204	86
12	Arabi Elementary School Cafeteria, 7200 Alexander Ave., Arabi	101	45
13	Arabi Elementary School Cafeteria, 7200 Alexander Ave., Arabi	158	98
14	Andrew Jackson Elementary School, 201 Eighth St., Chalmette	99	49
15	Andrew Jackson Elementary School, 201 Eighth St., Chalmette	18	6
16	Andrew Jackson Elementary School, 201 Eighth St., Chalmette	60	46
17	Andrew Jackson Elementary School, 201 Eighth St., Chalmette	46	28
20	Chalmette Elementary School Cafeteria, 75 E. Chalmette Circle, Chalmette	140	71



21	Chalmette Elementary School Cafeteria, 75 E. Chalmette Circle, Chalmette	89	56
22	Nunez Community College, 3700 Lafontaine St., Chalmette	69	68
23	Chalmette Elementary School Cafeteria, 75 E. Chalmette Circle, Chalmette	40	18
24	Nunez Community College, 3700 Lafontaine St., Chalmette	201	123
25	Nunez Community College, 3700 Lafontaine St., Chalmette	100	61
30	Lacoste Campus Cafeteria, 1101 E. Judge Perez Dr., Chalmette	235	134
31	Chalmette High School Cafeteria, 1100 E. Judge Perez Dr., Chalmette	164	109
32	Lacoste Campus Cafeteria, 1101 E. Judge Perez Dr., Chalmette	160	89
32A	Lacoste Campus Cafeteria, 1101 E. Judge Perez Dr., Chalmette	135	72
33	Chalmette High School Cafeteria, 1100 E. Judge Perez Dr., Chalmette	123	87
34	Chalmette High School Cafeteria, 1100 E. Judge Perez Dr., Chalmette	21	35
35	Chalmette High School Cafeteria, 1100 E. Judge Perez Dr., Chalmette	45	59
40	Joe Davis Elementary School, 4101 Mistrot Dr., Meraux	26	17
41	Joe Davis Elementary School, 4101 Mistrot Dr., Meraux	164	100
42	Joe Davis Elementary School, 4101 Mistrot Dr., Meraux	203	144
42A	Joe Davis Elementary School, 4101 Mistrot Dr., Meraux	148	99

43	N.P. Trist Middle School, #1 Pirates Cove, Meraux	98	88
44	N.P. Trist Middle School, #1 Pirates Cove, Meraux	184	144
45	N.P. Trist Middle School, #1 Pirates Cove, Meraux	64	49
46	N.P. Trist Middle School, #1 Pirates Cove, Meraux	79	52
50	W. Smith Elementary School, 6701 E. St. Bernard Hwy., Violet	188	121
51	W. Smith Elementary School, 6701 E. St. Bernard Hwy., Violet	48	29
52	W. Smith Elementary School, 6701 E. St. Bernard Hwy., Violet	228	158
53	W. Smith Elementary School, 6701 E. St. Bernard Hwy., Violet	64	72
54	J.F. Gauthier Cafeteria, 1200 E. LA Hwy. 46, St. Bernard	205	182
55	J.F. Gauthier Cafeteria, 1200 E. LA Hwy. 46, St. Bernard	329	225
56	J.F. Gauthier Cafeteria, 1200 E. LA Hwy. 46, St. Bernard	24	23
57	J.F. Gauthier Cafeteria, 1200 E. LA Hwy. 46, St. Bernard	18	23
58	J.F. Gauthier Cafeteria, 1200 E. LA Hwy. 46, St. Bernard	34	27
Group Subtotal		4,417	2,942
Absentee Voting	Not included in totals above	2,407	1,379
TOTAL		6,824	4,321

The polling places above specified being the only polling places designated at which to hold the said election, it was therefore shown that there was a total of **6,824** votes, or **61.23%**, cast **IN FAVOR OF** the Proposition and a total of **4,321** votes, or **38.77%**, cast **AGAINST** the Proposition, as hereinabove set forth.

Therefore, the Governing Authority did declare and proclaim and does hereby declare and proclaim in open and public session that the Proposition as hereinabove set forth was duly **CARRIED** by a majority of the votes cast by the qualified electors voting in the said special tax election held in the District on Saturday, October 22, 2011.

THUS DONE AND SIGNED at Chalmette, Louisiana on this, the 15<sup>th</sup> day of December, 2011.

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Timothy P. Doody, President

ATTEST:

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Louis E. Wittie, Secretary

### **PROCLAMATION**

I, the undersigned President of the Board of Commissioners of the Southeast Louisiana Flood Protection Authority East, acting as the governing authority of the Lake Borgne Basin Levee District (the "District"), do hereby declare, proclaim and announce that the Proposition submitted at the special election held in the District on Saturday, October 22, 2011, was APPROVED by a majority of the votes cast at the said special tax election, all as described and set out in the above *Proces Verbal*.

THUS DONE AND SIGNED at Chalmette, Louisiana on this, the 15<sup>th</sup> day of December 2011.

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Timothy P. Doody, President

ATTEST:

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Louis E. Wittie, Secretary

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

**December 15, 2011**

**100 Year Level of Protection**

IHNC 01 - Seabrook Structure:

The Seabrook Project is approximately 55% complete.

All tie-in T-Wall monoliths are complete. The sector gate foundation is complete. Rebar is currently being placed for the vertical lift gate piers. Concrete for all four lift gate piers is placed up to elevation +52' (final elevation is +54'). Sector-gate leafs are 75% complete. The steel vertical lift gates are in fabrication (95% complete) and are scheduled to be delivered to the site this week.

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

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

Pile driving for the Generator Building will begin this week.

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

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

The Contractor continues to make good progress. Overall design is almost 100% complete. Major construction activities are about 90% complete. The Floodwalls and T-Walls in this project are complete. The bypass gate is open to navigation while work continues on the sector gate. A "Red Zone" meeting was held on December 6, 2011.

Work continues on placing the filter fabric and stone along the protected side of the surge barrier. Work is approximately 97% complete on scour stone placement. The contractor has completed replacement of the sand that was scoured from the flood side during construction on the MRGO closure. Work is 85% complete on the MRGO stone fill from EI-21' to-15'.

Concrete placement has been completed at both the north and south control houses on the GIWW sector gate.

Massman has set the Hydraulic Power Units in the control houses, piped the hydraulic lines to the cylinder location, and tested the hydraulic lines. The cylinders are set and they are adjusting and aligning the gates' fenders with concrete abutments.

Baker, the barge gate subcontractor, has re-mobilized to the job site to finish the handrails and tide guard. The barge mechanical work will start in mid December.

Shaw Global will begin shipping the Bayou Bienvenue steel towers and bridge this week. The shipment is expected on the job site mid week. The mechanical equipment should be delivered to the job site in about two weeks.

All of the approach wall piles have been driven at the Bayou Bienvenue lift gate structure. The GIWW sector gate approach wall steel and concrete piles have been fabricated. There was damage to coating on 48" steel piles and they have been sent back for repair.

The Bayou Bienvenue lift gate structure control house has been nearly completed. The roof will be placed next week.

The site wide electrical contractor is running the 1" and 2" conduits and pulling wire from the GIWW to Bayou Bienvenue.

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

### **East Jefferson Levee District:**

#### Reaches 1 thru 5:

The Work is substantially complete. Turf establishment issues still remain. Many areas have been spot re-seeded and all projects have been re-fertilized. Final inspections on Reaches 1 and 5 were completed in late August and early September. There has been an additional Final inspection for Reach 1 held November 9, 2011. The turf was acceptably established 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. Final inspections are still pending on Reaches 2, 3 and 4. The USACE has modified contracts to address East Jefferson Levee District's concerns with access ramps in all Reaches.

#### Bonnabel Breakwater Project:

The Notice of Construction Complete Letter for this Project was transmitted by the USACE to CPRA and copied to EJLD on November 12, 2010.

### Duncan Breakwater Project:

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

### Williams Blvd. Floodwall and Gate:

Work is substantially complete. Final inspection was held on November 28<sup>th</sup> 2011. The gate was repainted and passed inspection. There were issues with cracking of the scour protection and joint sealant. A punch list was compiled by the levee district.

### Bonnabel Floodwall and Gate:

Work is substantially complete. Final inspection was held on November 28, 2011. The gate was repainted and passed inspection. Roadway striping needs to be redone. The contractor has completed the bolt torque modification. There were issues with cracking of the scour protection and joint sealant. A punch list was compiled by the levee district

### Pump Station Fronting Protection:

The Work is approximately 57% complete. Work is ongoing at all 4 Pump Stations. The breakwater concrete has been completed at all pump stations. The contractor is driving sheet piles and working on the crane pad on the west side of Bonnabel Pump Station. Concrete work in the basins is ongoing at Elmwood and Suburban Pump Stations and is scheduled to be complete by March 2012. The contractor is working on demolition of the old bridge at Duncan Pump Station.

### LPV 017.2 (Causeway Crossing):

The phase II traffic switch has been completed for the southbound lane. It was shifted from the southbound median to the new permanent roadway on December 8<sup>th</sup>. The Northbound shift for phase II will take place mid-January. The contractor is continuing to work on the northbound bridge spans. The contractor is also working on placing embankment along the Mainline T-Wall on the East side of Causeway. Pile driving for the project is approx. 66% complete. Work is approximately 64% complete for the overall project.

### West Return Levee/Floodwall - North:

Work is approximately 89% complete. Pile driving is complete. All base slabs have been poured and the walls will be completed by December 16, 2011. The contractor has begun demolition of the existing floodwall and is completed demolition work south of the pump station. They have begun demolition in the Re-Curve area. The contractor is also working on placing rip rap and working on the turnaround platforms on the flood side of the new wall. There was a preliminary walkthrough of approx 60 monoliths held on November 9<sup>th</sup>. A punch list was compiled during the meeting by the East Jefferson Levee District. Due to

unbalanced loads there will be additional concrete scour protection added to the entire protected side of the new wall.

West Return Levee/Floodwall – South:

Work is approximately 86% complete. The Contractor has completed all pile driving for the project. All base slabs are complete and only one wall remains. Contractor is currently working on pulling the existing sheet pile from the old levee tie in. Demolition of the existing wall is almost complete and contractor is hauling off the concrete debris. They will continue to place embankment in the airport triangle area. Due to unbalanced loads there will be additional concrete scour protection added to the entire protected side of the new wall. Red Zone Meeting is tentatively scheduled for December 21<sup>st</sup> 2011.

Foreshore Protection Reaches 1 and 2:

The Contractor is placing fabric, stone, sand and non-compacted fill. Work is approximately 78% complete. Work on Reach 2 has been completed and compliance surveys taken. They will need to add some additional clay and then begin seeding and mulching. Reach 1 is 72% complete. The contractor is continuing to place geotextile fabric, stone and sand. Red Zone Meeting is tentatively scheduled for December 19<sup>th</sup>.

Foreshore Protection Reaches 3 and 4:

Work is approximately 78% complete. Contractor is continuing to place sand and non-compacted fill on Reach 3. The fabric and stone has all been placed and only needs to be fine graded. There has been some compliance surveys taken on portions of Reach 3 and seeding and mulching has begun. Contractor has also begun to place stone on Reach 4. Contractor has brought in an additional rig to speed up production.

West Return Levee (Airport Runway):

Contractor began Phase II of the project on September 21<sup>st</sup> and is 95% 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. 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 1, 2011. Work will begin on the bridge in January 2012. The entire levee has been raised to elevation 16.5', except under the electrical conduit bridge. Red Zone Meeting was held on November 30<sup>th</sup>.

**Orleans Levee District:**

LPV 101.02 (17<sup>th</sup> St. Canal to Topaz Street):

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

The L-1A floodgate column is bowed and prevents proper sealing of the gate in the closed position. The Contractor has presented a plan to the USACE to correct the deficiencies. The Corps is allowing the contractor to proceed with their proposed correction plan. All gates, with the exception of gate L-5, were exercised for the OLD on October 18, 2011. Adjustments are still necessary for flood gate L-5

LPV 102.01, 103.01, and 104.01:

Projects are 100% complete. The Notice of Construction Complete has been transmitted to Orleans Levee District on all three Projects.

LPV 103.01A1 (Bayou St. John):

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

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

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

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

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

LPV 104.02 (Seabrook West Side IHNC):

Construction is complete. The final inspection will be held on December 15, 2011. The Notice of Construction Completion (NCC) letter is being prepared by the USACE.

LPV 105.01 (Lakefront Airport T-Wall West):

Construction is complete. All lanes of traffic are open at Downman Rd. Final inspection is scheduled for January 10, 2012. The flood side of the T-Wall has



been painted by the contractor. One street light and pole still have to be replaced on protected side of floodwalls, power sources is an issue with the City. Guard rails at Downman Road are being corrected per LADOTD's direction.

LPV 105.02 (Lakefront Airport T-Wall East):

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

LPV 106 (Citrus Lakefront Levee):

Construction is approximately 98% complete. Turf needs to be established. Concrete slope pavement cracks must be repaired. A white paper authored by the USACE on "Crack Repair" is being finalized as it relates to inspections. Safety issues still need to be addressed. The type of "safety" device for installation on the top of the I-Wall will be a 2' high PVC coated chain link fence.

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

LPV 107 (Lincoln Beach Floodgate):

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

LPV 108 (New Orleans East Lakefront Levee):

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

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

Construction of the Project has been combined with LPV 109.02c (HWY 90 and HWY 11 floodgates). Construction is complete. Grass is growing well in most areas due to irrigation. Acceptable turf still needs to be established on the protected side of Area 4. The T-Wall monoliths associated with the floodgate at HWY 90 and HWY 11 are complete and the floodgates are installed and have been exercised. HWY 90 and HWY 11 are open to traffic. Dips in asphalt pavement need corrected at Hwy. 11 & 90 per DOTD. Slope pavement north of CSX railroad floodgate has severe cracking and will be repaired in the Spring 2012. All remaining work at four drainage structures and two USFWS pump stations has been completed. The Punch List Resolution meeting was held on

November 22, 2011. Stations have been tested for USFWS. Pre-final inspection will be held in spring of 2012 when turf is established.

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

Construction is complete.

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

Construction is complete.

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

Construction is complete. I-10 traffic has been rerouted back to the normal lane configuration. Final inspection is still to be scheduled. A few turf and rill issues still need to be addressed. Turf to be maintained by LPV-109.02a contractor.

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

Construction will be done under LPV 109.02a.

LPV 110 (CSX Railroad Crossing):

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

LPV 111.01 (North Side GIWW):

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

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

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

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

LPV 113 (NASA):

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

OFC-03 London Ave. Canal:

The work is complete. A modification to the original contract has added 2100 linear feet of sheet pile and 630 linear feet of embankment to this Project, and this additional work has been completed. Turf still needs to be established. Final inspection is scheduled for November 15, 2011.

OFC-04A Orleans Canal:

The work is complete and punch list resolution meeting was held on September 28, 2011. Rill problems have been corrected.

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

OFC-05 17th Street Canal:

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

OFC-06 Orleans Canal:

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

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. Turf establishment issues still remain. The punch list meeting is scheduled for December 13, 2011.

LPV192.02 Berm:

USACE Memphis Hired Labor constructed this project (Phase 3). The Work is 99.7% complete. Turf establishment issues still remain. Hydro seeding is ongoing. Final inspection is to be scheduled, pending successful turf

establishment. Sod was placed but the project will not be released until March 2012.

### LPV192.03 Relief Wells

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

### France Road Floodgate

A new floodgate on the west side of the IHNC at France Road is being built at the request of the Port. This project is funded by the Port and the Corps.

The contractor has completed the gate storage monolith (mono 3) while waiting for Entergy Gas to relocate the existing 16" gas line. The Entergy Gas line was completed at the end of October. The water line tie-in was completed yesterday and work will now begin on driving the remaining H-Piles and Steel Sheet Pile for Monos 2 and 1. The steel floodgate has been fabricated at Manufab's yard in Mississippi and will be delivered after completion of the monoliths. USACE is currently projecting a substantial completion date around mid to end of February 2012.

## **Lake Borgne Basin Levee District:**

### LPV 144 (Bayou Dupre Control Structure):

Overall, the work is approximately 97% complete. The contractor is currently replacing rip rap, installing jib cranes, continuing the installation of handrails and establishing turf. Sub-Contractors have completed fender system. A vibration was detected during operation. The USACE is in the process of investigating to determine the cause. The design (geotechnical) issue with the loading area has been resolved. We now have a copy of stamped plans for the jib crane pad. The USACE is now ready to issue a Modification for the construction of jib crane pad. The PDD on abandonment of the old Bayou Dupre Structure is being revised by Corps.

### LPV 145 (Bayou Bienvenue to Bayou Dupre):

The project is 99% complete. The USACE has instructed the contractor to use uncoated steel sheet piles and H-piles on this project in order to meet schedule demands. The final inspection was held on 08-23-11. The stabilization slab saw cutting modification has been completed. The bridge to the island has been removed. Turf establishment is ongoing. The Project was inspected on 11-15-11. Wet spots shown on previous inspections were found to be dry during this

inspection. The USACE took soil samples on some monoliths for agronomy testing. The Testing results recommended the use of 200 pounds of seed per acre and a high nitrogen fertilizer. Contractor has opened access gates and will remain open. A letter requesting a plan for turf establishment was sent on 11-21-11. A turf plan is to be provided next week. No further progress payments will be made until the contractor establishes turf on the entire project area. Final inspection is dependent upon completion of turf establishment with an estimated date of 04-30-12. Estimated NCC date is 06-30-12. Bridge design was sent to other USACE Districts to see if they would provide the design. More information will be provided by mid-December.

LPV 146 (Bayou Dupre to Verret):

The USACE has instructed the contractor to use uncoated steel sheet piles and H-piles on this project in order to meet schedule demands. The work is 99% complete. All wall monoliths are in place. The emergency by-pass ramp for LA Hwy 46 has been completed and paved. Interim inspections of the T-Wall monoliths are complete. The final inspection was held on 08-23-11. The stabilization slab saw cutting has been completed. As-Built and O&M Manual are under review by USACE. The as-built plans are completed and will be provided to LBBLD shortly. Access Roads Designer of Record has completed a site visit. A 60% design will be provided to SLFPAE by early January 2012.

LPV 147 (LA Hwy 46 Flood Gate):

The work is 100% complete. Both trolley gates are in place and exercised. The USACE has eliminated the emergency stand-by beams for all trolley gate projects in the St. Bernard Polder. The LA Hwy 300 Flood Gate has been constructed under the LPV 148.02 Project. The final inspection was held on 08-05-11. Grass is growing well. Revised as-built drawings were reviewed by the Designer of Record. Comments on revised as-built drawings were provided to the contractor on 11-17-11.

LPV 148.02 (Verret to Caernarvon):

The USACE has instructed the Contractor to use uncoated steel sheet piles and H-piles on this project in order to meet schedule demands. Construction is now 98% complete as of this date. Floodwalls are completed and interim inspection has been completed. Turf on the flood side is growing well. Contrary to St. Bernard Parish's wishes, the USACE has determined that the Creedmore Drainage Structure is no longer needed and it has been removed from the Project without replacing the structure's drainage capacity. Work on the walkways and knife gate valves at St. Mary's Pump Station are complete. Slope paving under discharge pipes is complete. Slope paving on protected side is nearly complete. A meeting was held at LBBLD offices on 11/13/11 between the USACE, the Designer of Record, and SLFPA-E. The USACE is to provide to LBBLD an alternative plan for air release valves at PS #8. A security fence issue in the area next to the by-pass road was brought to the attention of the USACE on 11/23/11. A turf plan for this project is due next week.

The 4" clearance between the Bayou Road floodgate and the gate monoliths makes it difficult to properly close and seal the gate. No other gates in the system are designed and constructed with such a large clearance. The designer of record has proposed a revision to reduce the gap to allow for reasonable gate closure procedures, and it will be implemented.

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

The Work is approximately 99% complete. All 90 day breaks (lifts one and two) exceed the minimum requirements for compressive strength. CPRA contracted with AECOM to provide technical assistance regarding the concrete issues on this structure. AECOM inspected the structure. Several areas of concern were identified in the sections that contain the 90 day (slow setting) concrete. AECOM recommended additional testing. Core sampling was completed on 10-26-11. The core sample tested at 8,000 PSI, petro graphic analysis was also done and showed no major problem with concrete. All repairs have been completed and the sector gates are operational. The structure has been flooded. Fender system is now complete. Pre-final inspection was completed on 10-21-11. Training for the generator operations is scheduled for 20 December 2011. All power supply issues are resolved. Permanent power to gate was installed on Tuesday 12-13-2011. The contractor will have to do turf establishment in spring 2012.

**Armoring:**

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

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

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

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

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

A "tractor test" was performed on December 1, 2011 after approx. 60 days of grass growth. Tractors of various size and type were operated over all three sections to simulate typical O&M procedures. Only small ruts were evident as a result of the test on the sections containing HPTRM. Heavier ruts developed on

sections that did not contain HPTRM. There was no evidence of damage or “pull-out” of the HPTRM.

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

The USACE proposes to let the first armoring contract on the east bank HSDRRS levee in St. Charles Parish. Scheduled award is for February 24, 2012. The work will include the installation of HPTRM and sod. 95% P&S for the project is now under review by SLFPAE and CPRA. Construction schedules have all been moved 1 to 3 months.

### **Permanent Pump Stations**

The Design Build Contract was awarded on April 13, 2011 for \$675 million to CBY Design Builders, a joint venture of CDM, Brasfield and Gorrie, and Yates Construction, but the Award is under protest. The Government Accountability Office (GAO) upheld the protest. The decision was to re-evaluate the revised current submittals. A decision briefing was held by the Corps on Sept. 28, 2011. No schedule has been set for proposal resubmittals.

The permanent pump stations winning bidder filed suit, contesting plans by the Corps to allow companies to offer new proposals. It's too soon to know if the lawsuit will further delay the project.

All three Pump Stations will undergo Independent External Peer Review.

### **HSDRRS Elevation and Status Maps**

The USACE has published a map showing the 100 year level of protection elevations for the hurricane protection levee system in the metro New Orleans area. The elevations depicted are current as of June 2010. The map can be found at the following web address:

[http://www.mvn.usace.army.mil/hps2/pdf/2010\\_System\\_Construction%20Status\\_Map.pdf](http://www.mvn.usace.army.mil/hps2/pdf/2010_System_Construction%20Status_Map.pdf)

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

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

## **FEMA NFIP Levee System Accreditation**

According to the latest tally compiled by the New Orleans district, 42 project segments, including 14 LPV project segments, are “at risk for accreditation”. Corps leadership is pushing hard find ways of making up lost time and accelerating contracts that have slipped beyond original completion dates so that accreditation isn’t adversely affected. Estimated completion dates change on most of these contracts from month to month as new issues present themselves and existing ones are resolved.

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

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

## **Coastal Protection and Restoration**

### Lake Borgne Basin Levee District:

The Violet Freshwater Diversion was restarted on December 5, 2011.

## **Flood Fight**

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

The Mississippi River is near 11.9' at the Carrollton Gage and is predicted to rise to about 12' on December 23, 2011. The Corps has initiated Phase 1 of the Flood Response Plan. USACE personnel are riding the river levee twice a week. The levee districts are monitoring and the river levee in accordance with their Emergency Operations Manuals.

## **Design and Construction**

### East Jefferson Levee District:

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

### Orleans Levee District:

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



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

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

The Bayou St. John Water Management Study by Burk-Kleinpeter is complete and the Final Report has been accepted.

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

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

“The Florida Avenue Sheet Pile Rehabilitation” P&S is 100% complete and is in final review.

The Louisiana Attorney General’s office has issued an opinion which will allow for funding and construction of the Lakefront Seawall Erosion Control Project by the Orleans Levee District.

Lake Borgne Basin Levee District:

A failed pump at Pump Station No. 7 is being repaired by Conhagen, Inc. Repair costs could exceed \$150,000.

The final bid documents have been submitted to LBBLD for the Engine Replacement Project at Pump Station 4.

WS Nelson has forwarded the 30% design submittal for the seepage repairs required at Pump Stations 2 and 3.

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

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

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

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

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

## **Internal Affairs**

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

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

The structural review of the LPV 144 sector gate leaf by Halcrow/Fenstermaker is complete. No specific problems were identified, but our consultant recommended that the USACE run additional analysis on the eccentricity of members and structure deflection for completeness. The designer of record recently submitted additional hand calculations for the analysis of joint/member eccentricities which were reviewed by Halcrow/Fenstermaker. The Corps has agreed to complete the additional recommended computer analysis.

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 requested from the Corps on LPV-111.01 for finalizing the project. The "dashboard" test screen will be provided to SLFPA-E by the end of December. The Project is partially funded through a grant from the Netherlands Government (50/50 cost share).

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

The contract documents for the LIMS Strategic Implementation Plan have been completed and are ready for execution. This project is funded through a CDBG Grant.

Per the request of the USACE team, a safety concern letter with photos was submitted on 14 July 2011. The purpose of the letter was to alert the USACE of safety and security concerns on various projects within the LPV program where safety measures need to be implemented to help prevent accidents. Security fencing and railing has been incorporated for floodwalls and floodwall base drop offs, and mods are being issued for OLD and LBBLD projects.

SLFPA-E staff is working closely with CPRA staff to develop an automated on line permitting process for levee districts. We have a meeting set up at the DNR training facility in the LaSalle Building in Baton Rouge for December 20, 2011 to get input from other interested Louisiana levee districts.

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

Two new internal workgroups have been established to deal with new O&M requirements for the HSDRRS. One will deal with general Operation and Maintenance and the other will deal with the specialized O&M requirements for the surge barrier and navigation gates. Statements of Qualifications are due in on December 21, 2011 from consultants interested in providing their services to assist in the development a comprehensive Operations & Maintenance Plan for the Lake Borgne Surge Barrier and Gates, Seabrook Complex and Gates, Bayou St. John Sector Gate, Bayou Bienvenue Sector Gate, Bayou Dupre Sector Gate and Caernarvon Sector Gate.

SLFPA-E staff has submitted a list of questions and comments to the Corps regarding the Mississippi River Levee Co-located work. The New Orleans District office is working to answer the questions and address the comments.

**Safety:**

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

**New Contracts:**

None

**Hurricane Preparedness:**

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