

**MINUTES OF
SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY-EAST
OPERATIONS COMMITTEE MEETING
HELD ON MAY 14, 2024**

PRESENT: Thomas G. Fierke, Chair
Herbert I. Miller, Committee Member
Derek N. Rabb, Committee Member
Clay A. Cosse, President, Ex Officio Member

The Operations Committee of the Southeast Louisiana Flood Protection Authority-East (Authority or FPA) met on May 14, 2024, in the Franklin Avenue Administrative Complex, Meeting Room 201, 6920 Franklin Avenue, New Orleans, La. Mr. Fierke called the meeting to order at 10:15 a.m.

Opening Comments: None.

Adoption of Agenda: The Committee approved the agenda as presented.

Approval of Minutes: The Committee approved the Minutes of the meeting held on April 11, 2024.

Public Comments:

Laura Harris, Education and Policy Manager for Bike Easy, advised that the bikers she represented were very much in favor of the safety improvements and were thankful for the FPA making Lakeshore Drive safer for all users. The bikers were in favor of the improved crosswalks and protected bikeways. She hoped that in the future more outreach would be extended to the users of Lakeshore Drive, including bikers who felt that they were not included in the conversation.

Report of Director of Engineering:

Chris Humphreys, Director of Engineering, provided the following report:

- **Mississippi River** – As of May 11 the river was over 11 feet. It was anticipated to remain above 11 feet until June 2. The FPA and U.S. Army Corps of Engineers (USACE) were conducting Phase I Flood Fight inspections twice per week.
- **LPV Foreshore Dike Repair** – The project includes about six miles of foreshore protection along the East Jefferson Lakefront Levee. Upcoming milestones include: completion of plans and specifications – June 2024, completion of biddability certification – October 2024; advertisement for bids – December 2024; contract award – February 2025; and notice to proceed – March 2025.

- **LPV – 146 Monolith Replacement** – The project is located on Highway 46 in St. Bernard Parish. The last concrete pour was done on March 6. The project was substantially completed on May 13. The pre-final inspection will be on May 21.
- **LPV 111 Levee Slide (New Orleans East)** –The recent surficial slide was reported to the USACE. The slide was initially 90 feet long and increased to 195 feet in length. An adjacent slide was about 40 feet long. The levee is functioning as designed. A stability analysis showed that the levee was safe; however, the slide must be repaired so it does not worsen. The USACE and FPA are monitoring the slide.

Similar slides occurred along LPV 111 in 2020 and 2021. In 2021 the USACE removed the sod and HPTRM (High Performance Turf Reinforcement Mat) and rebuilt the levee slope.

LPV 111 is a tall levee with a steep slope (3:1). The elevation at the top of the levee is 28.5 feet and the ground is at an elevation of 4 feet. The clay that was used met the USACE's specification. The problem is with the highly plastic nature of the clay. Changes in moisture cause volume changes in the clay. In extended dry periods, the clay can shrink and crack allowing water to seep deep into the cracks. The clay can swell and soften placing a hydrostatic load on the levee, in addition to the weight of the clay, eventually resulting in a slide.

FPA engineering staff wrote letters to the USACE in 2020 expressing concern about the potential for slides to continue through the length and life of the levee. The recent slide is the sixth that occurred since 2020 along LPV 111.

The area of the slide will be degraded and rebuilt with horizontal 6-inch to one-foot lifts starting from the bottom of the levee. The compaction will be with horizontal lifts that are benched into the slope. The same clay will be used for the repair. Currently, clay borrow pits are limited making the material difficult to locate. The specifications limit the use of sand to 35 percent of the total mass.

Deep soil mixing was conducted through the bottom of the levee in the soft organic zones of LPV 111; therefore, it has a very good foundation. There is no concern that the levee may not function as designed. At this point the slide must be repaired so it does not worsen.

- **Surge Barrier Sector Gate** – Repairs to the fenders were completed as of May 7.
- **Outfall Canal Survey** – The annual outfall canal surveys were taking place. The surveys were part of the Operations and Maintenance (O&M) requirements and will be compared to the 2013 baseline survey. The FPA's consultant was performing bathymetric and LiDAR surveys showing depth and elevations. The two data sets will be combined. The FPA's GIS staff cuts cross sections with the data. The data will be compared with the 2013 baseline data to determine whether any erosion had occurred. A set limit triggers additional surveys and USACE involvement. Erosion and accretion had occurred in some areas. The FPA implemented repairs and erosion control measures.

- **Additional Project Updates –**

Hayne Boulevard Drainage / Grading Project - Substantial completion was on May 10.

Levee Slope Paving Project - The contract provides for substantial completion by July 6. Slope paving was being placed in areas where maintenance crews had difficulty maneuvering grass cutting equipment.

Lakeshore Drive – Bayou St. John Bridge Approach (Asphalt Repairs) - Substantial completion was on May 8.

17th St. Canal (Veterans to Old Hammond Hwy.) Erosion Mitigation Project – The Notice to Proceed was issued on May 13. The contractor has mobilized.

London Avenue Canal North-West Erosion Mitigation – The contract was issued for signature on May 13.

- **Seabrook Complex Fender and Dolphin Repairs**– The repair project is upcoming. Repairs are needed due to damages cause by allisions that occurred over the years. If an allision is not witnessed, the FPA is responsible for the repair.

New Business:

A. Discussion of the proposed issuance of a task order to N-Y Associates, Inc., in the total amount of \$273,092.00 (Construction Administration \$90,692.00 and Inspection Services \$182,400.00) for the 40 Arpent Sheetpile Wall Rehabilitation Project Phase I, and recommendation to the Board.

Mr. Humphreys explained that the 40 Arpent Sheetpile Wall Rehabilitation Project Phase I is located in St. Bernard Parish. The construction contract was awarded at the May 18 Board meeting to Baker Pile Driving. The proposed Task Order is for Resident Inspection Services and Construction Administration. Mr. Humphreys recommended that the proposed Task Order be issued to N-Y because they designed and are most familiar with the project. Inspection Services will be provided on a time and material basis. Construction Administration is based on man hours at the hourly rates provided in the contract. The estimated cost was reasonable.

The Committee voted unanimously in favor of recommending that the Board approve the issuance of the proposed Task Order to N-Y.

B. Discussion of the updated Comprehensive Emergency Management Plan (CEMP) for 2024 and recommendation to the Board.

Mr. Humphreys advised that the Comprehensive Emergency Management Plan (CEMP) was sent to the Commissioners. The comments received were incorporated into the CEMP. He recommended approval of the CEMP.

Mr. Fierke inquired about coordination with St. Charles Parish. Mr. Humphreys advised that the FPA is in regular communication with the Pontchartrain Levee District Regional Director and maintenance personnel. Mr. Fierke commented on the acronym section of the CEMP.

The Committee voted unanimously in favor of recommending that the Board approve the CEMP.

C. Update and discussion on Lakeshore Drive Reconfiguration Project.

Kelli Chandler, Regional Director, commended Ryan Foster for doing an outstanding job at the public meeting held at the New Orleans Lakefront Airport.

Ryan Foster, Engineering Manager, explained that a presentation was provided to the Operations Committee at its March 20 meeting. The Committee suggested that the FPA reach out to the public through public information meetings. A presentation was provided to the Lakefront Management Authority (LMA) Board at its March 28 meeting. The project was well received. LMA Board members had questions and general comments regarding the project's background.

Mr. Foster advised that a public meeting co-hosted by the LMA was held at the New Orleans Lakefront Airport on April 23. Outreach was conducted by the FPA Public Information Director and a press release was issued. About 25 people with a wide range of backgrounds (biking communities and local neighborhoods) attended the meeting. The presentation provided at the March 20 Operations Committee meeting was provided at the April 23 meeting. Overall there was overwhelming support for the project. Some individuals had reservations that mainly concerned Lakeshore Drive closures on holidays. A number of people, including bikers and pedestrians, provided comments on interactions along Lakeshore Drive. Their comments included the previous dangerous conditions, specifically in the area of the restaurants on the west end of Lakeshore Drive, and the benefits derived from Phase I. Mr. Foster stated that he looked forward to implementing Phase II and completing the project.

Mr. Rabb asked was the FPA ensuring that outreach included the biking community. Mr. Foster explained that the biking aspect is a component of the project and an ancillary benefit. The project's primary purpose was to slow down vehicles. The design also includes pedestrian and vehicular interaction. He stated that the FPA would reach out to the biking community on future projects. Since many factors were included in the design, there was no guarantee that input from the biking community would change the final design.

Ms. Settoon inquired about the negative comments received. Mr. Foster explained that the negative comments concerned Lakeshore Drive closures on holidays. Lakeshore Drive closures are handled by the East Bank Levee Police. After being informed the public understood that the proposed project did not have any bearing on the closures.

Ms. Settoon asked about Lakeshore Drive being an evacuation route and would any proposed construction hinder the use of both lanes in each direction. Mr. Foster questioned the design or use of Lakeshore Drive as an evacuation route. He stated that Lakeshore Drive is a bypass through the lakefront that could be used for this purpose. However, during storm events it is used by FPA personnel for maintenance purposes. Wilma Heaton, Director of Governmental Affairs, explained that for decades Lakeshore Drive was referred to as an evacuation route; however, this is not quantified on any official map. It is now primarily used during storm events by FPA maintenance equipment. Mr. Foster pointed out that Phase I of the project took away the ability to use four lanes for vehicular purposes.

Mr. Settoon stated he was ambivalent about the project and that he saw both pros and cons. He advised that he was obligated to pass on a comment from Senator Jimmy Harris. Senator Harris is the Senator for District 4, which includes the area where the proposed project is located. Senator Harris stated that he was adamantly opposed to the project, particularly, in light of the Seabrook Bridge issue.

Roy Arrigo, Commissioner, stated that he strongly supported the left turn component on Canal Boulevard; however, he did not like the rest of the project. He thanked Mr. Foster for working with the LMA Board.

Mr. Foster reiterated that the project's purpose is to provide safety; that is, to slow down vehicles. At certain times the safety of the general public must override convenience for some of the public. Police Officers and the general public have been vocal about safety and that this is a needed project.

Mr. Fierke stated that Mr. Foster referred to the project constructed three years ago as Phase I. However, in March he was told that the current project was not increment two of first project. Mr. Foster explained that he misspoke; retroactively, the first project became Phase I because of the current project. At the time the first project was constructed it was not considered Phase I. Mr. Fierke asked was there a Phase II or III. Mr. Foster responded, not at this time.

Mr. Fierke explained that four Commissioners were ready to vote to cancel the project. At a prior meeting the Police Chief was asked how many tickets had been issued and he replied several hundred. A breakdown of this number was requested. Twenty-three speeding tickets were issued from January 1 to May 15 (less than one a day). Mr. Fierke stated that he did not see a huge speeding problem on Lakeshore Drive.

Mr. Fierke stated that in increment one there were two problems dealing with left turns. The current project does not do anything to solve the left turn problem at the west end of Lakeshore Drive where the dual bike lanes end. Mr. Foster explained that the bike lanes would connect with a future Regional Planning Commission project extending a similar bike lane down Lake Marina Drive. In addition, there are plans for a bridge crossing the 17th Street Canal, which will connect the bike lane to the East Jefferson levee AWAR (all weather access road). This was taken into account when the first

project was designed. Mr. Humphreys added that the proposed bridge is an Jefferson Parish project that will be funded by a grant.

Mr. Fierke expressed concern about the left turn issue at the western end of Lakeshore Drive that was created by the FPA's dual bike lanes. The proposed project remediates the left turn issue at Canal Boulevard, but does nothing about the left turn issue created by the FPA at the western end of Lakeshore Drive. Mr. Foster explained that he was not aware of the second issue and that it could be addressed by the designer.

Mr. Foster advised that the initial amount of the construction contract for the first project was \$1,534,000. The final contract amount was \$1,548,000 with about \$1,100,000 of this amount being for asphalt work. The engineer's estimate for the current project is \$1,200,000. Approximately \$852,000 of this amount will be for asphalt work (needed roadway rehabilitation).

Mr. Fierke asked how the proposed work related to flood protection. Mr. Foster explained that the Memorandum of Understanding (MOU) between the FPA and LMA provides that the FPA is responsible for the maintenance of Lakeshore Drive, which is owned by the Orleans Levee District (O.L.D.). Safety issues could result in liability for the O.L.D./FPA. Lakeshore Drive is used as a flood protection asset by FPA maintenance personnel and equipment. Mr. Fierke advised that an elected official commented that the FPA was wasting flood protection money. He asked how the project enhanced flood protection. Mr. Foster responded that about 75 percent of the cost of the project is for rehabilitation of the roadway, which is utilized by the FPA. Mr. Humphreys pointed out that the roadway was reaching the end of its design life.

Ms. Heaton explained that in the early 1970's a special ad valorem tax millage was passed by Orleans Parish voters for the construction of a number of projects. The proposition included a special .75 millage maintenance tax for the projects, which included Lakeshore Drive. The maintenance tax was not assessed until 1999. This millage (currently .66 mills) has no expiration and can be assessed in perpetuity. Revenues from this tax were used to fund the Seawall Erosion Control Project and are used to help maintain Lakeshore Drive.

Mr. Foster commented about his passion for the safety project and concerning accidents that had occurred along Lakeshore Drive due to speeding vehicles. He recommended that the project go forward and offered to meet with anyone who had questions.

Mr. Fierke advised that he was prepared to offer a motion for the Board's June meeting to (1) shelve the Phase II (current) project, (2) explore the elimination of the dual bike lanes and have single bike lanes on each side of the roadway for safety purposes, and (3) explore signage and other options to eliminate the two left turn situations. He stated that he would like to have another discussion of this project at the July Operations Committee meeting regarding the second and third parts of his proposed motion.

Mr. Fierke pointed out that the elected official that he spoke with was vehemently opposed to the current project because he/she said it was a misuse of money and causes traffic congestion.

D. Presentation on Claims Process.

Martin Eilers, Director of Risk and Project Management, began the review of the presentation on the claims process. Mr. Fierke asked that staff reduce the claims process to a flow chart. He explained that his request for information on the claims process was to ensure that claims flow through the appropriate channels and that the process is correctly structured. He offered to meet with staff to discuss the process.

There was no further discussion; therefore, the meeting was adjourned at 11:20 a.m.