

**MINUTES OF  
SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY-EAST  
OPERATIONS COMMITTEE MEETING  
HELD ON JUNE 4, 2015**

PRESENT: Louis Wittie, Chair  
Stephen Estopinal, Committee Member  
Paul Tilly, Committee Member

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The Operations Committee of the Southeast Louisiana Flood Protection Authority-East (SLFPA-E or Authority) met on June 4, 2015, in Meeting Room 201, Orleans Levee District Franklin Administrative Complex, 6920 Franklin Avenue, New Orleans, Louisiana. Mr. Wittie called the meeting to order at 9:40 a.m.

**Opening Comments:** None.

**Adoption of Agenda:** The Committee adopted the agenda as presented.

**Approval of Minutes:** The minutes of the May 14, 2015 Operations Committee meeting were approved.

**Public Comments:**

Michael S. Yenni, Mayor of the City of Kenner, explained that he was attending today's meeting with Councilman-at-Large Keith A. Conley to speak on behalf of the homeowners whose residences are being flooded by the runoff from the West Return Wall. He expressed his appreciation for the construction of the wall and the improved flood protection; however, the wall has caused massive runoff which resulted in the installation of a drainage system at the behest of the City of Kenner and Jefferson Parish. City and Parish officials worked very hard with U.S. Army Corps of Engineers (USACE) and FEMA officials for the drainage system; however, the system still cannot handle the runoff and several homes are being flooded. One home has been flooded almost four times in one year. He wanted to ensure that the USACE is aware of the issue and provides a permanent fix. The East Jefferson Levee District (EJLD) has stepped up with a temporary fix. Other residents have complained that the driving of sheetpile and supports for the floodwall caused cracking and stability issues for their homes. The residents have presented video footage of the damage to the USACE; however, the issue is being overlooked. It is rumored that the contractor filed for bankruptcy and that claims are not being processed. He pointed out that vibration monitors were supposed to have been used to monitor the construction. He asked for the SLFPA-E's support and assistance with the effort to make the USACE take responsibility for the damage claims and resolve the flooding problem.

E. Ben Zahn, III, Jefferson Parish Councilman District 4, stated that he was attending the meeting on behalf of Jefferson Parish and that he had the same sentiments as the City of Kenner. He stated that something must be done to resolve these issues for the Kenner/Jefferson Parish residents and offered his assistance.

Beverly Crais explained that her home is located on Zion Street at the north end of the West Return Wall and that she has resided at this location for 35 years. Some flooding occurred after the first floodwall was constructed; however, the flooding was much greater after the construction of the second floodwall. She described the problems that occurred after the installation of the drainage system and advised that she documented the problems with pictures, video and journal entries. One of the USACE's engineers has been at her home at least four or five times. She explained that water shoots up about two feet out the drain behind her home during heavy rains and floods the property. She described the damage to her property. Five trees have been removed over the past year because the trees were falling over due to ground saturation. The driveway is shifting away from the house. She stated that she filed a claim with the USACE and that the USACE advised that Healthcon was found negligent; however, nothing has been done. She stated that in April of last year she spent \$2,600 on fill after the drainage system was installed, but the fill has washed away. She added that the water is going underground and shoots up in little fountains across her yard. A video of this occurrence was given to the USACE; however, the engineers do not seem to be able to determine the cause. A blockage in the system was cleared last year; however, on May 21 and 25 the drainage system again backed up. She explained that the swale does not extend to the first drain and that she requested the USACE to place sandbags behind the swale to prevent water from flowing onto her property; however, this has not been done. Coastal Protection and Restoration Authority (CPRA) representatives have also visited her property. She noted that she has flood insurance; however, flood insurance does not cover damages except to the house itself.

Jack Bonin stated that he has resided on Grand Lake Boulevard for the past 23 years. He described the challenges that the residents along Grand Lake Boulevard faced in the past due to the installation of the new sewerage treatment system and problems with the catch basins, and now with the runoff from the new floodwall. He commented on the damage to his home caused by vibration from the heavy construction equipment and pile driving. He stated that he has filed claims and has a video of the situation. He stated that his house is now virtually non-marketable due to the construction activity and flooding situation.

Henry Schloeff explained that he moved into his home on Grand Lake Boulevard in 2006 and had not experienced flooding until the construction of the floodwall. He stated that his home has been flooded three times and that his neighbor's home has been flooded four times; both have had to file flood insurance claims. The USACE removed a blockage in the drainage system and did some remediation; however, the flooding occurred again on May 21. The USACE indicated to the residents that the system was designed for a 10-year rain event and that the recent rainstorms exceeded a 10-year event. He requested that the SLFPA-E provide oversight to ensure that the problem is corrected.

The Committee determined that the properties being discussed are located in an A Zone relative to the flood rating and that the Base Flood Elevation is -5.

Mr. Estopinal explained that the SLFPA-E does not have oversight or enforcement authority over the USACE. The SLFPA-E can only review plans and provide

recommendations. He stated that from viewing the photographs that were provided to the Committee and hearing the description of the problems there appears to be a design flaw that involves a high tail water or backflow. He noted that engineers are required by FEMA and regulatory agencies to ensure that a design for residential areas protects homes and businesses from a 100-year plus event. A subsurface system must be designed for a 10-year event in order to prevent street flooding. The major drainage system should take over the drainage of water when the 10-year event is exceeded. He pointed out that the SLFPA-E has not made a full assessment of all of the parameters; however, it appears that the system may be over dependent on the subsurface drainage system and sufficient consideration not given to rains that exceed the 10-year event.

Robert Mitchel explained that he has resided on Grand Lake Boulevard for 16 years and that the flooding experienced since the construction of the floodwall exceeds the minor damage inflicted on the residents of this area by Hurricane Katrina. He stated that the SLFPA-E will ultimately own the flood protection project and that the SLFPA-E and USACE should have looked after the quality of the project and the interests and wellbeing of the residents. He commented on the anxiety and fear experienced by the residents each time it rains and that he is still dealing with the insurance company and obtaining quotes from contractors.

### **New Business:**

#### **A. Discussion of the flooding problems along Grand Lake Boulevard in Jefferson Parish (West Return Floodwall).**

Bradley Drouant, USACE Project Manager, explained that it is important to distinguish between the two different scenarios that resulted in the flooding last year and the recent flooding. The rain event last year was close to the design event; however, some obstructions in the system prevented it from performing as designed. The May 21<sup>st</sup> rain event was a 25-year event, which exceeded the 10-year event design. Nearly ¾-inch of rain fell within a five minute period and almost four inches of rain fell within an hour. He stated that the USACE finds the situation unacceptable regardless of the cause. The USACE is analyzing the system and will take action once the analysis is completed to attempt to alleviate the residents' concerns. He stated that he took issue with the comment that there is a design issue and that the USACE has not seen any evidence that the system is not capable of providing the 10-year protection that it is intended to provide. He stated that the failure mode when the 10-year event is exceeded obviously is unacceptable as evidenced by the May 21<sup>st</sup> event and that the USACE will do something about this situation.

Mr. Estopinal asked did the USACE run a tail water analysis on the system. Mr. Drouant replied, yes, and advised that the tail water is the 10-year elevation in Canal No. 17. Mr. Estopinal asked did the USACE run a 100-year model on the system. Mr. Drouant replied, no; the reason being that even the system for Kenner is not designed for a 100-year event. Mr. Estopinal advised Mr. Drouant that he has been misinformed. Mr. Drouant stated that his understanding is that the canals are designed to contain a 10-year event and that there is street flooding in situations higher than a 10-year event. Mr. Estopinal explained that the drainage system is a combination of subsurface

drainage, canal drainage, road overland flow and detention, which when combined prevents homes and businesses from experiencing flooding in a 100-year event. He pointed out that Mr. Drouant was speaking about the minor underground system, which is designed for a 10-year event specifically because drops and flows allow siltation to take place. However, the drainage system must be designed for a 100-year event; therefore, there is a design failure. An analysis of the drainage system is needed which takes into account frequently occurring events greater than a 10-year event. He pointed out that water shooting from a catch basin is a classic example of a surcharged line. Mr. Drouant commented that he would be happy to allow Mr. Estopinal to review the design and would address any of his concerns. Mr. Estopinal noted that the SLFPA-E recommended that an overflow feature be developed that could accommodate a 100-year event and that this recommendation was not taken. Mr. Drouant responded that Mr. Estopinal had recommended that a spillway be constructed at West Esplanade Boulevard and/or possibly other streets. A spillway is located in the area; however, the ground elevation changes between Grand Lake and West Esplanade Boulevards and the ground is much higher at West Esplanade Boulevard. Mr. Estopinal asked whether the USACE considered alternative methods and expressed disappointment that the USACE did not run a 100-year event model. He reiterated that a surcharge of water shooting out a catch basin for a mere 25-year rain event signifies a flaw in the design and that full consideration was not given to all of the parameters of the drainage system. Mr. Drouant reiterated that the system is designed for a 10-year event; therefore, he would not be surprised with water coming out of an inlet during a 25-year event.

Mr. Tilly inquired about the protection level for which the floodwall was designed. Mr. Drouant advised that the floodwall was designed to protect against a one percent storm (100-year) event. He pointed out that a distinction must be made between hurricane storm surge and drainage. Mr. Tilly commented that the floodwall should be designed to protect against a 100-year event, whether it be surge or rainfall. Mr. Drouant reiterated that the USACE finds the current results when the design is exceeded unacceptable and that the USACE will do something about it once it concludes its analysis and determines the options and alternatives.

Mr. Estopinal stressed that the USACE must accept the fact that the 10-year event is not the design criteria—the design criteria for protecting homes is a 100-year event. The 10-year event criteria only applies to the subsurface drainage and consideration must be given to the system for times when this level is exceeded. Mr. Drouant reiterated that the system is designed to contain a 10-year event and that the USACE must consider what happens when this event is exceeded to ensure that there are no negative results such as the recent flooding.

Mr. Drouant advised that the USACE will be placing the rain data obtained from Jefferson Parish into the model to review and verify the design. The USACE will develop options after the analysis is completed and coordinate with its partners at the CPRA and SLFPA-E in order to implement a solution. He anticipated a timeline of five to six weeks for the analysis. He pointed out that USACE personnel were at the site with EJLD employees putting sandbags in place to protect the residences while the analysis is being completed. The sandbags were not extended to Zion Street. The

USACE is looking at the model and the occurrences in the Zion Street area. The USACE did not want to take any actions that may cause the flooding of homes.

Mr. Estopinal asked whether the USACE is going to run a 100-year event model. Mr. Drouant responded that he would look at running the 100-year event model. Mr. Estopinal recommended that the USACE look into the 10-year model run because the difference between a 10-year event and a 25-year event is not significant enough to have a pressurized system with water shooting out of a catch basin. He asked to review the output files from the USACE's modeling for a 10-year, 25-year and 100-year event. Mr. Drouant replied that he would be happy to share the information.

Mr. Estopinal requested that this issue be placed on the Board agenda for discussion and that the USACE be invited to the Board meeting to present its analysis of the reason for the flooding, its recommendations to fix the problem and its certification that a 100-year event will not cause problems for the residences. Mr. Tilly requested that John Bivona, USACE Chief Engineer, attend the Board meeting.

Mitchell Theriot, Director of Drainage for Jefferson Parish, addressed the operation of the pumping system in Jefferson Parish. He explained that a parishwide system is in place that allows pump operations, intensity of rainfall and canal elevations to be monitored by himself and several other individuals at all times. Therefore, anomalies and issues can be immediately addressed. He stated that he did not recall any problem with the pumping system during any of the three recent rainfall events discussed. He pointed out that water can accumulate in a street; however, the canal that drains the area may be lower than the elevation required in order for the pumps to operate.

**B. Discussion of participation in the 50 percent Non Federal Sponsor's share of the cost of the General Evaluation Report for future levee lifts.**

Robert Turner, SLFPA-E Regional Director, explained that the USACE's attorneys determined that the authorizations that funded the Hurricane and Storm Damage Risk Reduction System (HSDRRS) do not include a provision for Federal participation in future levee lifts. A provision was included in the Water Resource Development Act (WRDA) of 2014 relative to crediting or cost sharing future levee lifts to maintain the authorized level of protection; however, the Secretary of the Army must commission a General Reevaluation Report (GRR) in order for the Federal government to participate in the work. The GRR must have three positive findings: the work must be technically feasible, environmentally acceptable and economically justifiable. In addition to the three positive findings in the GRR, Congress must appropriate funding for the work. The total cost of the GRR, which is currently estimated at \$3 million for the east bank of the HSDRRS, must be shared 50/50 by the Federal government and the non-Federal sponsor. The CPRA (the non-Federal Sponsor) is looking to the local entities to pay the 50 percent local cost share. The major portion of the \$1.5 million local cost share would be paid by the SLFPA-E and a small portion paid by the Pontchartrain Levee District. In addition, Congress must include funding in the next Federal budget for the Federal cost share of the GRR, and the USACE must develop a Project Management Plan and schedule for the SLFPA-E's review and approval.

Mr. Turner advised that he informed the CPRA that the SLFPA-E is interested in pursuing the GRR; however, no commitment has been made at this time. He expressed concern about the GRR finding concerning economic justification. If the USACE uses its typical approach to determine economic justification, it would only be looking at incremental benefits based upon potential damage and not the consequences of not meeting FEMA requirements. He pointed out that Congress authorized the HSDRRS to provide certification for the National Flood Insurance Program (NFIP); therefore, if the certification requirement can no longer be met, the HSDRRS would no longer fulfill the purpose intended by Congress.

A motion was offered by Mr. Estopinal, seconded by Mr. Tilly and adopted by the Committee, to recommend that the Board adopt a resolution expressing the SLFPA-E's interest in pursuing the GRR.

### **Levee District Reports:**

#### **A. Hurricane & Storm Damage Risk Reduction System (HSDRRS) Status Report:**

Mr. Turner reviewed the highlights of the HSDRRS Status Report. He advised that an electrical problem was discovered during the past week at the Caernarvon Structure; however, the gate is still operable. One of the gates of the Seabrook Complex Structure could not be fully closed when the gates were exercised. Divers will investigate the cause of the problem, which could be debris blocking the full closure of the gate. If a major problem is discovered, the SLFPA-E will need to declare an emergency in order to effect the repairs as quickly as possible.

**B. Police Activities:** Robert Garner, SLFPA-E Superintendent of Police, reported on police activities during the past month: officers worked 7,000 hours, reserve officers contributed 600 hours, 277 calls dispatched, 360 calls generated, 212 vehicle checks and 190 pedestrian checks conducted. Officers monitored the five barges that broke loose on May 26<sup>th</sup> and ended up near the West Return Wall until the barges were safely secured and removed. The surveillance camera that was to be located on a pier in Kenner will need to be repositioned due to damages to the pier caused by a tornado.

**C. Lake Borgne Basin Levee District (LBBLD):** Nick Cali, LBBLD Executive Director, reviewed highlights of the LBBLD Status Report.

**D. Orleans Levee District (O.L.D.):** Gerry Gillen, O.L.D. Executive Director, reviewed highlights of the O.L.D. Status Report.

**E. East Jefferson Levee District (EJLD):** Derek Boese, EJLD Interim Executive Director, reviewed the highlights of the EJLD Status Report. He advised that meetings are being held with ADP in an attempt to update some of the EJLD's financial processes.

There was no further business; therefore, the meeting was adjourned at 11:10 a.m.