

**MINUTES OF THE
SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY – EAST
BOARD MEETING
THURSDAY, OCTOBER 16, 2008**

The regular monthly Board Meeting of the Southeast Louisiana Flood Protection Authority - East (Authority or SLFPA-E) was held on Thursday, October 16, 2008, in the Second Floor Council Chambers, Joseph Yenni Building, 1221 Elmwood Park Boulevard, Harahan, Louisiana, after due legal notice of the meeting was sent to each member and the news media and posted.

Mr. Doody called the meeting to order at 9:45 a.m. and led in the pledge of allegiance.

The roll was called and a quorum of the Board was present.

Present:

Timothy P. Doody, President
Abril B. Sutherland, Vice President
John M. Barry, Secretary
David P. Barnes, Jr.
Stradford A. Goins (arrived at meeting at 10:20 a.m.)
Thomas L. Jackson
Larry A. McKee (left at 1:10 p.m.)
Ricardo S. Pineda
Sara Lee St. Vincent (left at 1:05 p.m.)
Louis E. Wittie

Absent:

George Losonsky, PH.D., Treasurer

RESOLUTION #10-16-08-01 – ADOPTION OF AGENDA

The agenda was amended to include Item No. XIII.A.5 – a resolution relative to the Inner Harbor Navigation Canal Surge Barrier, and Item No. XIII.A.6 - a resolution recognizing Mr. McKee's service to the Board.

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

“A resolution to adopt the agenda, as amended, for the Board Meeting of October 16, 2008.”

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

YEAS: Mr. Barry, Mr. Barnes, Mr. Jackson, Mr. McKee, Mr. Pineda, Mr. Wittie

NAYS: None

ABSENT: Mr. Goins and Mr. Losonsky

RESOLUTION #10-16-08-02 – APPROVAL OF MINUTES

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

“A resolution to approve the minutes of the Board Meeting of September 18, 2008.”

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

YEAS: Mr. Barry, Mr. Barnes, Mr. Jackson, Mr. McKee, Mr. Pineda, Mr. Wittie

NAYS: None

ABSENT: Mr. Goins and Mr. Losonsky

PUBLIC COMMENTS:

Ms. Carol Byram questioned the reasons that the Board allowed the removal of trees in the fattened levee section of the 17th Street Canal.

Mr. K. C. King, a resident along the London Avenue Canal, commented concerning the 100 year level of protection. He stated that in recent interactions with the Dutch delegation he found that their recommended national safety standard is for a 1,250 year event, but for Louisiana that they had recommended a 5,000 year event. He commented concerning the need to heighten public awareness about the residual risks. He explained that for every house that is elevated along the London Avenue Canal, seven houses are being renovated at grade.

Mr. Barry explained that the Board agreed that 100 year protection is insufficient. In addition, attempts have been made to get the national flood community to change the terminology so that the actual risk is communicated to the public.

Mr. Doody pointed out that the Authority has been educating the country about the importance of this region so that it is willing to invest in its protection and is limited by the resources currently provided.

Mr. King added that the phrase “safety first” should be used in the master plan and in zoning ordinances.

Mr. Pineda commented on the USACE’s LaCPR plan, which will provide a level of protection against storm events with a return period of 400 to 1,000 years. The LaCPR plan, which is currently in the planning process, will be difficult to implement for both environmental and economic reasons.

PRESENTATIONS:

1. Presentation on Katrina flood markers.

Mr. Len Bahr advised that he retired on October 1st from the Governor’s Office of Coastal Activities where he had 18 years tenure extending through the terms of five

different governors. Mr. Bahr explained he is a coastal scientist who has watched the coastal restoration program evolve and that he has ideas on how the protection and restoration program can be implemented in a comprehensive manner. He mentioned the LaCoastPost.com web site and stated he hoped this blog would provide a forum for participation by scientists and the public to interact and discuss ideas.

Mr. Bahr explained that three years after Hurricane Katrina the water lines that had marked the height of the flooding are beginning to disappear. His fear is that the public is quickly forgetting the extent of the flooding that had occurred and recommended that permanent flood markers be installed to remind the public of the risks and to pay tribute to the victims of Katrina. He explained that a small group of individuals, including Mr. Barry, have been discussing the installation of these markers or monuments, including the design, costs and funding issues. Mr. Bahr stated that he had discussed this idea with Roland Dusset, who works with Dr. Blakely, and his assistant, Gerry Williams, and they are very interested. Mr. Bahr also spoke to several members of the New Orleans City Council and received positive feedback. In addition, a Tulane University professor who is knowledgeable about the cultural history of New Orleans and its physical geography has expressed an interest in helping to develop the actual technology that would be required. A more formal proposal has been promised to Dr. Blakely. Mr. Bahr stated that he welcomed input from the Authority and any other interested individuals.

Mr. Barry pointed out that these markers would impress upon the public the reality of history. He discussed some of the conversations that have taken place relative to the type of design and number of markers; e.g. markers placed in every neighborhood, as opposed to works of art placed in prominent, highly visible locations.

Ms. Fran Campbell described the colored markers that are connected with a storm plan that are placed in the Czech Republic.

Mr. Jackson stated he had mixed feelings about monumenting high water levels. Monuments to remind the public about the disaster that took place are good; however, he discussed the possible negative impact that could result from a marker being placed outside a home. He suggested locating these monuments in parks or tourist areas. Ms. Sutherland concurred with Mr. Jackson and also suggested neighborhood parks as possible locations or the use of a downtown display where visitors could receive a good understanding of what took place.

Mr. Doody commented on the importance of reminding the public about this historic event and on the possible negative impact that such a marker could have on area investment. He added that if art work is built into the marker, it could be an attractive addition, as well as a historical reference to what had occurred. He cited the Katrina Memorial in the Lower Ninth Ward as an example.

Mr. Barry asked Mr. Bahr to submit a copy of the proposal once it is developed to the Board.

OPENING COMMENTS:

Mr. Doody advised that a meeting will be held on Monday with the U.S. Coast Guard which he, Mr. Robert Turner, SLFPAE Regional Director, and Mr. Garrett Graves, Director of the Governor's Office of Coastal Affairs, will attend. This meeting is in follow up to the U.S. Coast Guard presentation at the October Board Meeting.

Mr. Doody reported that the State has signed the agreement, which must still be signed by the USACE, that would allow for award of the contract for the plug closure in the Mississippi River Gulf Outlet. In addition, he has requested the USACE to provide a presentation at the November Board meeting on the progress and key features of projects.

Mr. Doody announced that today's meeting would be the last meeting attended by Mr. Larry McKee and expressed the Board's gratitude to Mr. McKee for his service. In addition to the resolution of the Board paying special recognition to Mr. McKee for his outstanding service and contributions, an official statement was signed by Governor Jindal and proclamations were passed by Jefferson, St. Bernard and Orleans Parishes thanking Mr. McKee for his service on the Board.

Mr. McKee stressed that the Authority should never forget that its creation was due to a devastating event and that its commitment should be that such an event will never happen again. He commented on some of the struggles the Authority faced while trying to get on a sure footing. He counseled that the Authority would not accomplish the goals that it sets for itself unless it involves every employee and member of the levee districts. He commented on the roll of the Authority in ensuring what is designed by the USACE and the CPRA conforms with its goals. He stated that the Authority has a tremendous amount of talent and that there are things that the Authority can do for this area which can be done in a manner that can spread across the state and the nation. He thanked the Board members and staffs of the levee districts for their assistance.

On the motion of Mr. Doody, Ms. Sutherland, Mr. Barry, Mr. Barnes, Mr. Goins, Mr. Jackson, Mr. Pineda, Ms. St. Vincent and Mr. Wittie, the following resolution was offered:

RESOLUTION #10-16-08-03

"A resolution recognizing the outstanding service and contributions of Mr. Larry McKee to the Southeast Louisiana Flood Protection Authority-East and to the citizens of Louisiana."

WHEREAS, after the devastation resulting from Hurricane Katrina, the Southeast Louisiana Flood Protection Authority-East was created by the Louisiana State Legislature to provide regional flood protection for the Lake Pontchartrain Basin area; and

WHEREAS, due to his outstanding qualifications and extensive experience Mr. Larry McKee was selected to serve as a founding member on the Board of the Southeast Louisiana Flood Protection Authority-East; and

WHEREAS, Mr. McKee has worked tirelessly in the service of the citizens of the region, and in particular Orleans, Jefferson and St. Bernard Parishes, continuously striving to achieve the best flood protection possible; and

WHEREAS, Mr. McKee's devoted service as a member of the Board has resulted in many accomplishments benefiting the entire region; and

WHEREAS, Mr. McKee's leadership as Chairperson of the Operations Committee has resulted in many positive achievements in the operations and maintenance of the flood protection system.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East hereby expresses its gratitude and appreciation to Mr. Larry McKee for his dedication and superior contribution during his tenure as a Board member and Chairman.

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

YEAS: Mr. Doody, Mr. Barry, Mr. Barnes, Mr. Goins, Mr. Jackson, Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: Mr. Losonsky

COMMITTEE REPORTS:

Finance Committee: The Finance Committee did not meet in the month of October.

Operations Committee: Mr. Wittie reported that at its meeting held on October 8th the Committee discussed the following items: the submittal due by October 24th of rehabilitation requests to the CPRA; problems with grass growth on levees and possible solutions contained in the USACE's revised grass specifications; lessons learned from Hurricanes Gustav and Ike; and safe houses. A resolution was placed on the today's agenda concerning safe houses. Mr. Wittie stated his thought was that Requests for Qualifications for engineers need to be developed in order to commence plans and specifications so that costs can be determined. Each levee district would require a different type of safe house.

Mr. Jackson commented that he met with East Jefferson Levee District (EJLD) Executive Director Fran Campbell concerning a safe house and the complexities involved and the alternatives and parameters that should be included in a study. He recommended that a study for the EJLD include some investigation and recommendation to the Board in order to proceed.

The Board discussed various alternatives for safe houses and the need to proceed with the planning process.

Legal Committee: Ms. Sutherland advised that the Legal Committee was scheduled to meet before the Board Meeting; however, instead it would be meeting after the Board meeting.

Special Issues Committee: Mr. Goins advised that it was suggested to him that the Board have its in-house engineers prepare preliminary designs and submit a plan for the use of the twin span debris material since some of the proposals competing for this material contain that level of detail.

REGIONAL DIRECTOR'S REPORT:

Mr. Robert Turner reviewed the Regional Director's Report (copy appended). Supplementing the report, he explained that the Coast Guard and some navigation interests had expressed concern relative to the sector gate and barge gate in the GIWW. Some modeling has been done and at the present time minor changes are anticipated, particularly with regards to guide walls, to alleviate some of the concerns about barges. The structure width is 150 feet. Additional physical and computer modeling will be done looking at currents.

Mr. Turner advised that the work relative to LVP 149 (Caernarvon Floodwall) is currently expected to be 100 percent federally funded. However, if the existing floodwall alignment is changed to a levee alignment east of the Caernarvon Canal, a new control structure would be required in the canal and the funding situation could change.

Debris cleanup associated with Hurricanes Gustav and Ike is progressing. The Orleans Levee District may require outside assistance.

The deadline for submitting the audits has been extended to October 17th; however, this date would probably not be met as complications have arisen in reconciling the flood and non-flood sides of the Orleans Levee District. A single financial statement must be created that includes all the levee districts.

Mr. Jackson recommended that with the current national economic situation that the Authority's goal for permanent protection for the outfall canals be at least to have Congress change the authorization to show the selection of Option 2 and for the entire project to be divided into phases. The first phase should be the lakefront pumping station.

Ms. Sutherland asked whether the USACE had provided any preliminary projections relative to land acquisition requirements for 100 year protection. Mr. Turner responded that the USACE has only provided acquisition requirements for the IHNC Project at this point in time, along with some ideas as to what they would like to have as far as borrow areas with regards to projects Authority-wide. The USACE does not yet have enough information to provide proposed right-of-way alignments for the various levee reaches. The main areas that will be impacted are in St. Bernard and New Orleans East, with possible minor impact along the lakefront. The State of Louisiana is the local sponsor and will assist with the land acquisition.

Mr. Turner reported on the status of several contracts recently awarded by the Board:

- Negotiation of the contract with GCR and Associates is under way for the acquisition of lands, easements, rights-of-ways, relocations and disposal sites (LERRDs).
- The contract with Burk-Kleinpeter & Associates for the EJLD foreshore protection repair project is ready to be signed; however, there is a problem relative to the fee. FEMA will allow a certain percentage of the construction cost for the fee, however, the consultant feels this percentage is unreasonable. An attempt is being made to change the FEMA Project Worksheet to increase the fee to a higher level.
- The contracts with Dr. Robert Bachus and Dr. Ray Martin have been executed for the 17th Street Canal Seepage Review.

Mr. Turner reported that the National Committee on Levee Safety held its first plenary meeting on October 6 – 10. Approximately fourteen individuals serve on the Committee. One of the Committee's goals is standardized guidelines for levee design. The current task is for the completion of a strategic plan by January 15th, which will be submitted to the U.S. Congress as required under WRDA. Mr. Turner advised that he was required to commit to two years' service on the Committee.

Mr. Doody pointed out that Mr. Turner's service on the National Committee on Levee Safety is a tremendous opportunity for the Board and will provide national exposure.

OLD BUSINESS:

1. Presentation and continued discussion of draft SLFPA-E Strategic Plan.

Mr. Pineda advised that representatives of SSA Consultants had provided the update for today's meeting. He explained that significant input was received from Commissioners at the last Board meeting on the Authority's Vision, Mission and Guiding Principles. Two editing sessions were conducted after the Board meeting and the first draft of the Strategic Plan was presented for further comment.

Vision: To provide a regional flood risk management system that protects the lives and property of the residents within the jurisdiction of the Southeast Louisiana Flood Protection Authority-East from at least a 500-year (0.2% annual chance) flood event.

Mr. Barry explained that the general standard internationally for a densely populated, high value area is 10,000 year protection. He provided some examples; i.e., Holland with 1,250 year for river protection, 10,000 year for north sea storm protection, and depending on value of property and population Japan's ranges from 100 year to 10,000 year. He stated that 500 year protection is not ambitious enough when talking about vision and that the vision should be a minimum of 1,000 year protection or possibly more. Thousand year protection is the equivalent of between a 5 and 10 percent chance that an average person in his lifetime will see an event matching or exceeding that protection.

Mr. Jackson commented that the difference in both level and cost is not in proportion to the years; therefore, to go from 100 year or 500 year to 1,000 year protection may not be that big of a cost differential. He concurred that the Authority's vision should be at a higher level of return frequency for protection.

Mr. Barry added that the Board must also decide whether the vision is reasonable and attainable. He suggested that the Board could wait for the LaCPR so that it would have a better understanding of the cost differences. In addition, some responsibility rests with citizens. He noted that resilient communities are needed. People may need to recognize that they may get some water with a storm and have minimal damage, so that there is inconvenience, but not a disaster—and this must be communicated to the public. He suggested that part of the Authority's strategy to make the area safe could involve making citizens aware of the need to protect themselves by actions such as raising homes.

Mr. McKee asked whether coastal restoration and protection is acknowledged in the Vision as a component of flood protection, and that the Authority is cognizant of this component and promotes it. Mr. Pineda recommended including as a guiding principle that the Authority recognizes the value and benefits of coastal restoration.

Mission: The mission of the Southeast Louisiana Flood Protection Authority-East is to protect to the highest level possible the lives and property of the residents within the jurisdiction of the Authority by reducing the probability and associated risk of flooding.

Mr. Pineda explained this mission is performed on a day-to-day basis by maintaining the existing flood protection system and providing the best operations and maintenance and emergency response possible.

Mr. Barry suggested that at the end of the Mission may be the appropriate place to add a phrase relative to public awareness or resilience. Even though it is not within its roll, the Authority can recognize the responsibility to make other public bodies, as well as individuals as much as possible, aware of the responsibilities of citizens.

Mr. Pineda pointed out that the phrase "to protect to the highest level possible" within the scope of the Mission refers to whatever system – whether the current, 100 year or 1,000 year – is in place at the time.

Guiding Principles:

No. 1 – We strive for operational excellence by leveraging the institutional knowledge, technical expertise, professionalism, and dedication of our personnel.

No. 2 – We plan and manage flood protection as an integrated system rather than a series of projects or individual levee districts.

No. 3 – We recognize the contribution and dedication of each employee, regardless of their job. Each person plays a vital role in flood protection.

No. 4 – We are transparent, honest, visible, responsive, responsible, and accountable and our actions over a sustained period of time will build trust with our partners and the public.

No. 5 – We value input from our stakeholders at all levels.

No. 6 – We exercise fiscal responsibility through the continuous improvement of our business operations.

No. 7 – We operate and maintain the existing levees, flood gates, pumping stations, and floodwalls consistent with design and maintenance standards.

Mr. Pineda explained the first principle applies to both day-to-day operations and maintenance of the system and the Authority's business operations. He added that any new proposed ideas could be submitted by e-mail.

Mr. Barry stated that he did not like the term "stakeholder" in principle No. 5, which could be misconstrued as being restrictive rather than applying to everyone, and suggested using perhaps "outside organizations and individuals". Ms. Sutherland recommended use of the term "all sources" and Mr. Barry concurred.

Mr. Pineda pointed out concerning principle No. 6 that since the Authority was formed it has been taking steps to improve fiscal responsibility and attempting to find synergistic benefits.

Mr. McKee commented concerning the phrase "consistent with design and maintenance standards" in principle No. 7. He gave an example that there could be a situation where proper maintenance is not done because the maintenance is performed strictly in accordance with the plans or a manual. He stated this could provide an outlet for not improving operations. Mr. Pineda commented he would note Mr. McKee's comment and determine whether an improvement could be drafted collectively. Mr. Barry suggested including the term "state of the art".

Mr. Pineda advised that the next step would be the working session with the Executive Directors and Regional Director on October 20 to develop SMART (strategic, measurable, attainable, realistic and time based) one and five year goals. Once the goals are set, metrics can be established and status reports made annually to the Board. SSA Consultants is anticipated to come to the Board's November meeting for approval of the Mission, Vision and Guiding Principles and to discuss the results of the October meeting on SMART goals, and then to return to the Board in December to talk about the SMART goals. This task is projected to be completed in January.

Mr. Doody commented that the Authority is moving in the right direction and thanked Mr. Pineda for all the work he has done on this project.

At 11:45 a.m. Mr. Goins offered a motion, which was seconded by Mr. Jackson and unanimously adopted, for the Board to convene in Executive Session to discuss the items listed on the Agenda.

Mr. Jackson offered a motion, which was seconded by Mr. Goins and unanimously adopted, for the Board reconvened in regular session at 1:15 p.m.

RESOLUTION #10-16-08-04 – LEGAL ACTION

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

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East instructs the law firm of Gordon, Arata to follow the recommendations made in Executive Session regarding the litigation entitled Orleans Levee District vs. Clayton Williams Energy, USCD, EDLA No. 08-3912,C,1.

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

NEW BUSINESS:

RESOLUTION #10-16-08-05 – EXTENSION OF AUDIT COMPLETION DATES

Mr. Doody stated that the contracts through the Louisiana Legislative Auditor's Office provide an exact date for completion of the audits; therefore, a resolution is required to extend the term.

On the motion of Ms. Sutherland,
Seconded by Mr. Goins, the following resolution was offered:

WHEREAS, Professional Services Agreements have been executed between the Louisiana Legislative Auditor's Office and Rebowe & Company to perform audit services for the period ending June 30, 2008 for the Southeast Louisiana Flood Protection Authority-East (SFLAP-E) and the Orleans Levee District, and between the Louisiana Legislative Auditor's Office and Erickson, Krentel & LaPorte, LLP to perform audit services for the period ending June 30, 2008 for the Lake Borgne Basin Levee District; and

WHEREAS, due to unforeseen circumstances an extension of the completion dates for the aforementioned audits will be required, which will necessitate an Amendment to the Professional Services Agreements.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East (SLFPAE) authorizes the SLFPAE President, on behalf of the SLFPAE, O.L.D. and LBBLD, to execute an Amendment to the aforementioned Professional Services Agreements to extend the completion date, as needed, for the audit of the SLFPAE, O.L.D. and LBBLD for the period ending June 30, 2008.

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

RESOLUTION #10-16-08-06 – LEVEE DISTRICT SAFE HOUSES

Mr. Doody commented on the need to take action before the next hurricane season to attempt to get some type of safe housing in place for employees.

Mr. Jackson offered an amendment to the RESOLVED paragraph of the resolution to authorize the advertisement for professional consultant services to commence investigations for the study of safe housing for levee district employees, including recommendations and alternative recommendations with respect to existing facilities and safe housing. He explained that the EJLD currently has two pieces of real estate; i.e., an administration building and a building for operations and for the police department. A determination is required relative to the need for safe housing and the type of safe housing required, and regarding real estate issues and possibly the consolidating of operations.

Ms. Campbell indicated that the EJLD needed safe housing for 50 employees.

Mr. Doody advised that his thought was to first gather additional information, since a place may be found as a result of discussions with parish governments.

The Board discussed the possibility of consolidating safe housing for the levee districts; however, it was noted that during a storm it may be impossible for personnel to move from one side of the Industrial Canal to the other side.

Mr. Stevan Spencer, O.L.D. Executive Director, advised that the Orleans Levee District (O.L.D.) may need to house up to 80 people, including police officers. Murray Architects had been selected from an Request for Proposals (RFP) process after Hurricane Katrina for repairs to the Franklin Facility and had provided a tentative layout and information on the structural integrity of the building. The layout would not only house 80 people for a storm, but would also house the Emergency Operations Center (E.O.C.), and the Field Operations and Information Technology Departments which are currently being housed in trailers. He added that he had spoken to Mr. Wittie and Mr. Lacour and it was their recommendation that a RFP be issued for a consultant for the design.

Mr. Jackson commented that the East Jefferson Levee District (EJLD) needs to get to the position that the O.L.D. is currently in, where a location and criteria have been identified and a layout done. He noted that the O.L.D. at this point needs to hire a consultant for the design to effect the recommended plan.

Mr. Jason McCrossen, LBBLD Executive Director, advised that the Lake Borgne Basin Levee District (LBBLD) would need safe housing for 24 to 25 employees. It was pointed out that the USACE did a storm proofing plan for the LBBLD pump stations, however, there is no funding for its implementation.

Mr. Turner suggested proceeding along parallel lines with the Board authorizing the advertising of the Requests for Proposals and the Executive Directors meeting and exploring various options.

Mr. Pineda recommended that in lieu of Requests for Proposals that Requests for Qualifications (RFQ) be advertised for architectural and engineering support to determine the feasibility and pre-design of the safe houses. Work could continue internally with the Executive Directors and the A&E firm could prepare a package with pre-engineering work and cost estimates. FEMA could then be approached with a potential grant application. After a funding source is determined, an RFQ could be issued for the specification design and construction management RFQ.

Mr. Turner explained that the USACE's study estimated the cost at \$60 million for storm proofing the LBBLD's pump stations and includes work at the pump stations along with safe houses. He recommended issuing an RFQ for a quick study to review the existing storm proofing plan and determine what could be done with safe housing. The firm could glean out the portions of the study associated with safe housing and present ideas on what could be done while waiting for the funding for the \$60 million solution.

Mr. Jackson stated he would like the study for the EJLD to go beyond just looking at safe housing. The study should look at the existing operation facilities in order to add storm protection (safe housing) for employees, and make recommendations for potentially consolidating facilities or recommendations for including the safe houses in the operations of the facilities.

Mr. Turner stated his understanding of the Board's wishes at this point were (1) to start the design process for the O.L.D., (2) a study to review the existing proposed plans for the LBBLD to determine what could be done to accelerate the completion of something that would provide a safe house and still maintain the ability to come back later and do the storm proofing in conjunction with that, and (3) a study for the EJLD to determine the best solution for a safe house in conjunction with the operations and police departments to keep them functional during the course of a storm.

Mr. Jackson commented that he hoped that the EJLD would follow the lead of the O.L.D. in terms of building an Emergency Operations Center in a safe house facility that could be used year round.

Mr. Doody clarified that the motion in principle is for the advertisement of RFQ's for a consultant to develop plans for the O.L.D., consulting services on what to do in the EJLD, and a review of the USACE's plans for the LBBLD with the thought of implementing at least the safe house portion of the storm proofing plans.

Mr. Jackson clarified that there should be three different contracts for the varied services for the levee districts. The LBBLD would need a consultant with a background in pump stations, the O.L.D. would need an architectural-engineering firm as a consultant, and the EJLD would need a consultant with real estate, architectural and engineering experience.

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

WHEREAS, the employees of the East Jefferson, Orleans and Lake Borgne Basin Levee Districts must remain on duty during hurricane and flood events securing and maintaining the levee protection system in Orleans, East Jefferson and St. Bernard Parishes, pump operations in St. Bernard Parish and providing mutual aid to other parishes and levee districts in need.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East authorizes the advertisement of Requests for Proposals for professional consulting services, as follows:

- East Jefferson Levee District – Professional Architectural-Engineering-Real Estate Consulting Services for a study to investigate safe housing for employees, including recommendations and alternative recommendations with respect to existing facilities and safe housing.
- Orleans Levee District – Professional Architectural-Engineering Consulting Services for the design of a Safe-house/IT/EOC Build Out in the O.L.D. Franklin Facility;
- Lake Borgne Basin Levee District – Professional Engineering Consulting Services to review the U.S. Army Corps of Engineers' plan for storm proofing pump stations and provide options for the implementation of safe housing for employees;

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

YEAS: Mr. Barry, Mr. Barnes, Mr. Goins, Mr. Jackson, Mr. Pineda, Mr. Wittie

NAYS: None

ABSENT: Mr. Losonsky and Mr. McKee

RESOLUTION #10-16-08-07 – SLFPA-E –
MISSISSIPPI VALLEY FLOOD CONTROL ASOCIATION 73rd ANNUAL MEETING
AND ASSOCIATION OF LEVEE BOARDS OF LOUISIANA ANNUAL MEETING

Mr. Doody advised that this resolution would cover any Commissioner interested in attending these back-to-back meetings to be held in December in New Orleans.

On the motion of Ms. Sutherland,
Seconded by Mr. Goins, the following resolution was offered:

WHEREAS, the 73rd Annual Meeting of the Mississippi Valley Flood Control Association will be held in New Orleans on December 4-6, 2008, with a registration fee per member representative of \$250.00; and

WHEREAS, the Association of Levee Boards of Louisiana will hold its Annual Meeting on December 3-4, 2008, with a registration fee of \$250.00 per member.

BE IT RESOLVED, that the Commissioners of the Authority are hereby authorized to attend the 73rd Annual Meeting of the Mississippi Valley Flood Control

Association and the Association of Levee Boards of Louisiana Annual Meeting on December 3-4, 2008.

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

YEAS: Mr. Barry, Mr. Barnes, Mr. Goins, Mr. Jackson, Mr. Pineda, Mr. Wittie

NAYS: None

ABSENT: Mr. Losonsky and Mr. McKee

RESOLUTION #10-16-08-08 – IHNC STORM SURGE REDUCTION PROJECT – OPERATION AND MAINTENANCE OF NAVIGATION STRUCTURE

Mr. Barry explained that currently the operation and maintenance of the gated structures being built over the GIWW could be paid for by the local districts. He then offered a substitute resolution relative to this issue.

Mr. Jackson added that the burden of operating and maintaining these structures not only involves the operations and maintenance costs, but also the training and manpower involved. A USACE representative had advised that the USACE normally operates large navigational structures. A request must be made to the Congress for the USACE to operate the structure.

Mr. Doody pointed out that the maritime industry is in favor of the USACE maintaining and operating these navigation structures.

Mr. Spencer asked that the Board consider including a request for the federal operation of the Seabrook structure. Mr. Doody suggested that the Authority proceed along another path relative to the Seabrook structure. Mr. Barry explained that the resolution before the Board, which will be presented to Congress, stresses the fact that the GIWW structure is the only navigation structure in the entire Mississippi River-Gulf Intracoastal Waterway (GIWW) system that is not to be operated by the USACE.

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

WHEREAS, the Gulf Intracoastal Waterway (GIWW) is a man-made navigation channel designed solely to serve intrastate commerce and serves no flood protection purpose; and

WHEREAS, every navigation structure on the entire Mississippi River and the entire GIWW is operated and maintained by the U.S. Army Corps of Engineers; and

WHEREAS, currently operations and maintenance is to be paid by local districts and this cost would impose a significant burden on the local levee districts; and

WHEREAS, the U.S. Army Corps of Engineers recognizes that it should have responsibility for operating and maintaining the gates on the GIWW; and

WHEREAS, the shipping industry wishes the U.S. Army Corps of Engineers to operate and maintain the new gate on the GIWW.

BE IT HEREBY RESOLVED that the Southeast Louisiana Flood Protection Authority-East requests that the legislative representatives, State officials and local

navigational interests join in this request to Congress that the United States Army Corps of Engineers assume responsibility for the Operations and Maintenance of the gates in the new navigational system.

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

YEAS: Mr. Barry, Mr. Barnes, Mr. Goins, Mr. Jackson, Mr. Pineda, Mr. Wittie

NAYS: None

ABSENT: Mr. Losonsky and Mr. McKee

RESOLUTION #10-16-08-09 – EAST JEFFERSON LEVEE DISTRICT CAPITAL OUTLAY PROGRAM FUNDING REQUEST

Ms. Campbell advised that the EJLD's Capital Outlay request includes a safe house and the re-submission of last year's request for continued foreshore protection in five phases.

Ms. Wilma Heaton explained that the resolutions presented for the EJLD, O.L.D and LBBLD are for the authority to file Capital Outlay requests which are due November 1st. Although there are billions of dollars of backlog in the State's Capital Outlay Program, these requests need to be filed in the event a chance presents itself for Capital Outlay funding. In addition, the requests can be used to establish certain needs with Legislators and State officials.

The Board concurred with amending the resolution to include a request for safe house funding.

On the motion of Mr. Wittie,

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

WHEREAS, the State of Louisiana COP funding applications are required to be submitted by November 1, 2008, with a Resolution requesting sponsor funding; and

WHEREAS, the East Jefferson Levee District (EJLD) has projects that require funding from the COP in order to initiate design and/or construction phases of said projects.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Control Authority-East on behalf of the EJLD, by this Resolution, formally requests the State of Louisiana COP to fund the following EJLD projects for Fiscal Year 2009-2010 in the amounts shown:

**EMERGENCY OPERATIONS CENTER/
ADMINISTRATION OFFICE/SAFEHOUSE \$5,170,000**

LAKE PONTCHARTRAIN FORESHORE PROTECTION BULKHEAD

Phase 1	Reach 1	\$10,016,060
Phase 2	Reach 2	\$ 5,440,570
Phase 3	Reach 5	\$ 3,778,940
Phase 4	Reach 4	\$ 9,386,830
Phase 5	Reach 3	\$12,395,920
TOTAL		\$41,018,320

BE IT FURTHER RESOLVED, that the EJLD does hereby certify, in accordance with the State Capital Outlay Act, the following:

1. There is no bond funding, other than State general obligation bond funding, sufficient to fund the above Capital Outlay request.
2. All local options for funding for this Capital Outlay request through taxation, special assessments, loans, bonds, or other resources have been considered and rejected as not being feasible or readily acceptable at this time.
3. There is no revenue source for these non-recurring project appropriations.
4. No surplus and/or unobligated funds are available.

BE IT FURTHER RESOLVED, that the EJLD is committed to providing a local project match to the extent it is economically able to for the amounts required/recommended and necessary by the State.

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

BE IT FURTHER RESOLVED, that the EJLD Executive Director is hereby authorized and designated to act on behalf of EJLD in all matters pertaining to each of the aforementioned Projects for which Capital Outlay funds are being requested including requests for State disbursements.

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

YEAS: Mr. Barry, Mr. Barnes, Mr. Goins, Mr. Jackson, Mr. Pineda, Mr. Wittie

NAYS: None

ABSENT: Mr. Losonsky and Mr. McKee

**RESOLUTION #10-16-08-10 – ORLEANS LEVEE DISTRICT
AUTOMOBILE LIABILITY INSURANCE RENEWAL**

Mr. Spencer requested approval for the renewal of the current Automobile Liability Insurance coverage with Redland Insurance Company. Since the Flood Division is responsible for half of the expenses of the O.L.D. Police Department, half of the cost for the Police Department's vehicles are included in the Flood Division's estimated apportioned premium cost.

On the motion of Mr. Barry,

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

"A resolution to authorize the renewal of Automobile Liability Insurance coverage for the Orleans Levee District Flood Division from Redland Insurance Company through Morrison Insurance Agency."

WHEREAS, the Orleans Levee District's Automobile Liability Insurance policy will expire on November 1, 2008 at 12:01 AM and a renewal quote was received from Redland Insurance Company at a reduction in premium, through Morrison Insurance Agency; and

WHEREAS, the renewal coverage is offered to the Orleans Levee District (O.L.D.) Flood Protection Division and the Non Flood Assets Division by the Redland Insurance Company through Morrison Insurance Agency for a period of

one year commencing on 11/01/08 and expiring on 11/01/09 at 12:01 AM at a total estimated annual premium of \$152,995.00 subject to an annual audit; and

WHEREAS, the estimated annual apportioned premium for the Orleans Levee District Flood Protection Division is estimated at \$114,110.00.

BE IT HEREBY RESOLVED that the Southeast Louisiana Flood Protection Authority- East authorizes the procurement of Automobile Liability insurance coverage from Redland Insurance Company through Morrison Insurance Agency at the estimated apportioned annual premium of \$114,110.00 for a period of one year commencing on November 1, 2008 and expiring on November 1, 2009 at 12:01 AM and authorizes the O.L.D. Executive Director to execute all documents necessary to carry out the above.

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

YEAS: Mr. Barry, Mr. Barnes, Mr. Goins, Mr. Jackson, Mr. Pineda, Mr. Wittie

NAYS: None

ABSENT: Mr. Losonsky and Mr. McKee

RESOLUTION #10-16-08-11 – ORLEANS LEVEE DISTRICT CAPITAL OUTLAY PROGRAM FUNDING REQUEST

Mr. Spencer advised that the O.L.D.'s requests are the same as last year's requests. The O.L.D. has requested in the past that the lakefront seawall be incorporated into the Lake Pontchartrain and Vicinity Hurricane Protection Plan (LPVHPP), however, that has not happened. Therefore, Seawall Flood Protection Modification – Phase II for which partial plans have been done has been included as an item in the Capital Outlay request. The second item is for safe housing, which is estimated at \$2 million.

Mr. Barry commented that the last he had heard concerning the request to incorporate the lakefront seawall into the LPVHPP was that the USACE was evaluating the length of its useful life.

Mr. Turner explained that the USACE could not do repairs to the seawall because it was not a part of original LPVHPP authorization. However, the seawall was taken into account when the USACE did the analysis for storm surge and wave overtopping along the lakefront and the height of the levee was determined based upon the seawall being in place. Therefore, his understanding was that when the project comes to fruition, the local sponsor would be required to operate and maintain the seawall as a component of the project for the life of the project (50 years).

Mr. Pineda suggested looking into enrolling the seawall in the USACE Public Law 84-99 Repair and Rehabilitation Program for Non-Federal Flood Control Facilities.

Mr. Turner reported that a representative of the Governor's Office of Homeland Security and Emergency Preparedness has been contacted, and an attempt will be made to set up a meeting for the SLFPA-E with FEMA and the State to explore possible funding for safe houses.

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

WHEREAS, the Orleans Levee District (O.L.D.) has successfully obtained funding from the State of Louisiana Capital Outlay Program (COP) for the design of several vital projects over the past years; and

WHEREAS, the State of Louisiana COP funding applications are required to be submitted by November 1, 2008, with a Resolution requesting sponsor funding; and

WHEREAS, the O.L.D. has projects that require funding from the COP in order to initiate design and/or construction phases of said projects.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Control Authority-East on behalf of the O.L.D., by this Resolution, formally requests the State of Louisiana COP to fund the following O.L.D. projects for Fiscal Year 2009-2010 in the amounts shown:

A. Seawall Flood Protection Modification, Phase II (at Lakeshore Drive)	\$ 5,000,000
B. Safehouse/EOC/IT Build Out at Franklin Facility	\$ 2,000,000

BE IT FURTHER RESOLVED, that the O.L.D. does hereby certify, in accordance with the State Capital Outlay Act, the following:

5. There is no bond funding, other than State general obligation bond funding, sufficient to fund the above Capital Outlay request.
6. All local options for funding for this Capital Outlay request through taxation, special assessments, loans, bonds, or other resources have been considered and rejected as not being feasible or readily acceptable at this time.
7. There is no revenue source for these non-recurring project appropriations.
8. No surplus and/or unobligated funds are available.

BE IT FURTHER RESOLVED, that the O.L.D. is committed to providing a local project match to the extent it is economically able to for the amounts required/recommended and necessary by the State.

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

BE IT FURTHER RESOLVED, that the O.L.D. Executive Director is hereby authorized and designated to act on behalf of O.L.D. in all matters pertaining to each of the aforementioned Projects for which Capital Outlay funds are being requested including requests for State disbursements.

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

YEAS: Mr. Barry, Mr. Barnes, Mr. Goins, Mr. Jackson, Mr. Pineda, Mr. Wittie

NAYS: None

ABSENT: Mr. Losonsky and Mr. McKee

RESOLUTION #10-16-08-12 – LAKE BORGNE BASIN LEVEE DISTRICT CAPITAL OUTLAY PROGRAM FUNDING REQUEST

Mr. McCrossen advised that an item for the funding of safe housing will be included in the LBBLD's Capital Outlay request. Other requests include improvements to the

drainage canals and bulkheading, and funding for an on-going flood control drainage study with the USACE and St. Bernard Parish.

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

WHEREAS, the Lake Borgne Basin Levee District (LBBLD) has successfully obtained funding from the State of Louisiana Capital Outlay Program (COP) for several vital projects over the past years; and

WHEREAS, the State of Louisiana COP funding applications are required to be submitted to Facility Planning and Control by November 1, 2008, with a Resolution requesting sponsor funding; and

WHEREAS, the LBBLD requires funding from the COP for various projects.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Control Authority-East on behalf of the LBBLD, by this Resolution, formally requests the State of Louisiana COP to fund the following LBBLD projects for Fiscal Year 2009-2010 in the amounts and priority shown:

LIST OF PROJECTS

1. Drainage Improvements to (Complement) LA 46 Roadway and Drainage Improvement Project Between Paris Road and Webster Road, Planning and Construction	\$ 2,320,000
2. Flooding and Drainage Improvements, Planning and Construction	\$ 360,000
3. Drainage Pump Station and Channel Improvements, Land Acquisition, Planning and Construction	\$11,550,000
4. Bulkheading of Canals, Planning and Construction	\$ 2,040,000
5. Storm Proofing Pump Stations St. Bernard Parish, La, Planning and Construction	\$24,000,000

BE IT FURTHER RESOLVED, that the LBBLD does hereby certify, in accordance with the State Capital Outlay Act, the following:

1. There is no bond funding, other than State general obligation bond funding, sufficient to fund the above Capital Outlay request.
2. All local options for funding for this Capital Outlay request through taxation, special assessments, loans, bonds, or other resources have been considered and rejected as not being feasible or readily acceptable at this time.
3. There is no revenue source for this non-recurring project appropriation.
4. No surplus and/or unobligated funds are available.

BE IT FURTHER RESOLVED, that the LBBLD is committed to providing a local project match to the extent it is economically able to for the amount required/recommended and necessary by the State.

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

BE IT FURTHER RESOLVED, that the LBBLD Executive Director is hereby authorized and designated to act on behalf of LBBLD in all matters pertaining to each of the aforementioned Projects for which Capital Outlay funds are being requested including requests for State disbursements.

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

YEAS: Mr. Barry, Mr. Barnes, Mr. Goins, Mr. Jackson, Mr. Pineda, Mr. Wittie

NAYS: None

ABSENT: Mr. Losonsky and Mr. McKee

The next Board Meeting will be held on November 13, 2008, and hosted by the O.L.D.

There was no further business, therefore, the meeting was adjourned at 2:50 p.m.

SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY - EAST

REGIONAL DIRECTOR'S REPORT

October 16, 2008

100 Year Level of Protection

Inner Harbor Navigation Canal Hurricane Storm Surge Barrier:

Work on the GIWW section of the project was temporarily halted because of concerns expressed by the Coast Guard and Navigation interests. Last week Shaw was told by the USACE to continue with the design work with the anticipation that only relatively minor changes would be required.

Many components have been submitted for 30% design review and comment. Our emphasis continues to be Operation & Maintenance considerations and the necessity to "design in" reasonable O&M features early in the process.

The State is continuing with plans to secure the right-of-way required for the project without the use of Commandeering. We have been working closely with the State to try to expedite the acquisition process. OCPR has requested that we sign a contract with the abstractor they have been using to complete the remaining abstracting work. The cost to finish the work is anticipated to be less than 5,000 dollars.

The NEPA process is nearing completion for this project. Final confirmation of the project alignment and navigation structures is dependent on the results of this process.

Bayou Dupre Control Structure:

The USACE has awarded a contract for the preparation of Plans and Specification for the new Bayou Dupre Control Structure. The new structure is proposed to be built nearly 15' higher than the existing structure. The exact location of the new structure has not yet been finalized.

Reach 5 – East Jefferson Levee District:

The USACE has announced that the proposed upcoming work for Reach 5 will bring that stretch of levee up to 100 year level of protection design requirements. The work will be done at 100% Federal Cost (no local matching funds required).

LPV 145, 146, and 148 – Bayou Dupre to Caernarvon Levee/Floodwall

It appears that the USACE will recommend a T-Wall floodwall for this entire 22 mile reach.

LPV 149 Caernarvon Floodwall – Lake Borgne Basin Levee District:

USACE has taken public comment and is currently evaluating the various alternatives for this project. Reconstruction of a new wall along the existing alignment is problematic because of right-of-way issues and interference with existing residences and major industry. The Parish Government and the general public (particularly residences and businesses near the existing floodwall alignment) favor shifting the alignment to a location east of the Caernarvon Canal (in Plaquemines Parish). This would require a new Control Structure in the Caernarvon Canal. The work is currently expected to be 100% federally funded.

Elevation Map:

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 February 7, 2008. The map can be found at the following web address:

<http://www.mvn.usace.army.mil/hps/>

Submittals

Copies of the following major submittals are available for review in the SLFPAE office:

- IHNC Storm Surge Barrier (new reviews daily)

Flood Fight

There are no Flood Fight activities underway at this time. Debris cleanup associated with Hurricanes Gustav and Ike is progressing.

Internal Affairs

The deadline for submittal of the Audit has been extended to October 17, 2008.

The USACE began installing piezometers at the 17th St. Canal seepage site on October 15, 2008. The data collect from this area will be used by Bob Bachus and Ray Martin to complete their assessments.

The Strategic Plan/Organizational Study is progressing. SSA will be meeting with the Directors on October 20, 2008.

The State OCPR and USACE must negotiate and sign a "Memorandum of Understanding for the Construction of the Mississippi River Gulf Outlet Closure Structure and 3rd Supplemental Measures" in order for work to begin on the MRGO Closure. The closure structure at the La Loutre ridge is scheduled for completion in May 2009.

The USACE has hired a consultant to review the analysis and make recommendations for the fortification of a 2000' +/- section of existing I-Wall along the west side of the IHNC. All necessary work will be completed prior to the 2009 Hurricane season.

We need to continue to work with our legislative delegation to revise some of the language in existing Authorizations. We need language to make the Federal Government responsible for the OMRR&R of the proposed gated (navigation) structures that are a part of the IHNC Storm Surge Barrier. We also need changes to allow the USACE to properly complete the Permanent Pump Station Projects in the Outfall Canals (**including decommissioning of internal pump stations and reconstructing the drainage canals to provide for gravity drainage to the proposed new Permanent Pump Stations**).

Upcoming Events

- | | |
|---------|--|
| Oct 22 | Parishwide Recovery Advisory Committee Summit
1:00 - 5:00 pm
1340 Poydras (Amoco Bldg.) 21 st floor |
| Oct 25 | Joe Sullivan Retirement (S&WB General Superintendent)
6:00 – 9:00 pm
National WWII Museum |
| Oct 29 | CPRA Meeting
9:30 am
State Capitol House Committee Room 6 |
| Nov 4 | Election Day |
| Nov 5 | CWPPRA Task Force Meeting
9:30 am
N.O. District DARM |
| Dec 3-4 | ALBL 68 th Annual Meeting
Hilton New Orleans Riverside |