

**MINUTES OF THE
SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY – EAST
BOARD MEETING
THURSDAY, JULY 21, 2011**

The regular monthly Board Meeting of the Southeast Louisiana Flood Protection Authority - East (Authority or SLFPA-E) was held on Thursday, July 21, 2011, in the Second Floor Council Chambers, Joseph Yenni Building, 1221 Elmwood Park Boulevard, Harahan, Louisiana, after due legal notice of the meeting was sent to each Board member and the news media and posted.

Mr. Doody called the meeting to order at 9:30 a.m. and led in the pledge of allegiance.

PRESENT:

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

ABSENT:

Stephen Estopinal, Treasurer
Stradford A. Goins

OPENING COMMENTS:

Mr. Doody noted that Colonel Robert Sinkler's Relinquishment of Command Ceremony is being held by the U.S. Army Corps of Engineers this afternoon.

ADOPTION OF AGENDA:

A motion was offered by Mr. Wittie, seconded by Mr. Barry and unanimously adopted, to approve the agenda as presented.

RESOLUTION NO. 07-21-11-01 – APPROVAL OF JUNE 16, 2011 MINUTES

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

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East approves the minutes of the Board Meeting held on June 16, 2011.

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

ABSENT: Mr. Estopinal and Mr. Goins

PUBLIC COMMENTS:

Craig Berthold explained that in a past meeting he requested documentation demonstrating the reason that the property owners lost the use of their property to the servitude and that he had been informed that the property owners' attorney had this documentation. He stated that he spoke to the attorneys for the property owners and that the only documentation they had was Attorney General Opinion 060168. The opinion that was used for the 17th Street Canal levees was based on a request for an opinion relative to levees constructed thirty to forty years ago in St. Bernard Parish. Mr. Berthold stated that the 17th Street Canal levees were constructed and completed between 1853 and 1858 by the Jefferson and Lake Pontchartrain Railroad, which was 25 years before the St. Julien doctrine and 32 years before the Orleans Levee District was formed. The opinion states that Revised Statute (R.S.) 19:14 allows a political subdivision, such as a levee district, to establish that it acquired a servitude over private property (example: levees), if it can show that in good faith it took possession of the property and constructed facilities upon, under or over the property with the acquiescence or consent of the land owner. Mr. Berthold stated that thus far the property owners have not seen any proof of any servitude on surveys or titles and that they have just seen the toes of levees on some of the surveys. He added that they have not seen any documentation of recorded servitudes in Orleans Parish or the State of Louisiana, notification to home owners, court petitions, consent of home owners or donation. He asked to meet with the Legal Committee so that the Authority's and property owners' documentation could be examined.

Mr. Doody advised that the matter is in litigation and explained that the Board must comply with certain legal restrictions relative to public assets. He requested that Mr. Berthold provide his information to his attorney and stated that the property owners' and the Authority's attorneys could exchange information.

Mr. Berthold commented on the property damage that he stated was being caused by the on-going remediation construction by the U.S. Army Corps of Engineers (USACE).

Carol Byram commented that the levee section in Lakewood South cannot be seen or understood unless one actually walks on the levee on both sides of the floodwall. She stated that this is the most secure area on the 17th Street Canal and that the USACE has not seen fit to spend one penny or add one pebble or teaspoon of dirt to improve this levee section. On the contrary, the USACE's vegetation removal on the water's edge and adjacent property has left a slightly smaller levee in width and height, as well as a less secure ground cover. She commented that the USACE's guidelines showed that the property next to the large overbuilt levee should not have been touched. She stated that because the property owners in this area presented information to counter every excuse used by the USACE, the only way they could get into their yards was to create an unusually large underground theoretical levee with an unnecessary ten foot crest and then measure from the wall. She stated that the wall should have had nothing to do with determining the location of the toe and that this resulted in unfair treatment, especially for the property owners at the very end of the canal where the wall angles toward their property to join with the railroad tracks. She stated that the expropriation of

the property was unjustified and asked that the plus six-foot line be moved to a more correct location and that the fences be moved back to the legal property line.

Epsie Hennesy, a resident in Lakewood South, thanked the Authority's attorney for providing the information she requested regarding legal fees and asked for a clarification on the approximately \$120,000 of costs. Mr. Lacour advised that the costs covered everything to-date, which included litigation in Civil District Court, Federal Court, back to Civil District Court and again in Federal Court. She commented on the treatment of the Authority in the Legislature and stated that the legislators must be elected and react to the treatment of the residents.

Roy Arrigo read a written statement (copy appended to minutes). He requested that the Board stop defending the suit and end the litigation.

Mr. Doody advised that the Board cannot agree to settle the case without some judicial direction. He cautioned the members of the Board that the litigation is on-going and that comments could be taken out of context.

John Greishaber stated that the USACE's Hurricane Protection Office (HPO) will come to an end at 1:00 p.m. today and that he would be leaving as the HPO closes down. He thanked the Board for everything that it did to get the 100-year protection up by June 1st and gave a special thanks to Mr. Jackson who always showed himself to be a good engineer. He stated that Mr. Jackson told him the Authority's job is to get as many Federal dollars for the people it represents as possible and the USACE's job is to make sure that the Authority only gets what it rightfully should receive. This statement brought a certain amount of understanding and eliminated a lot of frustration.

Mr. Jackson thanked Mr. Greishaber for all his work. He added that it has been a long battle, but that the Authority and USACE have done well for the community.

Mr. Doody stated that Mr. Greishaber is widely regarded both within and outside of the USACE as someone who understands the system and brings a very cerebral approach to everything. He stated that the Authority appreciated everything that Mr. Greishaber has done and that the system is where it is today in no small measure due to his efforts.

Mr. Losonsky thanked Mr. Greishaber for his consistent attendance and participation at Board and Committee meetings.

1. Armoring for the Hurricane and Storm Damage Risk Reduction System - U.S. Army Corps of Engineers

Reuben Mabry with USACE Task Force Hope advised that he would be presenting the findings of the Armoring Project Delivery Team (PDT) on behalf of Mike Park. Mr. Park provided a detailed description of the process used by the team to arrive at its decisions at the July 7th SLFPA-E Operations Committee meeting. Mr. Mabry introduced Dean Arnold (USACE), who conducted most of the field work for the flume study and other elements of the armoring program, and Ray Devlin (Royal Haskoning), a subject matter expert in the hydraulics field.

Mr. Mabry advised that the USACE's authority comes from the 4th and 6th Supplement with the charge of delivering armoring to the critical components of the Hurricane and Storm Damage Risk Reduction System (HSDRRS). The USACE looked at the failures that occurred during Hurricane Katrina in order to understand how some resiliency could be put into the HSDRRS—particularly the earthen elements that are susceptible to erosion. Armoring was defined as the placement of a natural or artificial material on or around earthen works and floodwalls to reduce risks to the system and prevent breaching or major damage when confronted by wave attack, overflow and overtopping associated with a greater than a 100-year storm surge event.

Mr. Mabry explained that the USACE had very good technical information on standard levee overtopping, such as riverine flow over a levee. However, the USACE was at a quandary about how to build resiliency in a coastal environment where large waves can overtop a levee and slam down on its backside. The USACE realized that research and development was needed for this challenge. The USACE set up a Research and Development Program in concert with Colorado State University. A very large reservoir had been built adjacent to Colorado State University that could be used to deliver the volumes of water needed to push robust waves down the flume that was constructed for testing. Colorado State University worked in union with the USACE's Engineer Research and Development Center (ERDC) to develop a program that would provide a sensibility about how waves impact earthen structures. The USACE also worked with Texas A&M University relative to transition areas, LSU (Dr. Jeff Beasley) relative to the analysis of different types of grass, and international experts in order to receive some international perspective.

Mr. Mabry explained that different size waves were used over different periods of time in the tests. Various materials were stressed, such as compacted bare earthen clay, turf, turf reinforcement mattress coupled with turf (HPTRM) and articulated concrete block (ACB), as well as an array of other materials that could reasonably be expected to be considered in terms of providing capability for armoring. The study resulted in the correlation of performance ranges with the materials to be employed (Grass – 0 – 1.0 cfs/ft., HPTRM – 1.0 – 4.0 cfs/ft. and ACB - 4 cfs/ft.). A film clip was shown of a test conducted at Colorado State University using one of the bigger wave discharges.

Mr. Mabry stated that the USACE engaged critical members of the IPET (Interagency Performance Evaluation Task Force) Risk Assessment Team to perform some risk analysis and to look at armoring from a risk perspective. A risk assessment approach was developed for looking at the HSDRRS, which complimented much of the work developed by the USACE New Orleans District hydraulic staff, in order to put together the best method for understanding how to armor the system.

Mr. Mabry explained that the USACE used traditional processes for project decisions and developed reasonable alternatives for consideration. Two extreme event categories (500-year and 750-year surge levels) were used to determine their effects on the 100-year system. Each extreme event category was broken into three individual components. The USACE's Alternative Evaluation Process uses a number of criteria, including risk and reliability, operation and maintenance, costs, schedule and environmental. The Project Delivery Team (PDT) has the discretion to look at the criteria and to bring to bear the weighting of the criteria relative to the importance in

making a decision. Operations and maintenance (O&M) would typically not receive a weighting as high as 25 percent; however, the USACE adjusted O&M to rank second in terms of weight at the request of local sponsors in PDT meetings.

Mr. Mabry reviewed the 500-year and 750-year surge level alternatives:

500-yr Alternatives:

- Alt 1 – Uniform 500-yr resiliency
- Alt 2 – Added hardened crown (in some cases a nominal increase of 6-inches to one foot in height may be achieved), adjust armoring material in accordance with resultant overtopping rate
- Alt 3. – Uniform 500-yr resiliency (alt 1) plus risk informed additions

750-yr Alternatives:

- Alt 4 – Uniform 750-yr resiliency
- Alt 5 – Added hardened crown, adjust armoring material in accordance with resultant overtopping rate
- Alt 6. – Uniform 750-yr resiliency (alt 4) plus risk informed additions

Mr. Mabry advised that the PDT met on May 25th and after analyzing the six alternatives recommended Alternative 3 – the risk informed 500-year level. The information was presented to the PDT sponsor members on June 6th and feedback was requested. A follow up meeting was conducted on June 20th and written comments were requested. The written feedback from the Non-Federal Sponsor (NFS) (the State) was that the NFS did not want TRM or ACB to be used because of O&M concerns. The use of gravity walls was offered as an alternative to lower the overtopping rate to below one cfs/ft. The gravity wall alternative was discussed by the PDT; however, it was determined that this alternative would basically be advocating that the USACE push the 100-year system height outside of its 100-year authority. In addition, the USACE's technical staff advised that gravity walls do not add resilience since the 500-year event cannot be counted upon as being the most extreme event that could occur. Should the gravity walls be overtopped the system would have no resiliency. Therefore, the USACE could not consider the gravity wall alternative. The PDT reconvened and to accommodate the request of the NFS a seventh alternative was developed minimizing use of TRM and ACB. In the seventh alternative, if there was a technical justification, the armoring was minimized by using enhanced grass in lieu of TRM. The PDT met on June 28th and considered the seven alternatives. Alternative 3 prevailed again, but in an even more demonstrative way. The seventh alternative ranked fourth.

Mr. Mabry showed graphical depictions of Alternatives 3 and 7. He also discussed the use of enhanced grass. Additional fertilizer and watering would be done to accelerate turf establishment and develop a robust root zone. Additional discussion is needed on the challenges, which include:

- Levee lifts - The USACE is developing levee lift information and is attempting to develop ideas to achieve the best economy.
- Future Authority for Armoring – At this time the USACE does not have authority for future armoring.
- NFS O&M concerns – The USACE will continue to work with the NFS and industry to come up with optimum O&M conditions and determine what can be done to ensure as successful a project as possible.

- Expedited Implementation – The USACE received direction to have armoring implemented and in place by June 1, 2012.

Mr. Turner expressed concern about use of enhanced grass, particularly in the New Orleans East area because of the inability to provide irrigation. Over time the enhanced grass because of environmental conditions will return to normal levee grass and the armoring would be lost. Mr. Arnold responded that the tests proved that grass which was dead, dormant, frozen or thawed still did not fail until greater than 2 cfs/ft. He advised that the levees along the New Orleans East lakefront and the GIWW would not need to be raised until 2057 and the levee along the vertical section would not need to be raised until 2044. Mr. Turner suggested that a final armoring solution should be done in the areas that would not experience settlement to provide greater than 500-year resiliency. He recommended that in areas where a great deal of settlement is anticipated that additional height be added to the levee embankment to account for settlement over a ten to twelve year period and that the armoring be placed on top of the levee. He stated that his understanding is that there is money left in all of the programs. Levees can be designed for the 100-year elevation ten to fifteen years in the future as opposed to two to three years in the future. The armoring would serve its purpose for a longer period of time by adding the additional levee height.

Mr. Pineda commented that the resiliency component is a critical decision for the safety of the community. Therefore, he wanted to absorb all of the technical information in order to formulate recommendations with other Board members that would make sense for long term safety and prevent failure to ground. Mr. Losonsky concurred that the Board members did not have the right quantitative information and agreed with Mr. Turner's comments.

Mr. Turner stated that the 500-year 50 percent confidence level may need to be reexamined. He explained that resiliency could be achieved with regular grass for a 500-year 50 percent confidence level by just raising a levee one to two feet. Mr. Mabry responded that that this approach could be considered creative authorization interpretation and that it was not within the USACE's authority to raise the levees to provide armoring.

Mr. Barry commented that several months after Hurricane Katrina he met with Major General Don Riley and MG Riley made a definitive commitment to make the system resilient. He stated that a 50 percent confidence level for 500-year is well under what MG Riley seemed to be talking about and pointed out that resiliency is the most important aspect of the system. Mr. Barry added that he did not support adding height as a means of achieving resiliency.

Mr. Mabry explained that the USACE deliberately tried to engage the SLFPA-E about a year ago and more intensely about seven months ago through the PDT meetings held every two weeks. Specific details are discussed in the PDT meetings upwards to two hours each session. He added that the USACE has voluminous information that could be made available to Board members in an expeditious manner. He noted that the USACE's senior echelon is expecting a definitive answer in the very near future.

Mr. Barry offered to speak to USACE officials to convey the message that the resiliency must be done right and that, if it yields a better answer, more time should be taken.

Mr. Mabry advised that the PDT looked at the 500-year and 750-year surge levels and evaluated these levels very carefully with certain criteria. The feedback from the risk assessment team was that adding robustness in terms of armoring to the 500-year level of resiliency does not achieve anything between the 500-year and 750-year levels. Therefore, the risk reduction team deemed that it placed the proper level of robustness in terms of choice of armoring. He offered to share the team's rationale in more detail.

Mr. Jackson commented on the importance of armoring, as well as the O&M aspect, which will become the responsibility of the levee districts. He expressed concern that the USACE is in rush mode to make a decision because it was given a deadline. He stated that the Board must take sufficient time on this issue because of its importance.

Mr. Doody informed the Board that a special Board meeting would be scheduled for further discussion of the subject of armoring and that representatives of the State and USACE will be invited to attend. He asked that Mr. Turner gather and provide the technical information to Board members prior to the special Board meeting.

Robert Jacobsen with Bob Jacobsen, PE, LLC, commented that the Authority is managing a complete system and explained how it is a much higher probability than .2 percent that in a given year some segment of the system may see a 500-year flood elevation. In addition, on the west side of the system the estimate of a 500-year event, given some level of reasonable uncertainty, has an overtopping rate in excess of 9 cfs per foot, which is beyond the capabilities of the armoring techniques presented. He stated that this type of issue should be focused on in terms of resiliency and risk management.

Mr. Mabry explained that the team is working in a very collaborative fashion and that their statisticians have reviewed some of the information furnished by Mr. Jacobsen; however, there are differences of opinion. He added that the meeting that is advocated will help to resolve some of the issues.

Mr. Barry reiterated the importance of getting the armoring right and offered the Board's assistance in advocating to the USACE leadership that more time may be required in order to ensure that the decisions relative to armoring the system are correct.

COMMITTEE REPORTS:

Finance Committee: Mr. Doody advised that resolutions were placed on the Board agenda relative to the items discussed at the July 7th Finance Committee meeting.

Operations Committee: Mr. Wittie reported that the Operations Committee met on July 7th and discussed the following items:

- Armoring for the HSDRRS – Information was received from the USACE and the Committee discussed issues relative to armoring the system.

- Special concrete mix used in LPV 149 (Caernarvon Sector Gate and Floodwall Raise) – Mr. Wittie reported that at the time of the Committee meeting the State had not been allowed to take cores and that the structure had been flooded. Mr. Doody advised that a subsequent meeting was held that included State and USACE representatives. The USACE indicated that the cores would be allowed if the State could come up with a reasonable plan. Some sections of the structure are not underwater and columns could be used to dewater portions of the structure that are underwater so that cores could be taken. The State is developing a recommendation of locations to take cores. Mr. Wittie added that the core tests would provide a level of confidence that the concrete meets the specified criteria.
- Repairs to Pump Stations 2 and 3 – Mr. Williamson provided the Committee with information about the repair project and a resolution was placed on the Board agenda for Phase Two of the engineering.

Legal Committee: Mr. Barry advised that the Legal Committee did not meet in the month of July. A resolution was placed on the Board agenda to approve legal invoices.

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

CPRA/Governmental Affairs: Mr. Barry reported that the Coastal Protection and Restoration Authority (CPRA) met yesterday and that the subject of non-flood assets and the feedback from other areas of the State about flood protection monies being used for this purpose was discussed. Mr. Barry clarified that he had not requested that the subject of non-flood assets be placed on the CPRA agenda and that it was placed on the agenda by the State. Mr. Barry advised that the resolution stating that the State would not pay a cost share towards CWPPRA (Coastal Wetlands Planning, Protection and Restoration Act) funds to help restore land damaged by navigation channels was sent to the CPRA's Legal and Policy Committee due to the feedback received. The State's position is that the responsibility for navigation canals should be 100 percent federally funded.

REGIONAL DIRECTOR'S REPORT:

The Regional Director's Report was distributed to the Board (copy appended).

Mr. Pineda requested an update on the St. Bernard Parish maintenance roads issue. Mr. Turner explained that the Lake Borgne Basin Levee District (LBBLD) has limited resources and does not want to devote flood protection monies to maintain a feature that has nothing to do with flood protection, but has been left in place to save capital costs associated with its removal after its need has ceased. The maintenance road was built as a 70-ft. to 115-ft. wide roadway to allow for construction access. The USACE wants to leave the 23 miles of roadway in place. In most cases the roadway is on the stability berm of the levee; therefore, the LBBLD would have to maintain the roadway plus an additional 15-ft. as a zone free and clear of vegetation. The LBBLD needs a 15-ft. wide all-weather access road to reach the floodgates along the floodwall during an emergency. The SLFPA-E requested that the USACE turf the area that is not needed by the LBBLD for access. Mr. Doody advised that Colonel Sinkler requested that a

consensus recommendation for a solution be provided by St. Bernard Parish, the SLFPA-E and the State. A meeting is being scheduled for State, SLFPA-E, USACE and St. Bernard Parish representatives to develop the consensus recommendation. Recent rains are causing the roadway to rut. The roadway was constructed as a part of the USACE's ECI (Early Contractor Involvement) contracts. The requirement to reduce the roadway to a normal size was removed from the ECI contract; however, the USACE has not yet closed out the contract.

A motion was offered by Mr. Losonsky, seconded by Mr. Barry and unanimously adopted by roll call vote, to amend the agenda to move the Executive Session to the last item of business.

OLD BUSINESS:

1. Motion to amend Article III, Section 8 of the Board's Bylaws to state:

"F. Travel Expenses shall be paid in accordance with Louisiana Office of State Purchasing and Travel PPM 49 with the following exception, as modified by the Board from time to time.

1. When traveling for the purpose of conducting the business of the Southeast Louisiana Flood Protection Authority-East, Commissioners shall be reimbursed for properly documented travel expenses and mileage to and from the Commissioner's home or to and from the Commissioner's place of business at the time of the meeting. The President may adopt reasonable rules and policies to implement the reimbursements."

Mr. Losonsky advised that he spoke to Mr. Estopinal, Finance Committee Chair, and that Mr. Estopinal suggested that the item be referred back to the Finance Committee.

Mr. Jackson recommended that rules relative to travel be developed and written into the Board's Bylaws in lieu of allowing the adoption of rules by a single individual.

Mr. Doody explained that the proposed bylaws' amendment was an attempt to resolve an issue recently brought to the Board's attention. The Board's travel has been governed by PPM 49 (the State's travel guidelines); however, PPM 49 refers to the domicile as the control for travel reimbursement. The Board is composed of members who live and work outside of the Authority's domicile (Orleans Parish). It would be unfair for the Board to require its members to travel to meetings without reimbursement for travel costs. The proposed language – "The President may adopt reasonable rules and policies to implement the reimbursements" – is an attempt to address unforeseen circumstances.

Mr. Lacour commented on the difficulty of writing rules to govern every possible situation that could arise. He recommended that the last provision in the Bylaws be a mechanism to interpret the rules in individual cases. The mechanism could be through the President, Regional Director, a committee or the Board; otherwise, the Bylaws would potentially need to be periodically amended.

The Board discussed out of state travel to Board meetings. Mr. Losonsky commented on the recent media coverage of various entities relative to travel and other expenses.

He suggested that in the current financial climate that the Authority in going forward should keep to the State travel policy and apply the policy as intended to each Board member as originally appointed with the knowledge of the location of each member.

Mr. Barry commented that he pointed out before he was appointed to the Board that he spends several months in Washington, D.C. each year and it was indicated to him that this was not seen as a problem. He noted that he does a great deal of work for the Authority while he is in Washington meeting with various officials.

Mr. Doody explained that the research on this issue was done by Irys Allgood. PPM 49 allows for travel reimbursement for an individual from inside the Authority's domicile (Orleans Parish) and back to the Authority's domicile. The only Commissioner who would meet this guideline is Mr. Barry. The Louisiana Office of State Purchasing and Travel did not contemplate the makeup of a board such as the SLFPA-E when it developed travel guidelines for State employees. Mr. Doody stated that the Board adopted PPM 49 at his suggestion because it would be revised, as needed, by the State from time to time. He reiterated that PPM 49 did not anticipate a board with a membership located throughout the country.

Mr. Jackson suggested that PPM 49 be reviewed to determine whether it is the appropriate guidelines for the Board and that the Board attempt to make its Bylaws as definitive as possible. He stated that Board members have a right to reimbursement of expenses required to carry out their duties; however, a lot of good thought should be given to the Board's travel policy so that it is fair to the people serving on the Board under their circumstances and fair to taxpayers. Mr. Losonsky suggested that the travel policy of other boards could be examined in an effort to determine an appropriate policy. Mr. Jackson commented that when the Board was first formed he was told that out of state travel had to be authorized by the Board and that this was done for a time.

Mr. Doody requested that the Board review PPM 49 and determine which parts of the State's policy should be amended for its use. He pointed out that the State revises PPM 49 to reflect changes in the law. The Board may not become aware of future changes in the law and using PPM 49 will save the Board from violating these laws.

Mr. Barnes offered a motion, which was seconded by Mr. Losonsky and unanimously adopted, to refer the proposed amendment to the Bylaws to the Finance Committee.

RESOLUTION NO. 07-21-11-02 – RECOGNITION OF COL. ROBERT SINKLER

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

“A resolution recognizing the commitment and contributions of Colonel Robert A. Sinkler, Commander of the U.S. Army Corps of Engineers’ Hurricane Protection Office, to the Southeast Louisiana Flood Protection Authority-East and to the citizens of Southeast Louisiana.”

WHEREAS, Colonel Robert A. Sinkler has served the United States Army and the citizens of the United States throughout his long distinguished career in numerous positions in the United States and abroad; and

WHEREAS, Colonel Sinkler assumed command of the U.S. Army Corps of Engineers' Hurricane Protection Office (HPO) on May 29, 2009, becoming a part of the leadership team responsible for constructing the \$14.4 Billion Hurricane and Storm Damage Risk Reduction System (HSDRRS) for the greater New Orleans area; and

WHEREAS, Colonel Sinkler has worked untiringly in the service of the citizens of Southeast Louisiana to implement and further flood protection and coastal restoration for the region; and

WHEREAS, Colonel Sinkler has worked with leaders at all levels of local, state and federal government to accomplish the unprecedented task of constructing the massive risk reduction program, and his leadership and management have been instrumental in setting the conditions for success.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East hereby expresses its gratitude and appreciation to Colonel Robert A. Sinkler for his dedication and contribution to the protection of the citizens of Southeast Louisiana, and its warmest regards and best wishes for his continued success.

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

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

NAYS: None

ABSENT: Mr. Estopinal and Mr. Goins

**RESOLUTION NO. 07-21-11-03 –
PROCUREMENT OF GENERAL LIABILITY INSURANCE COVERAGE**

Hardie Edgecombe with Arthur J. Gallagher Risk Management Service explained that last month the Board approved the procurement of General Liability Insurance coverage from Alterra. The West Jefferson Levee District (WJLD) learned about the quotes for coverage provided by Alterra to the SLFPA-E that had the levee breach exclusion removed and approached Alterra for a similar quote. The WJLD's wholesaler contacted the SLFPA-E's underwriter and was able to get Alterra to pull the quotes for the SLFPA-E and the WJLD. He advised that he contacted Mr. Lacour and that they will speak to the management for the wholesaler and file complaints with the appropriate entities relative to this interference. Mr. Edgecombe approached ACE about renewing the current coverage. ACE reduced its premium to the same levels as the Alterra quotes; however, the levee breach exclusion is included in the ACE coverage. He added that general liability insurance coverages for all the levee districts in the region have included a levee breach exclusion provision since Hurricane Katrina.

Mr. Doody advised that Mr. Edgecombe had to bind the coverage with ACE on July 19, 2011, the prior expiration date, so that no lapse would occur. Alterra advised that it

would allow a thirty day extension of its quote, but the coverage would be cancelled after thirty days. Mr. Edgcombe explained that coverage can be cancelled by an insurance company at any time for underwriting reasons; however, thirty days' notice must be provided. Mr. Doody clarified that the Board would be confirming action that was required to be taken by the Finance Committee to ensure continued General Liability Insurance coverage for the levee districts.

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

WHEREAS, General Liability Insurance coverage for the East Jefferson Levee District (EJLD), Lake Borgne Basin Levee District (LBBLD) and Orleans Levee District (O.L.D.) expired on July 19, 2011; and

WHEREAS, Arthur J. Gallagher Risk Management Service shopped the market and received an offer from Alterra to provide said coverage for the levee districts without a levee breach exclusion; and

WHEREAS, on June 16, 2011, the Board approved the procurement of General Liability Insurance coverage for the EJLD, LBBLD and O.L.D. from Alterra for a one-year period commencing on July 19, 2011; and

WHEREAS, Alterra subsequently withdrew its offer to provide the aforementioned coverage due to the development of underwriting issues; and

WHEREAS, ACE offered to renew General Liability Insurance coverage, which includes a levee breach exclusion, for a one-year period commencing on July 19, 2011, at a premium of \$76,650.00 for the LBBLD, \$60,900 for the EJLD and \$111,037.50 for the O.L.D.; and

WHEREAS, due to the need to ensure that no lapse in coverage would occur, the Finance Committee at its meeting on July 7, 2011 authorized Arthur J. Gallagher Risk Management Service to bind General Liability Insurance coverage for the EJLD, LBBLD and O.L.D. with ACE for a one-year period effective July 19, 2011.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East approves the renewal of General Liability Insurance coverage with ACE for the EJLD, LBBLD and O.L.D. as stated above for a one year period commencing on July 19, 2011 and ratifies the action taken by Arthur J. Gallagher Risk Management Service in binding said coverage.

BE IT FURTHER RESOLVED, that the SLFPA-E Regional Director and/or appropriate levee district Executive Director are authorized to sign any and all documents necessary to carry out the above.

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

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

NAYS: None

ABSENT: Mr. Estopinal and Mr. Goins

Appointment of a Committee by the President to review the Requests for Proposals and to make a recommendation to the Board for a Levee Information Management System (LIMS) contractor.

Mr. Doody advised that proposals for a LIMS contractor must be reviewed in accordance with the provisions of the Community Development Block Grant (CDBG). Mr. Jackson requested that the members appointed to the committee ensure that the contractor recommended for selection fully understands the Authority and its needs. Mr. Pineda clarified that contracted services will be for an LIMS master plan. The LIMS is made up of components and various potential components can be added. Mr. Turner explained that the Authority received a \$900,000 CDBG for certain projects. A portion of the CDBG funding is available to assist the Authority with the development of the LIMS. Proposals must be requested for the development of a strategic plan and an implementation plan for the LIMS. After a strategic plan is developed, additional proposals must be requested and individual parts of the plan will be picked for further development. A committee must be formed to review the proposals received in response to the request for proposals. Criteria have been developed in accordance with CDBG requirements to grade the proposals. A cost component is included in the proposals and 10 percent of the evaluation process deals with costs.

RESOLUTION NO. 07-21-11-04 – APPROVAL OF LEGAL INVOICES

On the motion of Mr. Barry,
Seconded by Mr. Losonsky, 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 July 21, 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 July 21, 2011” are hereby approved.

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

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

NAYS: None

ABSENT: Mr. Estopinal and Mr. Goins

RESOLUTION NO. 07-21-11-05 – ASSIGNMENT OF ID-IQ CONTRACT NO. 02-03 BY TAYLOR ENGINEERING, INC. TO BOB JACOBSEN, P.E., LLC

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

WHEREAS, the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) and Taylor Engineering, Inc. entered into an Indefinite Delivery-Indefinite Quantity (ID-IQ) Contract No. 02-03 on June 18, 2009 for Coastal Engineering Services; and

WHEREAS, ID-IQ Contract No. 02-03 was amended on June 18, 2009, to reflect additional conditions required under the State of Louisiana Community Development Block Grant (CDBG) Disaster Recovery Program for CDBG funding; and

WHEREAS, Taylor Engineering, Inc. was assigned the following on-going projects:

Task Order 5: St. Charles/East Jefferson Internal Levee Compartmentalization Study

Task Order 6: Review of USACE Hurricane Surge Frequency Analysis

WHEREAS, Article 21 of ID-IQ Contract No. 02-03 (as amended) provides for the assignment of the contract upon the consent of SLFPAE; and

WHEREAS, Taylor Engineering, Inc. has informed the SLFPA-E that it is ceasing operations in the State of Louisiana and has indicated its intent to exercise its rights under Article 21 to assign ID-IQ Contract No. 02-03 to Bob Jacobsen, PE; and

WHEREAS, Bob Jacobsen is the primary engineer on the aforementioned task orders and Mr. Jacobsen's quality of work on the aforementioned projects has been exemplary; and

WHEREAS, Bob Jacobsen, through his position as lead engineer, is knowledgeable and expert on the aforementioned projects and the SLFPA-E has confidence in Mr. Jacobsen's ability and expertise to complete the projects; and

WHEREAS, Bob Jacobsen is doing business as Bob Jacobsen, PE, LLC.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East approves the request of Taylor Engineering, Inc. to assign ID-IQ Contract No. 02-03 and all provisions thereof to Bob Jacobsen, PE, LLC.

BE IT FURTHER RESOLVED, that the SLFPA-E President or SLFPA-E Regional Director are hereby 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. Barnes, Mr. Barry, Mr. Jackson, Mr. Losonsky, Mr. Pineda
and Mr. Wittie

NAYS: None

ABSENT: Mr. Estopinal and Mr. Goins

**RESOLUTION NO. 07-21-11-06 – AMENDMENT OF ID-IQ CONTRACT
NO. 02-03 WITH BOB JACOBSEN, PE, LLC**

Mr. Jacobsen clarified that the billable rate would be reduced from \$159.50 to \$139.50.

On the motion of Mr. Barry,

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

WHEREAS, an Assignment of Professional Services Agreement was entered into on the 21st day of July, 2011, by and between the Board of Commissioners of the Southeast Louisiana Flood Protection Authority-East (hereinafter called "Owner"), represented by Timothy P. Doody, President, and Bob Jacobsen, PE, LLC (hereinafter called "Consultant"), represented by Bob Jacobsen, relative to ID-IQ Contract No. 02-03; and

WHEREAS, the billable rates of Taylor Engineering, the Assignor, were higher than those of the Consultant, the Assignee; and

WHEREAS, Owner is the recipient of a Grant under the State of Louisiana Community Development Block Grant (CDBG) Disaster Recovery Program; and

WHEREAS, professional services rendered by the Consultant shall be subject to the CDBG Compliance Provisions for Professional Services Contracts.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East authorizes its President, Timothy P. Doody, to sign an amendment to the aforementioned contract with the Consultant to accept Consultant's billable rates and to incorporate the necessary CDBG-required forms filled out and signed by Consultant.

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

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

NAYS: None

ABSENT: Mr. Estopinal and Mr. Goins

**RESOLUTION NO. 07-21-11-07 –
2011 ORLEANS LEVEE DISTRICT GENERAL FUND BUDGET REVISIONS**

Mr. Doody advised that the budget revisions were discussed by the Finance Committee and recommended to the Board. Gerry Gillen, Orleans Levee District (O.L.D.) Executive Director, explained the reasons for the revisions. Act 363 requires the payment of \$700,000 to the Non-Flood Protection Asset Management Authority for the maintenance of Lakeshore Drive prior to July 30, 2011. The O.L.D. Police Department (OLDPD) is in need of vehicles that would better suit its flood protection mission. The purchase of five 4-wheel drive SUV's is included for this purpose. The vehicles being replaced have over 200,000 miles. An adjustment is included in the revisions relative to the repayment of the Community Disaster Loan in FY 2011 in lieu of FY 2012.

It was pointed out that Act 363 requires that a second payment of \$700,000 be made prior to April 15, 2012 for Lakeshore Drive maintenance. A motion was offered by Mr. Barry, seconded by Mr. Wittie and unanimously adopted, to amend the resolution to revise the FY 2012 Budget to provide \$1.4 million for the two payments to the Non-Flood Protection Asset Management Authority for the maintenance of Lakeshore Drive.

Mr. Gillen advised that the O.L.D. is still awaiting an opinion from the Attorney General relative to the Flood Protection Division's takeover of the OLDPD.

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

WHEREAS, by Resolution No. 3-17-11-09, the Authority approved the General Fund Operating budget and the Special Levee Improvement Fund budget for Fiscal Year 2012 to provide for required expenditures for personnel services, contractual and professional services, operating supplies, equipment, annual debt service and capital projects, and

WHEREAS, recent legislation and environmental changes require the assumption by the Flood Protection Division of the District's police department, as well as the contribution of \$1.4 million in two installments toward the maintenance of Lakeshore Drive; and

WHEREAS, these changes, together with acquisition of five 4-wheel drive vehicles for the police will require an increase in operating costs estimated at \$1.84 million. The increase is offset by the omission of the annual merit increase of approximately \$430 thousand, resulting in a net increase of \$715 thousand & 5.6%; and

WHEREAS, the planned 2012 retirement of over \$4 million in Community Disaster Loans was accomplished at the end of fiscal year 2011, requiring the deletion of that cost from the current year; and

WHEREAS, the following summarized adjustments are determined to reflect the currently projected financial results of the General Fund of the Orleans Levee District based on the latest revenue and expenditure information:

ORLEANS LEVEE DISTRICT GENERAL FUND

	Original Budget 2012	Recommended Changes	Revised Budget 2012
	(In Thousands)		
Revenue	16,280	0	16,280
Operating Expenses	(12,835)	(715)	(13,550)
Use of Pr Yr Fund Bal	3,826	(3,826)	0
Retirement CDL	(4,325)	4,325	0
Debt Serv & Other	(2,899)	0	(2,899)
Transfer to Non Flood	0	(1,400)	(1,400)
Surplus / (Deficit)	47	(1,616)	(1,569)

BE IT HEREBY RESOLVED, That the revisions to the Fiscal Year 2012 General Fund are approved.

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

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

NAYS: None

ABSENT: Mr. Estopinal and Mr. Goins

RESOLUTION NO. 07-21-11-08 – AUTHORIZATION TO EXECUTE AN AGREEMENT WITH WALDEMAR S. NELSON AND COMPANY, INC. FOR CONSULTING ENGINEERING SERVICES FOR THE ENGINEERING AND DESIGN REQUIRED TO ADDRESS SEEPAGE ISSUES AT PUMP STATIONS #2 AND #3 (PHASE TWO)

Mr. Turner advised that the Board previously approved the execution of a contract with Waldemar S. Nelson and Company to address the seepage issues at Pump Stations 2 and 3. The project will be accomplished in two phases. The first phase was for a study at a not-to-exceed cost of \$42,000 to determine the work required for a permanent solution. Approval is needed for the negotiation of fees and the development of a scope of work for the project's second phase. Stuart Williamson, LBBLD Executive Director, added that the SLFPA-E conducted a competitive selection process in accordance with FEMA requirements, which resulted in the selection of W. S. Nelson. The estimated cost of the permanent repairs is \$3 million (\$1.7 million for Pump Station 2 and \$1.3 million for Pump Station 3). A geotechnical investigation was performed to determine the work that was needed for a permanent solution. The consultant provided cost estimates of \$195,000 for engineering and design and \$214,000 for construction management and inspection.

Mr. Jackson pointed out that Board approval is not required for the negotiation of fees; however, the authority to effect what has been negotiated must be approved by the Board. Mr. Lacour advised that the Board can provide authorization to the Regional Director to negotiate the fees and to execute documents to effect what has been negotiated within certain parameters. Mr. Jackson suggested that this matter be brought back to be Board if there is sufficient time; however, he stated that he did not wish to hold up the project. After a brief discussion, Mr. Jackson recommended that the Board authorize the Regional Director to execute the agreement required to proceed with the engineering and design of the project with a not-to-exceed cost of \$225,000.

Mr. Jackson offered a substitute motion to authorize the Board's President to execute an agreement for an amount not to exceed \$225,000 for the engineering and design. The substitute motion was seconded by Mr. Barnes and unanimously adopted.

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

WHEREAS, the Lake Borgne Basin Levee District (LBBLD) issued a Request for Qualifications (RFQ) for engineering consulting services required for the preparation of plans and specifications to address seepage issues at Pump Stations #2 and #3; and

WHEREAS, the selection committee recommended the firm Waldemar S. Nelson and Company, Inc. to provide the aforementioned engineering consulting services; and

WHEREAS, Resolution No. 12-16-10-14 adopted on December 16, 2010 authorized the LBBLD Executive Director to develop a Scope of Work and negotiate a Contract with Waldemar S. Nelson and Company, Inc. for consulting engineering services required for the preparation of plans and specifications to address seepage issues at Pump Stations #2 and #3; and

WHEREAS, it was determined that due to the complexity of the work the design portions of this project should be divided into two phases; and

WHEREAS, Waldemar S. Nelson and Company, Inc. submitted a proposal for Phase One of the work dated 02-22-11, titled LBBLD Repairs Flowage PS #2 & 3, NELSON Proposal (Rev 1), Project No. 20110007; and

WHEREAS, based on said proposal, Resolution No. 02-17-11-08 adopted on February 17, 2011 authorized the LBBLD Executive Director to enter into a contract with Waldemar S. Nelson and Company, Inc. for consulting and engineering services required for the preparation of plans and specifications to address seepage issues at Pump Stations #2 and #3, Phase One at a negotiated amount not to exceed \$42,000.00; and

WHEREAS, the Contract for Phase One for a lump sum fee of \$39,600 was executed on April 5, 2011 and is now complete; and

WHEREAS, based on the information derived from Phase One, Phase Two of the design work must now be initiated.

BE IT HEREBY RESOLVED, that the SLFPA-E President is authorized to execute an agreement with W. S. Nelson and Company, Inc. for an amount not to exceed \$225,000 for consulting engineering services for the engineering and design required for the preparation of plans and specifications to address seepage issues at Pump Stations #2 and #3, Phase Two.

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

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

NAYS: None

ABSENT: Mr. Estopinal and Mr. Goins

EXECUTIVE SESSION:

1. Report on new property laws enacted – suggestive of litigation.

At 12:30 p.m. a motion was offered by Mr. Barry, seconded by Mr. Losonsky and unanimously adopted for the Board to convene in Executive Session to discuss the item listed on the Agenda.

At 12:50 p.m. a motion was offered by Mr. Barry, seconded by Mr. Losonsky and unanimously adopted, to reconvene in regular session. It was noted that no action was taken in the Executive Session.

The next regular monthly meeting of the Board will be held on August 18, 2011 and hosted by the Orleans Levee District.

There was no further business; therefore, the meeting was adjourned at 12:52 p.m.

SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY - EAST

REGIONAL DIRECTOR'S REPORT

July 21, 2011

100 Year Level of Protection

IHNC 01- Seabrook Structure:

All tie-in T-Wall monoliths are complete. Both coffer dams are complete. Dewatering of the TRS has been completed. Pipe Piles are being driven in the coffer dam; they are 91% complete with weather problems. The IHNC is completely closed to navigation at the Seabrook construction site.

Reinforcing steel has arrived for gate structures, work begins mid-August for placing. Sector Gate fabrication is 5% complete in St. Louis.

LPV104.02A which is being done under this contract is 99% complete. A pre-final inspection of this work will be scheduled in the next few weeks. The Rail Road inspection of this gate will be done on July 27, 2011. The gate has been exercised for Orleans Levee District.

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 87% 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. Our emphasis continues to be on Operation & Maintenance considerations and the necessity to "design in" reasonable O&M features.

Should start placing filter fabric and stone along the protected side of the wall this week. The stone is on site – waiting on filter fabric.

The concrete barge is now on site and a test fit training exercise for this hurricane season was held by Corps on June 22, 2011. It took 12 hours to put in place; most of the time involved was for flooding barge. Has to be placed in calm conditions. All concrete repairs to the barge have been completed.

The Bayou Bienvenue steel lift gate is in place in the closed position and the structure has been flooded. Fabrication of the two towers and bridge is 51% complete.

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

Shaw was given an extension to the end of the month to price the revised RFP for the swing bridge across Bayou Bienvenue.

East Jefferson Levee District:

Reaches 1 thru 5:

The Work is substantially complete. Turf establishment issues still remain. The vegetation contractor has started work on turf establishment. Reaches 1, 2 3 and 4 have been spot seeded and the entire Levee Reach was fertilized. Reach 2 was cut, seeded and fertilized completely. There is no time frame for Final Inspections on these projects because of turf issues. The USACE will initiate a contract modification to address East Jefferson Levee District's concerns with access ramps in these 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. The final inspection was held on January 24, 2011. The USACE transmitted the final punch list and the Contractor is addressing the punch list items. The gate winch, which was sent back to the manufacturer for inspection and repair/replacement, is now been given to The East Jefferson Levee District. The gate has been repainted by the Contractor on site. Turf establishment issues remain. The Gate FAILED paint inspection and will have to be repainted.

Bonnabel Floodwall and Gate:

Work is substantially complete. Final inspection was held on December 20, 2011. Turf establishment issues remain. The Gate FAILED paint inspection and will have to be repainted. Street striping is being redone.

Pump Station Fronting Protection:

The Work is approximately 41% complete. Work is ongoing at Elmwood and Suburban Pump Stations and Breakwaters. The Contractor is installing interim measures at both Elmwood and Suburban Pump Stations to defend against a 100 year event by June 1, 2011.

LPV 017.2 (Causeway Crossing):

Causeway traffic has been rerouted onto a temporary roadway on the median for both northbound and southbound traffic. The Contractor is driving piles on the west side of the projects. Work is approximately 34% complete.

West Return Levee/Floodwall - North:

Work is approximately 66% complete. H-pile driving operations are now progressing on three headings. Pile driving hours have been extended (7:00am to 10:00pm). The Contractor is placing concrete monoliths in work area's 2 and 3 on the north end of the Project (north of West Esplanade). The USACE has requested permission from the City of Kenner to work on the protected side of the old flood wall. The work as we understand it will consist of concrete operations and allow sand to be hauled in daylight hours.

West Return Levee/Floodwall – South:

Work is approximately 57% complete. The Contractor is driving H-piles for the T-Wall foundation, progressing from south to north. The sheet pile cut-off wall beneath the I-10 Bridge has been constructed and pipe pile driving operations is at 45% at this location. Limited overhead clearance is causing some problems. Elsewhere, sheet pile driving operations are complete. Work has begun on the concrete monoliths. Rip Rap is being placed on flood side of new wall footers.

Foreshore Protection Reaches 1 and 2:

The Contractor is placing fabric and stone. Work is approximately 40% complete. Reach 2 is 83% complete and Reach 1 is 16% complete.

Foreshore Protection Reaches 3 and 4:

The Contractor is placing fabric and stone. Work is approximately 53% complete. Work is only being done at Reach 3 at this time.

West Return Levee (Airport Runway):

Phase I (northern section) work is approximately 96% complete. Phase II has been delayed because the NOAB runway landing light relocation project will extend into August 2011. The Bonnet Carre Barrow Pit was flooded due to the high River stage. The Contractor has been authorized by the USACE to obtain borrow material from the Willow Bend borrow pit on the West Bank. HESCO baskets are in place to defend against a 100 year storm surge event

Orleans Levee District:

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

Construction is approximately 96% complete. All walls are complete. The aesthetic quality of the wall finish has been poor and we have requested the USACE to require the Contractor to make the appropriate repairs. Will be done by separate contractor. The Project has entered Red Zone.

The L1A floodgate column is bowed and prevents proper sealing of the gate in the closed position. The Contractor is surveying the site and has presented a plan to correct the deficiencies, Corps reviewing.

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 103.01 A1 (Bayou St. John):

Construction is now about 99% complete. The pre-final inspection was held on December 9, 2010. A Contract Modification was issued to address excessive I-wall stick-up on the Orleans Canal near Lakeshore Blvd and construction of the modified Work is now complete. Several roadway panels damaged during construction have been replaced by the contractor. Turf issues still need to be addressed. Final inspection to be scheduled on completion of punch lists items.

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

Construction is approximately 96% complete. Lakeshore drive is now open at Rail St. and Lake Terrace. Seals at Rail St. and Lake Terrace are being repaired. Final inspection to be scheduled on completion of punch lists items.

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

Construction is approximately 99% complete. All ramps are open to vehicular traffic. Turf establishment is still required. The Contractor is working the punch list items. Final inspection to be scheduled on completion of punch lists items.

LPV 104.02 (Seabrook West Side IHNC):

Construction is complete. The final inspection was held on June 29, 2011. Notice of Construction Completion (NCC) letter being prepared by Corps.

LPV 105.01 (Lakefront Airport T-Wall West):

Construction is approximately 95% complete. All lanes of traffic are open at Downman Rd. All T-Wall monoliths are complete. Final inspection to be

scheduled on completion of punch lists items. Gates in final adjustment for operation.

LPV 105.02 (Lakefront Airport T-Wall East):

Construction is approximately 88% complete. All T-Wall monoliths are complete. Work is progressing on the discharge end of the St. Charles Drainage Pump Station, still closing void. Turf being established. Building 2 manholes on flood side.

LPV 106 (Citrus Lakefront Levee):

Construction is approximately 89% complete. Turf needs to be established and concrete joints need to be re-sealed. Pre-final inspection still to be scheduled.

LPV 107 (Lincoln Beach Floodgate):

Construction is approximately 99% complete. Street slope paving and curb are being completed. Pre-final inspection scheduled For June 28, 2011.

LPV 108 (New Orleans East Lakefront Levee):

The Project is substantially complete. The USACE hired labor group is mowing the grass. Turf issues still remain, access roadway being removed.

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 about 90% complete. 98% of the levee is seeded. The T-Wall monoliths associated with the floodgate at HWY 90 and HWY 11 are complete and the floodgates are installed and exercised. HWY 90 and HWY 11 are open to traffic, except for periodic closure for asphaltting. Remaining work at drainage structures and USFWS pump station to be completed early August.

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 approximately 99% complete. I-10 traffic has been rerouted back to the normal lane configuration. Turf establishment issues remain. Final inspection scheduled for June 28, 2011.

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 approximately 97% complete. The pre-final inspection was held on June 8, 2011. The pre-final punch list has been issued and the Contractor is working the punch list items.

LPV 111.01 (North Side GIWW):

The Project is approximately 99% complete. All T-Wall construction and Deep Soil Mixing work is complete. Turf establishment work has begun. The Contractor has installed a temporary irrigation system to facilitate turf establishment. Turf over 60% established. Project broken into 5 pieces for inspections.

Pre-final inspection was held on July 7, 2011 for Pump Station 15 and its T-Wall. NOSWB participated in the inspection and commissioning of station.

Pre-final inspection for the 1000 LF of T-Wall tie in to IHNC surge barrier T-Wall was held on June 30, 2011 along with Reach 12A levee.

LPV 113 (NASA):

Construction is approximately 99% complete. Pre-final inspection was conducted in the first week of October 2010. The Contractor repaired the ruts and rills and started work on turf establishment. Salt content high in soil, Corps looking into corrective action to get grass growing with ERDEC.

OFC-03 London Ave. Canal:

The Work is 92% completed. A mod to the original contract has added 2100 linear feet of sheet pile and 630 linear feet of embankment to this Project, work was completed. Turf needs to be established and work around PS#4 completed. Final inspection scheduled for August 4, 2011.

OFC-04A Orleans Canal:

The Work is approximately 93% complete and final inspection is for July 27, 2011. Turf needs established.

OFC-05 17th Street Canal:

The Work is 98% complete. Contractor is working on deep soil mixing and a grout curtain. A contract modification will be issued for construction of a berm on

Reach 16 (between Canal St. Pump Station and I-10). The pre-final inspection on this project was premature. Final inspection scheduled for August 25, 2011.

OFC-06 Orleans Canal:

The Work is 99% complete. The pre-final inspection was premature. The punch list is being worked. Work was scheduled to be completed by 6/30/2011. Turf needs to be established. Final inspection scheduled for July 27, 2011.

LPV192.02bs Buttress Slab:

The scope of work includes installation of pre-stressed/precast concrete piles, placement of a buttress slab, structural backfill and stabilization slabs. All vertical and batter piles have been driven. 2% of slabs have been poured. Work is approximately 18% complete.

LPV192.02 Berms:

USACE Memphis Hired Labor is scheduled to construct this project (phase 3). Lock site work is now underway. Work is approximately 80% complete at the lock site. Turf establishment still needs to be completed. Jordan Road and Paris Road scour protection sites all complete.

LPV192.03 Relief Wells

In Reach 2, the scope of work includes the installation of 12 new relief wells (awaiting MOD). 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 subsurface collector line and cleanouts. The Work is approximately 20% complete. Collector pipe in place.

Lake Borgne Basin Levee District:

LPV 144 (Bayou Dupre Control Structure):

Overall, the Work is approximately 88% complete. Concrete has been placed for both walls of the Sector Gate Structure and the Sector Gate leafs are installed. The pre-inundation inspection was held on May 26, 2011. Bayou Dupre will be closed to navigation at the existing Control Structure until construction is complete. Pre fabricated control house and generator building are being renovated on site prior to acceptance. Painting repairs delaying actual flooding of structure. The pre-final inspection of T-Walls is scheduled for August 3, 2011.

LPV 145 (Bayou Bienvenue to Bayou Dupre):

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 approximately 99% complete. Interim inspections of the T-Wall monoliths are

complete. The pre-final inspections are scheduled for July 26, 2011. Stabilization slab cutting has been completed.

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 approximately 98% 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 interim inspections will not take the place of the required pre-final and final inspections that are part of the Red Zone process. The final inspection is scheduled for August 23, 2011. The stabilization slab cutting is just beginning.

LPV 147 (LA Hwy 46 Flood Gate):

The Work is approximately 99% complete. Both Trolley Gates are in place. The pre-final inspection was conducted and the Contractor is working on punch list items.

The USACE has eliminated the emergency stand-by beams for all Trolley Gate projects in the St. Bernard Polder. One catch basin needs to be leveled and area graded to drain near highway.

The LA Hwy 300 Flood Gate will be constructed under the LPV 148.02 Project.

The final inspection is scheduled for August 3, 2011. Grass is growing well.

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 approximately 99% complete. Floodwalls are completed and walking inspection is underway. Turf 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.

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

The Work is approximately 95% complete. All 90 day breaks (lifts one and two) exceed the minimum requirements for compressive strength.

OCPR has 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, including the taking

of corings to test for in-place compressive strength. OCPR requested permission to conduct this work. A decision from HPO is still pending. HPO as of July 18, 2011 is asking for a detailed, well thought out plan for any state proposed testing program prior to any dewatering considerations.

The Upper Hinge Keeper Plate and Upper Hinge Bushings supporting the sector gate leafs experienced distress during operational testing. All repairs have been completed and sector gates are operational. Structure has been flooded.

Armoring

On June 6, 2011 the Corps gave a presentation on the results and recommendation from the AEP workgroup for armoring on the protected side of earthen levees in the HSDRRS. Mike Parks gave the presentation as to how the reviews were done, how the rating system was developed and provided the final decision matrix results. A copy of the AEP meeting minutes were also provided with further explanation as to the decision process.

The Corps had 6 alternatives that were reviewed, all for the 50% confidence level, at both 500 year and 750 year occurrence intervals. Three alternatives were given for each time period. One was for armoring on levees to the 2011 design elevation, the next for armoring and a 6" surface on top of the 2011 design elevation, and the final alternative was for armoring at the 2011 elevation with the risk assessment results included. The armoring for the 2011 elevation with the risk assessment results included at 500 years, had the highest rating from the committee.

A sensitivity study was also run that increased O&M from a 25% to 30% importance factor in the criteria. This resulted in a tie between the armoring for the 2011 elevation with risk assessments for both the 500 and 750 year occurrences.

No T-walls were considered for armoring, and no consideration was given to flood side armoring requirements.

The Risk Analysis work has not been completed and will not be done for several more weeks. Studies for overtopping and eventual ponding levels in the polders have not been completed either. This information is required for further review by the NFS.

The Corps has allowed the NFS a review period of two weeks for comment and recommendations, concluding on June 20, 2011. OCPR is expected to ask for an extension of time for review.

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) is processing the protest. By law, the GAO has only 100 days to resolve such a complaint, which means a decision should be made no later than Aug. 4, 2011.

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

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, 18 projects are “at risk for accreditation”, and all but four are on the West Bank.

Coastal Protection and Restoration

Lake Borgne Basin Levee District:

The Violet Freshwater Diversion siphon is flowing at full capacity.

Flood Fight

The Mississippi River is below 11' at the Carrollton Gage and is falling.

MVN is no longer in Phase II of Flood Fight on both the Mississippi River and Atchafalaya River. The New Orleans Area Office has stood down.

Bonnet Carre Spillway and Morganza Control Structure are both closed.

The frequency of inspections conducted by the levee districts, OCPR, and USACE will decrease as the river continues to fall. We will continue to maintain

vigilance for remaining seepage spots, signs indicating potential slides as the river falls, and unauthorized/unpermitted construction activities within 1500' of the river levee. All Districts are finalizing their after action reports.

Design and Construction

East Jefferson Levee District:

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

Orleans Levee District:

The Safe House Project is approximately 95% complete. The Contractor has completed the installation of the refrigeration equipment.

The Bayou St. John Water Management Study Draft Final Report has been distributed. This Project is being funded through State Capital Outlay.

A Contract Amendment has been signed with DEI for the Seawall Steps Erosion Project. The proposal for modifications is under negotiation.

The Outfall Canal Bank Stabilization Monitoring Project, awarded to Gerwick, is 43% complete.

Lake Borgne Basin Levee District:

The Preliminary Design Report for the Engine Replacement Project at Pump Station 4 has been reviewed by LBBLD and comments have been forwarded to BKI for incorporation into the 95% design submittal. A meeting was held on June 15, 2011 with BKI to discuss LBBLD review comments. The 90% design submittal will address all comments.

LBBLD signed an MOU with OCPR to utilize an ID/IQ Contract between OCPR and Atkins North America (formerly PBS&J) to procure the professional engineering services needed to complete the documents necessary to bid the Repairs to Pumps at Pump Station #6. Eligibility for FEMA reimbursement is undergoing re-review.

The Emergency Work required to address the seepage issue at Pump Station #3 has been completed. Sheet piles were driven to construct a temporary cofferdam to isolate two of the three discharge tubes. Seepage stopped after the cofferdam was dewatered. W. S. Nelson was selected to provide engineering services required for the permanent work. A scoping meeting was held with Nelson on January 21, 2011. It was decided to conduct the work in two separate phases. The first phase will involve site investigations to tie down the source of seepage. The second phase will involve the design of the required work to stop

the seepage. LBBLD has executed the Contract with Nelson for the first phase of the Work.

LBBLD has entered into a Contract with W. S. Nelson for the preparation of plans and specs for a remote control system to operate the pumps at Pump Station 2 from Pump Station 6, and Pump Station 3 from Pump Station 7. The 95% design submittal has been reviewed by LBBLD and submitted comments will be incorporated into the final plans and specifications.

OCPR 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 nearing completion. A change order was issued to delete the installation of riprap erosion protection at this time due to temporary site access issues. Riprap will be installed under a separate contract after work on the Bayou Dupre Control Structure is complete and open to barge traffic. A Certificate of Substantial Completion was submitted to LBBLD on May 2, 2011.

Internal Affairs

Our ID/IQ Consultant, Halcrow Inc. has completed the review 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 "Mean Operating Water Level" (MOWL) report with the text rewritten. Halcrow is preparing to review this final version under their original SOW and will still be within the original budget.

We have four inspectors working with us provided by OCPR. We have been getting additional technical assistance from OCPR staff, LDOTD staff, and Atkins North America [formerly PBS&J] (through an ID/IQ contract with OCPR). We will be losing an inspector for LBBLD at the end of the month.

The SLFPA-E Emergency Module for Floodgate Management was completed several months ago. SLFPA-W, OCPR and the USACE expressed a strong interest in modifying the module to make it "web based" so that it can be used on a regional basis. Work to convert the module to a web based product has been completed. This Project is funded by OCPR, SLFPA-E, SLFPA-W and Plaquemines Parish. Training sessions are underway with the Districts.

Royal Haskoning submitted a potential SLFPA-E Project for funding through Flood Control 2015. The Project is called "Hurricane Risk & Safety Module for New Orleans Levee System". Royal Haskoning was notified last month that the Dutch Government approved the Project. The contract has been signed and

work is underway. A workshop was held on June 22, 2011 with several commissioners in attendance.

The O&M Cost Study for all three levee districts is underway by AECOM. Regular by-monthly meetings are scheduled with AECOM and the Levee Districts to review progress and plan the path forward. A preliminary report was submitted and a meeting will be scheduled with AECOM to address our comments. This work 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 concerns on various projects within the LPV program where safety measures need to be implemented to prevent accidents. In coordination with OCPR we requested that before a decision is made that our entire team sits down to answer all questions and discuss solutions. In addition, we requested that the USACE inspection teams help identify any additional safety issues. The NFS team will continue to monitor this until a suitable solution is achieved.

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:

Royal Haskoning Inc. – 06-11-2011- LIMS Forecasting, Levee Strength and Decision Support Modules (\$150,000)

Silva, Gurtner and Abney, LLC – Audit Services for periods ending June 30, 2011 (\$42,240); June 30, 2012 (\$43,385); and June 30, 2013 (\$44,640).

G&D Services, LLC – Janitorial Services for period July 1, 2011 thru June 30, 2012 (\$195 per month)

Gulf South Media – IT Services for period July 1, 2011 thru June 30, 2012 (not to exceed \$15,000)

Hurricane Preparedness

Preparations for the upcoming 2011 hurricane season have already begun. A meeting with the Executive Directors was held at SLFPA-E offices to discuss plans for this year. Each levee district is updating their emergency manual. Weekly radio checks using the State's interoperability communication system began today.

At SLFPAE's urging, the Corps of Engineers hosted a tabletop exercise late last month for participants from the authority and the three levee districts. Maj. Carter presented a major hurricane scenario and asked the district directors and authority regional director to outline what preparatory actions each of them would take from 96 hours out to landfall. The exercise provided a detailed exchange of information between levee directors and key corps personnel from the Emergency Operations Center, HPO and PRO, as well as the corps liaisons who will be assigned to each district and the authority during an event. The exercise included considerable discussion of the need to coordinate gate closings, which this year could well involve contractors on projects that are not yet complete. Of particular importance are gates that must remain open as long as possible to facilitate an evacuation. All parties are working to confect a master gate closure plan, as well as a plan to make certain that contractors with barges working at the West Return Canal floodwall in Kenner and other projects throughout the metro area evacuate those barges in advance of a storm.

The Coast Guard established a Regulated Navigation Area (RNA) for the IHNC that requires evacuation of marine vessels there unless the owners that receive a waiver and utilize CG approved moorings.

A table top exercise was held by the City of New Orleans on July 15, 2011 and was attended by SLFPAE, SLFPAW and CORPS.