

**MINUTES OF THE
SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY – EAST
BOARD MEETING
THURSDAY, MARCH 15, 2012**

The regular monthly Board Meeting of the Southeast Louisiana Flood Protection Authority - East (Authority or SLFPA-E) was held on Thursday, March 15, 2012, at the St. Bernard Parish Council Chambers, St. Bernard Parish Government Complex, 8201 West Judge Perez Drive, Chalmette, Louisiana, after due legal notice of the meeting was sent to each Board member and the news media and posted.

Mr. Doody called the meeting to order at 9:40 a.m. and led in the pledge of allegiance.

PRESENT:

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

INTRODUCTION OF NEW COMMISSIONER AND OATH OF OFFICE:

The Oath of Office was administered to Mr. Luettich by T. Robert Lacour, SLFPA-E General Counsel.

Mr. Doody introduced and welcomed Mr. Luettich to the Board. Mr. Luettich has worked for the past 25 years on the development of tools and increasing knowledge on the causes of storm surge, coastal hazards and coastal flooding. This work started with Mr. Luettich's PhD work at MIT and has continued for the past 20 years at the University of North Carolina. Mr. Luettich collaborated with several colleagues around the country in the development of the ADCIRC computer models, which are probably the most widely used models to predict storm surge and flooding associated with severe storms. He has worked in Southern Louisiana and New Orleans on applying these models dating back to the late 1990's. Mr. Luettich continued working on these models after Hurricane Katrina and was a participating member of two National Academy of Engineering review panels for the IPET and LaCPR studies. Therefore, he has a great deal of familiarity with the protection system and the issues and challenges relative to long term sustainability. Mr. Luettich expressed his interest and passion for seeing that the protection system is built correctly. He added that this is a wonderful part of the country that needs to be preserved and its people protected, and that he hoped his background and expertise assists the Board as it moves forward in its mission.

OPENING COMMENTS:

Randy Maddox with the Morrison Insurance Agency presented a check in the amount of \$90,910 to the Orleans Levee District (O.L.D.) for the first of two retrospective adjustments for the period July, 2008, to July, 2011, under the Louisiana Workers Compensation Corporation (LWCC) Retrospective Premium Program. The Program rewards insurers for having a good safety record and a safe working environment. The O.L.D. has received approximately \$360,000 in refunds and \$320,000 in dividends since it began participating in the Program in 2005. Mr. Doody congratulated and thanked the O.L.D. employees for their excellent safety record.

Mr. Doody reported that he and Robert Turner, SLFPA-E Regional Director, attended several meetings on the development of the new Regulated Navigation Area (RNA). Participants in the meeting included representatives from the U.S. Coast Guard, U.S. Army Corps of Engineers (USACE), the State of Louisiana and SLFPA-E. He explained that a decision had been made by the Coast Guard shortly after Hurricane Gustav that no vessels would be allowed to remain in the Inner Harbor Navigation Canal (IHNC) during a hurricane. The Hurricane and Storm Damage Risk Reduction System (HSDRRS) was designed and built by the USACE with this understanding in mind. The USACE would have done things differently had it known that vessels would be allowed to remain in the IHNC. This is one of the topics recently discussed with members of the Congressional Delegation in Washington, DC. If the RNA is changed to allow vessels to remain within the IHNC, then the HSDRRS design criteria should also be changed, which would be very costly since the system is almost completed. The SLFPA-E is facing larger forces (i.e., the Coast Guard and maritime industry) on the RNA issues. In addition, the RNA currently under consideration will potentially include additional operating burdens for the SLFPA-E and the levee districts, such as monitoring maritime traffic and opening and closing gates to allow water in and out of the system to load balance hydraulic forces. He stressed that the function of the SLFPA-E and levee districts is the protection of the public and the infrastructure behind the protection system and not the regulation of maritime traffic.

Mr. Doody advised that new regulations under development since last year's high river event were discussed in an Association of Levee Boards of Louisiana (ALBL) meeting this month. The new regulations are being developed because of concerns related to barges pushing against the Mississippi River Levees.

Mr. Doody reported that he recently hosted a strategic partnership meeting. The meetings are held on the last Friday of every month and participating entities include the Sewerage and Water Board of New Orleans, City of New Orleans, Jefferson Parish, Plaquemines Parish, USACE, SLFPA-E and SLFPA-W. Topics discussed at the meeting included the RNA and the proposed reprogramming of funds from Lake Pontchartrain and Vicinity (LPV) projects to West Bank and Vicinity (WB&V) projects. This is the third request for a reprogramming of funds. The SLFPA-E wants to ensure a regional approach to flood protection and that all the projects are completed timely; however, the SLFPA-E expressed concern about the reprogramming of funds since some necessary projects have not yet been addressed with a final solution. These

items include the transition at Caernarvon, potential work on the Mississippi River Levees (MRL), the access roads and the construction of a bridge at Bayou Bienvenue. The USACE constructed 23 miles of floodwall between Bayou Bienvenue and Bayou Dupre that includes (maintenance access) floodgates. The USACE agreed that a bridge is needed to operate and maintain the floodgates and advised that a stamped set of plans and specifications are expected by the end of 2012 and that a bridge can be expected to be in place prior to the start of the 2014 hurricane season. The transition at Caernarvon starts at an elevation of 26-ft. at the floodwall and steps down to approximately 20-ft. at the MRL. Should the water level reach an elevation up to 26-ft., it would rush around the saw tooth steps of the transition creating a problem in this area. The SLFPA-E asked the USACE to take a closer look at this issue and the USACE agreed that it is an area of concern. Solutions may include a smoother transition and armoring.

Mr. Doody advised that he, John Barry and Robert Turner traveled to Washington, DC, for the Mississippi Valley Flood Control Association meeting held on March 5-7, 2012. Meetings were held with Senator Vitter, Senator Landrieu's staff, Congressmen Steve Scalise, Rodney Alexander, Cedric Richmond and Jeff Landry, and Steve Stockton, USACE Director of Civil Works. The SLFPA-E discussed the operation and maintenance (O&M) of the IHNC surge barrier and navigation gates and was advised that this issue is one of the top two priorities for Senators Vitter and Landrieu. The SLFPA-E also discussed its reluctance to agree to a reprogramming of funds before all of its issues are addressed. The USACE admitted that there will be a programming effort at the end of the project. The West Bank projects can be kept moving by repositioning only a portion of the money. Therefore, the SLFPA-E stressed that its concerns should be addressed prior to reprogramming funds at this time. The SLFPA-E also discussed authorization for future levee lifts. Certain levees in the system will not provide defense against a 100-year storm by 2018 because of subsidence and compaction. The USACE stated that it has no authorization to construct future levee lifts. In six short years the \$14.2 billion project will not meet the design criteria.

Mr. Doody stated that he and John Barry provided a presentation to Citizens for 1 Greater New Orleans on the hurricane system protection status for 2012. This effort is part of the SLFPA-E's outreach to inform the public about the protection system and residual risks.

Mr. Pineda inquired about surveying requirements for the flood protection system. Mr. Estopinal explained that the Operations Committee is considering the implementation of a Real Time Network (RTN) system. A RTN system uses GPS technology and integrates continuing operating receiver stations (CORS) to generate reasonably accurate elevations in real time. The implementation of a RTN system can be reasonable considering the options. He discussed the approximately 4-1/2 inch difference in elevation between the St. Bernard T-Wall and the IHNC surge barrier and the costs that will be involved in determining the reason for this height differential and a potential remedy. A RTN system is needed not only to track vertical movement and subsidence, but also for revising and installing new benchmark systems. The National

Geodetic Survey will provide electronic virtual positions at the CORS and will no longer provide hard ground benchmarks.

ADOPTION OF AGENDA:

A motion was offered by Mr. Wittie, seconded by Mr. Barnes and unanimously approved, to adopt the agenda as presented.

RESOLUTION NO. 03-15-12-01 - APPROVAL OF JANUARY 19, 2012 AND FEBRUARY 16, 2012 BOARD MEETING MINUTES

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

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East approves the minutes of the Board Meetings held on January 19, 2012 and February 16, 2012.

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

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

NAYS: None

ABSENT: None

PRESENTATIONS:

Mr. Doody advised that Mr. Losonsky was one of the original members appointed to the Board and has served for the past five years. He read portions of the resolution recognizing the contributions of Mr. Losonsky.

RESOLUTION NO. 03-15-12-02

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

“A resolution recognizing the commitment and contributions of George Losonsky, PhD 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 professional experience George Losonsky, PhD was selected to serve as a founding member on the Board of the Southeast Louisiana Flood Protection Authority-East; and

WHEREAS, recognizing the importance of the mission of the Southeast Louisiana Flood Protection Authority- East, Mr. Losonsky has continuously strived to achieve the best flood protection possible and has worked tirelessly in the service of the citizens of the region; and

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

WHEREAS, Mr. Losonsky's leadership and guidance as Treasurer of the Board from July 1, 2007 to June 30, 2009, Secretary of the Board from July 1, 2009 to June 30, 2010, and member of the Finance, Legal and Special Issues Committees, have resulted in many positive achievements and improvements to the flood protection system.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East hereby expresses its gratitude and appreciation to George Losonsky, PhD for his dedication and contribution during his tenure as a Board member, Committee member and former Treasurer and Secretary of the Board.

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

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

NAYS: None

ABSENT: None

1. Presentation on Lake Pontchartrain Basin Foundation work in the Bohemia Spillway illustrating the benefits of river reintroduction.

John Lopez, PhD, Coastal Sustainability Program Director for the Lake Pontchartrain Basin Foundation (LPBF), provided a presentation on the resiliency of the Bohemia Spillway and the evolution of Mardi Gras Pass, Southeast Louisiana. Dr. Lopez explained that the LPBF has been working in the Bohemia Spillway for the last three years. The Bohemia Spillway is located about 40 miles south of New Orleans on the east bank of the Mississippi River. It was created in 1926 by the Orleans Levee District to reduce flood risks to New Orleans. The Bohemia Spillway performed in the 1927 flood and contributed to reducing the river stage at New Orleans. The Bohemia Spillway was created by the removal of the artificial river levee, which allowed the river to overflow its banks into the wetlands. The Spillway has been modified by the creation of oil and gas canals. The LPBF conducted a fairly extensive hydrologic survey during the 2011 high river event and a report is being prepared on this work. The overall flow across the 12 miles of the Spillway at the peak stage of the high water event was estimated between 30,000 to 50,000 cubic feet per second (cfs). The flow was not equally distributed across the 12 miles of the Spillway due to local variations.

Dr. Lopez showed a slide of land loss in the area of the Bohemia Spillway. The slide showed the direct impact of the oil and gas canals and the erosion on the outer edge of the shoreline. He pointed out that there is no internal breakup from the indirect impact of the canals as evidenced in other areas of the coast. The Bohemia Spillway area has maintained its natural landscape elevation more than the surrounding landscape not

receiving river water. The Bohemia Spillway is considered the healthiest marsh along the coast. Dr. Lopez commented on the persistence of the natural processes in the Spillway and on the accretion of marsh into the oil and gas canals. Over a period of time areas of the back levee canal have closed in with vegetation. In addition, the smaller trapper canals have closed in and became vegetated.

Dr. Lopez summarized the resiliency of the Bohemia Spillway:

Indications of Bohemia Resiliency

- Firm and healthy marsh – Widespread
- No “interior marsh loss” or “indirect” oil and gas canal loss
- No loss due to mineral extraction (2 fields)

More likely attributable to the River’s connection:

- Recovery of trapper canals
- Infilling and Recovery of some oil and gas canals and the old back levee canal
- Localized land growth (USGS data) and common bank accretion along canals
- Functional Historic Hydrology – Harris Bayou, Overbank flow, Mardi Gras Pass

Dr. Lopez provided information on the development of Mardi Gras Pass. The LPBF began monitoring the development of this breach during and after the 2011 high river event. A forested river bar and a diversion canal that runs from the river almost to the marsh play into the development of the breach called Mardi Gras Pass. The diversion structure in the canal is inoperable; however, river water can flow around and top the structure. Prior to the breach there was a flow during normal conditions of about 300 cfs through the metal culverts below the road. A new bypass channel developed around the diversion structure connecting the canals on either side of the structure. In July, 2011, the discharge through the new bypass canal cut by the recent high water overtopping the road was estimated at 5,000 to 7,000 cfs. The LPBF discovered the beginning of an erosion process and channel cutting across the bar towards the river.

Dr. Lopez explained that by the summer of 2011 the diversion canal was two to ten feet deeper, a bypass channel developed around the diversion structure, the canal running from the diversion structure towards the river was eroded five to ten feet, and the cut across the river bar began development. He noted that the area is taking on the characteristics of a riverine ecology. On March 10, 2012, the LPBF documented that the breach at the river was 32-ft. wide and 5-ft. deep (-2.5-ft. elevation). A flow of 100 to 300 cfs is estimated at Mardi Gras Pass during low water conditions. During high water conditions the bar will flood over and the channel will capture a flow estimated at 5,000 to 10,000 cfs. The water flowing through this pass emanates away from the river, hits the back levee canal and flows both upriver and downriver.

Dr. Lopez commented on the two proposed diversions in the area:

- 1) The Lower Breton Diversion is a 50,000 cfs diversion included the draft State Master Plan estimated at \$220 million and located approximately 1.3 miles south of the Mardi Gras Pass.

2) The Bohemia Mississippi River Reintroduction project is a 10,000 cfs Coastal Wetlands Planning, Protection and Restoration Act (CWPPRA) project estimated at \$10-\$20 million and located approximately three miles south of the Mardi Gras Pass.

Dr. Lopez explained that the roadway cut by the breach (Mardi Gras Pass) has been maintained by Sundown/Eland for transporting materials from their facilities. The State is reviewing the permit requested by the oil and gas company to reconstruct the roadway. Some unpermitted fill has been deposited in this area.

In summary, Dr. Lopez stated that Mardi Gras Pass is a raw natural condition. It is dynamic and evolving and provides an opportunity to learn about natural processes. He noted that there is also a potential opportunity to substitute Mardi Grass Pass for the proposed diversions. The indirect impact of closing this pass needs to be considered. He pointed out that this is no longer an ephemeral washout, but a flowing river, and that reconstruction of the roadway would actually dam and close off the ecology of the river. Dr. Lopez advised that these comments have been sent to the State for consideration.

Mr. Doody recommended that the Coastal Advisory Committee consider drafting and recommending a resolution for the Board that would be submitted to the State and the entities currently considering the permit application for the roadway reconstruction. He commented on the need for coastal restoration to provide a higher level of protection. He suggested that through discussions with the State an elevated roadway could be built that would accomplish everyone's goals. A 2,000-ft. long elevated causeway is estimated to cost \$2 million. Meetings have been held with the oil and gas company. The washout of the road has been a recurring problem. The breach is located at river mile 43.7. Dr. Lopez stated that this presentation will be provided to the Coastal Protection and Restoration Authority (CPRA) at its April meeting. The CPRA has been provided information informally on the development of Mardi Gras Pass.

PUBLIC COMMENTS:

Roy Arrigo, a resident along the 17th Street Canal, commented on the Board's vote to grant the USACE a right-of-entry for the tree and fence removal project instead of buying the land needed. He stated that the residents sought and received a favorable Court ruling; however, the SLFPA-E appealed this ruling. He commented on the blocking of legislation that would have resolved this issue.

Craig Berthold, a resident along the 17th Street Canal, commented that the arguments used by the attorneys to persuade the Board on its vote four years ago have been refuted. He stated that the application requirements of the St. Julien doctrine and R.S. 19:14 have not been legally followed or met. He stated that there is no recorded servitude on a State or local level, no servitude on any survey or deed, and no documentation of notification, acquiesce, donation, operation and maintenance inside the property line by the O.L.D. or that the O.L.D. actually built the levee. He commented that the only movement seen by the residents is for the State to take an additional nine feet with the toe plus 15-ft. issue. He asked that the Board request its attorneys to provide this documentation.

Carol Byram, a resident along the 17th Street Canal, commented on the behavior of the Board and its attorneys when the vote was taken for the right-of-entry for the tree and fence removal project and in the Legislature and the Courts. She commented that the SLFPA-E used taxpayers' money for litigation while the residents had to use their own money. She stated that the residents were ignored when they tried to defend their rights. She commented on the need for transparency and honesty and that the Board has the power to correct its mistake.

COMMITTEE REPORTS:

Finance Committee: Mr. Estopinal reported that the Finance Committee met on March 1st and that items have been placed on the Board agenda for all of the issues discussed at the meeting.

Operations Committee: Mr. Wittie reported that the Operations Committee met on March 1st. The following items were considered by the Committee:

- SELA Harahan Pump to the River Project – A representation from the USACE provided a presentation on this project. A portion of the Mississippi River Levee will be relocated and three parallel 48-inch pipes will cross over the relocated levee. A permit will be required from the SLFPA-E for this work.
- Real Time Network (RTN) – The proposed implementation of a RTN system was discussed. Mr. Wittie pointed out the need to verify that the HSDRRS is up to design elevation prior to acceptance of projects.
- Monthly status reports were provided by the levee districts.

Legal Committee: Mr. Barry advised that the Legal Committee did not meet during the month of March. A motion has been placed on the Board agenda for the approval of legal invoices.

CPRA/Governmental Affairs: Mr. Barry advised that the CPRA will meet next week. He stated that a presentation will be provided next month to the Board on diversions. Mr. Barry commented that he had been hopeful that the O&M for the IHNC surge barrier would be included in the President's budget; however, it was not included in the budget. He added that he spoke to people at the Office of Management and Budget (OMB) and with the White House domestic policy staff. Everyone agreed in the meetings that the SLFPA-E should not pay this O&M cost; however, no one seems to be able to step up and resolve this issue. Mr. Barry advised that SLFPA-E representatives also met with Bob Gibbs, Chairman of the House Subcommittee that writes the Water Resources Development Act (WRDA) bill, and John Anderson, Representative Gibbs' staff director. Mr. Anderson indicated that he did not realize that the USACE stated that it is not authorized to construct levee lifts, and that as far as he was concerned the post Katrina legislation authorized this work. Mr. Barry pointed out that the USACE clearly does not have the amount of money needed to accomplish all of the work that is supposed to be done. He also advised that Steve Stockton indicated in their meeting that he had no knowledge of the SLFPA-E's problems with the Coast Guard regarding the RNA.

Coastal Advisory Committee: Mr. Kemp advised that most of the Coastal Advisory Committee's activities were centered around the release of the draft State Master Plan and the development of the SLFPA-E's comments on the plan. He stated that he was requested by Mr. Doody to attend a recent ALBA meeting and that he signed onto some comments that were developed on the plan. He explained that the comments seemed to have had a substantial effect at the Governor's Coastal Advisory Committee meeting yesterday. An indication was given that funds are being committed for an early phase of the Lake Pontchartrain barrier design. Mr. Kemp also advised that the decision of the Appeals Court, which unanimously confirmed the District Court's ruling, was issued on the MRGO case. There may be some funding coming out of this ruling for the St. Bernard area. The Coastal Advisory Committee will meet at 3:00 p.m. today to receive a presentation from Robert Jacobsen, P.E., on Hurricane Surge Modeling -- Modeling Surge Physics.

Mr. Pineda advised that he and some colleagues provided a presentation two weeks ago to the National Research Council (NRC) Committee on Levees in the National Flood Insurance Program (NFIP). The NRC oversees the National Academy of Sciences and the National Academy of Engineering. The Federal Emergency Management Agency (FEMA) has contracted with the NRC to gather eminent people in various fields for research and to draft various reports on items relative to FEMA's roles and responsibilities related to flood hazards. An issue he heard discussed by the Committee members was whether the Federal government should make flood insurance mandatory through the NFIP even though the levee protection system provides 100-year protection if the area protected is highly urbanized and a high risk is posed. The issue of mandatory flood insurance is still being considered by many people as a worthy subject to consider. He also advised that he serves as a volunteer on the Project Advisory Committee for the Federal Interagency Floodplain Management Task Force. The purpose of this task force is to update a 1994 report called "A Unified National Program on Floodplain Management". The Project Advisory Committee is advising the principal researchers and has identified rights-of-way as one of the big cross cutting issues affecting flood risk management nationwide. A right-of-way issue can lead to a decision on whether or not a project should be constructed. The researchers have identified 152 Federal programs that have something to do with floodplain management or flood risk management.

REGIONAL DIRECTOR'S REPORT:

A copy of the Regional Director's Report is appended to the minutes. Mr. Turner provided the following additional comments:

- Seabrook Sector Gate – The gate leaves are on site and the first leaf is scheduled to be lifted into place today.
- Armoring – A meeting was held last week to discuss the Independent External Review Panel's comments. The USACE was of the opinion that a resolution has been achieved on all of the comments. However, issues were brought up at the meeting that need additional consideration by the USACE.

- FEMA NFIP Accreditation – A meeting will be held with the USACE and FEMA to review the status of the accreditation process. The final levee system evaluation report will not be completed on June 1st. An interim or draft report will be available on June 1st; however, the final report cannot be issued until all of the work is completed. The final report is anticipated sometime during calendar year 2012. It was indicated in discussions between the USACE and FEMA that this will not create a major problem since FEMA must proceed through all of the public meeting and other processes that are necessary prior to issuing the Digital Flood Insurance Rate Maps (DFIRMS). A meeting will be held with FEMA on the issue of certification of the back (drainage) levee.
- Mississippi River Flood Fight – This morning the Mississippi River reached an elevation of +8-ft. The River is expected to continue to rise until March 20th and a crest of +9.4-ft has been predicted.
- Levee Information Management System (LIMS) Hurricane Risk and Safety Module – This module is being developed through a partial grant from the Dutch and is nearing completion. This is a demonstration project. A workshop has been scheduled for April 23, 2012.
- The firm of NTB has been retained to check certain benchmarks to ensure that the USACE and the SLFPA-E are on the same page as far as the datum that is being produced to construct the system. NTB's results are expected prior to the end of this month. The benchmarks currently being checked are related to the New Orleans Metro, New Orleans East and St. Bernard polders.
- The Association of Levee Boards of Louisiana Workshop will be held on May 3-4, 2012. Each Commissioner is required to attend a workshop once every four years.

**RESOLUTION NO. 03-15-12-03 –
RENEWAL OF PUBLIC OFFICIALS LIABILITY INSURANCE COVERAGE**

The renewal of Public Officials Liability Insurance coverage was discussed and recommended by the Finance Committee.

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

WHEREAS, the Southeast Louisiana Flood Protection Authority-East's (SLFPA-E) Public Officials Liability and Employment Practices Liability Insurance Coverage is due to expire on March 16, 2012; and

WHEREAS, a quotation for renewal of said coverage has been received from ACE through Arthur Gallagher Risk Management Services at an annual premium of \$57,225.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East authorizes the renewal of Public Officials Liability and Employment Practices Liability Insurance Coverage with ACE at an annual premium of \$57,225 for a period of one year through Arthur Gallagher Risk Management Services.

BE IT FURTHER RESOLVED, that the SLFPA-E Regional Director is authorized to execute any and all documents necessary to carry out the above.

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

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

NAYS: None

ABSENT: None

RESOLUTION NO. 03-15-12-04 - APPROVAL OF LEGAL INVOICES

On the motion of Mr. Barry,

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

WHEREAS, the legal invoices submitted to the Southeast Louisiana Flood Protection Authority-East (SLFPA-E), East Jefferson Levee District, Lake Borgne Basin Levee District and Orleans Levee District listed on the spreadsheet entitled "Legal Invoices Approved on March 15, 2012", 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 March 15, 2012" are hereby approved.

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

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

NAYS: None

ABSENT: None

RESOLUTION NO. 03-15-12-05 - SLFPA-E SELECTION OF FIRM FOR OPERATIONS AND MAINTENANCE PLAN

Mr. Wittie explained that the SLFPA-E issued a Request for Qualifications and received Statements of Qualifications (SOQs) from seven firms. The SOQs were reviewed and a short list of three qualified firms was developed. The selection committee, consisting of Mr. Wittie, Stevan Spencer, SLFPA-E Regional Chief Engineer, Gerry Gillen, O.L.D. Executive Director, and Stuart Williamson, Lake Borgne Basin Levee District (LBBLD) Executive Director, interviewed and rated the three short listed firms. The firm of GEC, Inc. received the highest rating and is recommended by the selection committee for approval.

Mr. Doody commented that the development of a comprehensive plan was authorized at the direction of the Board in order to determine how the SLFPA-E's resources can

best be utilized to carry out the USACE's O&M plan. Mr. Jackson added that the USACE will provide its O&M plan; however, the USACE's plan will not determine how the O&M will be accomplished. The comprehensive plan will determine whether the O&M will be contracted or whether in-house personnel will be utilized. It will also deal with Civil Service and other issues.

Mr. Barry commented that the Board may wish to consider closing the navigation gates, which are holes in the flood protection system, during the hurricane season in order to provide a dramatic statement and potentially bring about a resolution of the problem. Mr. Estopinal concurred with Mr. Barry and suggested that the SLFPA-E may wish to close the floodgates in the floodwall between Bayou Dupre and Bayou Bienvenue at the beginning of hurricane season and reopen the gates at the end of the hurricane season until such time as a bridge is constructed and the gates can be closed in a timely manner. Mr. Doody stated that the SLFPA-E is making a strong case and is hopefully gaining attention concerning the O&M of the IHNC surge barrier system navigation gates. The navigation gates will not be turned over to the local sponsor during the 2012 hurricane season. He reminded everyone that the State is the local sponsor for the HSDRRS. The State's position is that projects should be not turned over individually, but as a system, to the local sponsor. The component in the Project Partnership Agreement (PPA) relative to dispute resolution may be engaged in the near future.

Mr. Wittie advised that updates on the comprehensive plan will be provided to the Operations Committee. He noted that USACE's O&M Manuals are currently under development. Mr. Doody pointed out that the USACE should recognize the capabilities of the levee districts when developing the O&M manuals. Mr. Turner explained that the SLFPA-E has formed two teams to deal with (1) the O&M requirements associated with the surge barriers, gated structures and channels and (2) general O&M of the levees and floodwalls. SLFPA-E and levee district personnel have been assigned to these two teams and have been meeting on a regular basis with USACE personnel. Comments and guidance are being provided to the USACE personnel who are developing the O&M manuals. He stated that the scope of work and contract fees will be negotiated and brought to the Board for approval.

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

WHEREAS, the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) and the levee districts under its jurisdiction have a need to develop an Operations and Maintenance Plan for the Hurricane and Storm Damage Risk Reduction System (HSDRRS) Storm Surge Barriers and associated closure structures and navigation gates; and

WHEREAS, SLFPA-E Resolution No. 10-20-11-05 approved the advertisement of a Request for Qualifications (RFQ) for the aforementioned comprehensive plan; and

WHEREAS, seven Statements of Qualifications (SOQ) were received and reviewed by the selection team; and

WHEREAS, a short list of three qualified firms was developed, consisting of Evans-Graves Engineering, Inc., GEC, Inc., and URS Corporation; and

WHEREAS, the firms on the short list were interviewed and competitively rated by the selection team; and

WHEREAS, the selection team has recommended the selection of GEC, Inc., for the development of the aforementioned comprehensive plan.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) approves the selection of GEC, Inc., for the development of a Comprehensive Operation and Maintenance Plan for the Lake Borgne Surge Barrier and Gates, Seabrook Complex and Gates, Bayou St. John Sector Gate, Bayou Bienvenue Sector, Bayou Dupre Sector Gate and Caernarvon Sector Gate.

BE IT FURTHER RESOLVED, that the SLFPA-E Regional Director is hereby authorized to negotiate a contract with GEC, Inc., for the above services and to bring the contract back to the Board for approval.

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

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

NAYS: None

ABSENT: None

RESOLUTION NO. 03-15-12-06 - APPROVAL OF SLFPA-E FY 2013 BUDGET

Mr. Estopinal advised that the SLFPA-E and levee district budgets were discussed and approved by the Finance Committee.

Mr. Turner pointed out that the non-federal sponsor's cost share for the HSDRRS has not been included in the FY 2013 budgets. The amount of this cost share is not yet known and there is no obligation to pay this cost share at this point in time.

Mr. Turner reviewed the SLFPA-E's FY 2013 Budget. Revenues for FY 2013 are estimated at \$1.53 million and include:

- Intergovernmental funds in the amount of \$500,000 from the Department of Natural Resources/CPRA.
- Levee district reimbursements for a 50 percent allocation of staff salaries, costs associated with Commissioners and insurance.
- Income from grants.

Mr. Turner stated that Expenses for FY 2013 are estimated at \$1.52 million. At this time an excess of Revenues over Expenditures of \$10,400 is projected for the end of FY 2013. The estimated Fund Balance for the end of FY 2013 is \$430,493.

Mr. Turner advised that the cost of the comprehensive O&M plan for the IHNC surge barrier and gates will be allocated between the O.L.D. and the LBBLD. Mr. Jackson

commented on the LBBLD's dependence on its cash reserves to meet its current budget obligations. A plan is needed for the LBBLD to meet its future O&M obligations for the completed HSDRRS. Mr. Turner explained that the SLFPA-E is attempting to determine the future O&M costs with some degree of accuracy. The O&M study being conducted by AECOM is nearing completion. In addition, the State has commissioned the Rand Corporation to conduct a study on the O&M costs across the entire HSDRRS. The SLFPA-E is attempting to reconcile the differences between its study and the State's report and compare these costs against those estimated by the USACE.

Mr. Jackson pointed out the inability of the LBBLD to fund the future O&M costs, which will be significant. He noted that this is also a political problem because of population loss in St. Bernard Parish and the loss of ad valorem tax revenues. Mr. Turner advised that the St. Bernard Parish Council and the Parish President have been engaged and meetings have been held to discuss this issue. This issue has also been discussed with the CPRA. Mr. Doody commented that additional people need to be engaged in the process to find a solution for this financial problem. He explained that he has had some preliminary discussions with Mark Davis with Tulane University to brain storm the financial challenges. Mr. Doody suggested the establishment of a blue ribbon panel of people from all areas and professions to consider the challenges being faced and develop avenues to solve this problem. However, the studies and reports must be completed and O&M cost numbers obtained before a blue ribbon panel can be tasked with this challenge. Mr. Doody commented on the importance of the regionalization of a systematic approach to flood protection. He pointed out the need for the O.L.D. to renew the Special Levee Improvement (SLIP) tax in 2015 so that it can meet its O&M obligations.

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

WHEREAS, the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) has reviewed financial projections for Fiscal Year Ending June 30, 2013 including estimated operating revenues and expenditures; and

WHEREAS, funding in the following amounts is required as detailed by the line item budget for Fiscal Year Ending June 30, 2013:

**SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY-EAST
 TWELVE MONTHS ENDING JUNE 30, 2013 BUDGET**

REVENUES:

Intergovernmental	500,000
Investment income	100
Cost sharing allocations from affiliates	560,200
CDBG Grant Income	470,000
Miscellaneous Income	900
	1,531,200

TOTAL REVENUES

<hr/>	
<u>EXPENSES:</u>	
Personnel services	357,000
Travel	39,000
Contractual services	151,500
Materials and supplies	16,200
Furniture and Equipment	35,000
Professional Services	104,800
Miscellaneous Expense	10,200
Cost sharing allocations to affiliates	337,100
CDBG Grant Expenditures	470,000
	<hr/>
	1,520,800
TOTAL EXPENDITURES	<hr/>
NET CHANGE IN FUND BALANCE	10,400
FUND BALANCE IN BEGINNING OF YEAR	420,093
FUND BALANCE AT END OF YEAR	430,493
	<hr/>

WHEREAS, the Southeast Louisiana Flood Protection Authority-East is mandated to submit an approved budget by April 1, 2012, to the Joint Legislative Committee on the Budget and other various oversight authorities.

WHEREAS, the Finance Committee at its meeting held on March 1, 2012, reviewed and recommended approval of the SLFPA-E Budget for the Fiscal Year Ending June 30, 2013.

BE IT HEREBY RESOLVED, That the Southeast Louisiana Flood Protection Authority-East approves the Fiscal Year Ending June 30, 2013 General Operating Budget for the Southeast Louisiana Flood Protection Authority-East.

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

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

NAYS: None

ABSENT: None

RESOLUTION NO. 03-15-12-07 - APPROVAL OF LBBLD FY 2013 BUDGET

Mr. Turner reviewed the LBBLD FY 2013 Budget. The total estimated Revenues for FY 2013 are \$14.75 million and include \$11.3 million of intergovernmental funds primarily from FEMA through anticipated Public Assistance Grants and Hazard Mitigation Grant Program (HMGP) grants, Louisiana Department of Transportation and Development (DOTD) and Capital Outlay funds, and State revenue sharing (\$163,000). A FEMA Public Assistance Grant Program project worksheet has been written for \$8.5 million for pump station work.

Mr. Turner advised that the total estimated Expenditures for FY 2013 are approximately \$15.75 million and include the following:

- Funding for two additional employees.
- Other Charges in the amount of \$2.165 million for non-capitalized projects. Reimbursement of \$1.3 million is expected through intergovernmental sources.
- Machinery and Equipment in the amount of \$10.3 million. Approximately \$8.5 million of this money is for seepage repair at two pump stations. Reimbursement of \$9.9 million is expected through intergovernmental sources.

Mr. Turner explained that the LBBLD FY 2013 Budget is anticipated to have a shortfall of Revenues over Expenditures of almost \$1 million. The Fund Balance at the beginning of FY 2013 is approximately \$5.5 million and will drop to approximately \$4.5 million at the end of FY 2013.

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

WHEREAS, the Southeast Louisiana Flood Protection Authority-East (SLFPAE) has reviewed financial projections for Fiscal Year Ending June 30, 2013 for the Lake Borgne Basin Levee District, including estimated revenues and expenditures, and
WHEREAS, funding in the following amounts is required as detailed by the line item budget for Fiscal Year Ending June 30, 2013.

**LAKE BORGNE BASIN LEVEE DISTRICT
 PROPOSED BUDGET
 FOR FISCAL YEAR ENDING JUNE 30, 2013**

REVENUES:

Taxes	\$	3,400,000
Intergovernmental		11,335,500
Insurance proceeds		
Charges for services:		
Permits		3,000
Rents and leases		
Oil and gas royalties		
Investment income		15,000
Cost sharing allocations from affiliates		
Miscellaneous		
Total revenues		14,753,500

EXPENDITURES

FLOOD AND DRAINAGE PROTECTION:

Personnel services		2,391,050
Travel		3,300

Contractual services	156,550
Materials and supplies	464,700
Professional services	197,700
Other charges	2,165,600
Cost sharing allocations to affiliates	90,000
Machinery and equipment	10,279,000
Hurricane expenses	
Total expenditures	<u>15,747,900</u>
Excess of revenues over expenditures	<u>(994,400)</u>
 OTHER FINANCING SOURCES (USES)	 0
 NET CHANGES IN FUND BALANCES	 <u>(994,400)</u>
 CASH BALANCE AT BEGINNING OF YEAR	 5,489,109
 CASH BALANCE AT END OF YEAR	 \$ <u><u>4,494,709</u></u>

WHEREAS, the Lake Borgne Basin Levee District (LBBLD) is mandated to submit an approved budget by April 1, 2012, to the Joint Legislative Committee on the Budget and other various oversight authorities; and

WHEREAS, the Finance Committee at its meeting held on March 1, 2012, reviewed and recommended approval of the LBBLD Budget for the Fiscal Year Ending June 30, 2013.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East approves the Fiscal Year Ending June 30, 2013 Budget for the Lake Borgne Basin Levee District.

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

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

NAYS: None

ABSENT: None

RESOLUTION NO. 03-15-12-08 - APPROVAL OF O.L.D. FY 2013 BUDGET

Mr. Turner explained that the O.L.D. FY 2013 Budget is broken into two funds: the General Fund and the Special Levee Improvement (SLIP) Fund. He reviewed the FY 2013 General Fund Budget. Total Revenues for FY 2013 are estimated at approximately \$16 million. The O.L.D. received approximately \$2 million of intergovernmental funds in FY 2012 and expects to receive approximately \$650,000 of intergovernmental funds in FY 2013. The Algiers Levee District (ALD) had been contributing 7.6 percent of the O.L.D. debt service. The ALD paid its portion of the remaining total debt service in FY 2012 so that legislation could be passed for the ALD to receive its tax revenues directly from the City of New Orleans.

Mr. Turner advised that the FY 2013 General Fund Expenditures include an increase of over \$1 million for Personal Services in anticipation of the additional O&M that will be required for the flood protection system. Approximately 24 positions are being added to the O&M staff. Contractual Services are increasing from \$2.5 million in FY 2012 to \$6 million in FY 2013 primarily due to the O&M required for the gated structures. It has not yet been determined whether the O&M for the gated structures will be done by in-house personnel or by a contracted firm. Four million dollars of the \$6 million budgeted for FY 2013 Contractual Services are for the O&M of the gated structures. Should this money not be spent in FY 2013, it will be held over for future O&M expenses. Consideration is being given to the development of a special fund for the O&M for the gated structures. Total General Fund Expenditures are estimated at approximately \$18.5 million. General Fund Expenditures are \$2.4 million more than Revenues. The Budget reflects a payoff of the Go Zone Bonds by the expiration of the SLIP tax in 2015. The FY 2012 Budget included \$4.3 million and the FY 2013 Budget includes \$2.4 million for Debt Service under Other Uses. The 1996 Public Improvement Bonds will be paid off in FY 2012 with a payment of \$840,000 and a full year payment is planned for the Go Zone Bonds. The Debt Service reflected in the FY 2013 Budget is associated with one-fourth of the remaining requirement (principal and interest) for the Go Zone Bonds. The General Fund Budget net excess of Expenditures over Revenues is \$5 million. A transfer of \$5 million will be made from the SLIP Fund to the General Fund, leaving a negative balance of \$11,405. The beginning Fund Balance will be adjusted by \$11,405, leaving a Fund Balance of approximately \$20.9 million at the end of FY 2013.

Mr. Turner reviewed the SLIP Fund Budget. Estimated FY 2013 SLIP Fund Revenues from ad valorem taxes are \$13.13 million. Estimated FY 2013 Expenditures are \$12.8 million. The most significant projects included in the Budget are the Seawall Rehabilitation Project (\$8 million) and the Florida Avenue Sheetpile Rehabilitation Project. SLIP Fund Revenues over Expenditures are estimated at \$283,500 for FY 2013. Other Uses and Net Transfers include the \$5 million transfer to the General Fund to supply the O&M shortfall and \$4.1 million for the Debt Service on the Go Zone Bonds. Thirty-six percent of the Go Zone Bond debt service is paid from the SLIP Fund and the remainder from the General Fund. The change in the SLIP Fund Balance is a negative \$8.8 million, which brings the Fund Balance from approximately \$39.5 million at the beginning of FY 2013 to approximately \$30.7 million at the end of FY 2013.

Mr. Doody pointed out that a cash balance is needed because ad valorem taxes are received primarily during the months of January through March and the district must operate for the remainder of the year with the cash balance. He also reminded everyone that last year the Louisiana Legislature mandated that the O.L.D. Flood Protection Division maintain a police force of 24 officers and pay the entire cost for the O.L.D. Police Department. In addition, the Legislature mandated that the Flood Protection Division make two payments of \$700,000 each in July, 2011, and April, 2012, to the Non-Flood Protection Assets Division for the maintenance of Lakeshore Drive.

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

WHEREAS, the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) has reviewed financial projections for Fiscal Year Ending June 30, 2013 for the Orleans Levee District, including estimated revenues and expenditures; and

WHEREAS, funding in the following amounts is required as detailed by the line item budgets for Fiscal Year Ending June 30, 2013:

**ORLEANS LEVEE DISTRICT
BUDGETS
FOR FISCAL YEAR JULY 1, 2012 - JUNE 30, 2013**

	GENERAL FUND	SPECIAL LEVEE IMPR FUND	COMBINED
REVENUES			
Ad Valorem Taxes	14,832,000	13,081,000	27,913,000
Intergovernmental Revenue	650,000	-	650,000
Interest Income	21,300	50,000	71,300
Oil & Gas Royalties	253,800		253,800
Rents & Other Income	381,218		381,218
Total Revenue	<u>16,138,318</u>	<u>13,131,000</u>	<u>29,269,318</u>
EXPENDITURES			
Personal Services	9,874,474	-	9,874,474
Contractual Services	6,089,162	-	6,089,162
Materials & Supplies	915,477	-	915,477
Professional & Technical Services	782,957	-	782,957
Cost Allocations & Miscellaneous	(24,353)	-	(24,353)
Machinery & Equipment	895,625	-	895,625
Capital Outlays	-	12,847,500	12,847,500
TOTAL EXPENDITURES	<u>18,533,342</u>	<u>12,847,500</u>	<u>31,380,842</u>
Income Before Other Sources (Uses)	(2,395,024)	283,530	(2,111,524)
	GENERAL FUND	SPECIAL LEVEE IMPR FUND	COMBINED

Debt Service	(2,366,381)	(4,116,855)	(6,483,236)
Legal Settlements	(250,000)	-	(250,000)
SLIP Fund Transfer	5,000,000	(5,000,000)	-
CHANGES IN FUND BALANCES	11,405	(8,833,355)	(8,844,760)
FUND BALANCES, BEGINNING OF YEAR	28,812,847	40,006,933	68,819,780
FUND BALANCES AT END OF YEAR	28,801,442	31,173,578	59,975,020

WHEREAS, the Orleans Levee District is mandated to submit an approved budget by April 1, 2012, to the Joint Legislative Committee on the Budget and other various oversight authorities; and

WHEREAS, the Finance Committee at its meeting held on March 1, 2012, reviewed and recommended approval of the Orleans Levee District General Fund Budget for the Fiscal Year Ending June 30, 2013, and the approval of the Special Levee Improvement Fund (SLIP Fund) budget for that same fiscal year.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East approves the Fiscal Year Ending June 30, 2013 General Fund and SLIP Fund Budgets for the Orleans Levee District.

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

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

NAYS: None

ABSENT: None

RESOLUTION NO. 03-15-12-09 - APPROVAL OF EJLD FY 2013 BUDGET

Mr. Turner reviewed the FY 2013 EJLD Budget. He pointed out that a total of \$9.15 million of FEMA monies are anticipated in FY 2012 for the Foreshore Protection Project. The total estimated Revenues for FY 2013 are \$9,070,000. Mr. Turner reviewed the Expenditures for FY 2013, which include:

- Four additional personnel (three O&M employees and one Police Officer) to provide for additional O&M requirements.
- An increase in Professional Services from \$122,000 in FY 2012 to \$1.76 million in FY 2013. This increase is due to the EJLD right-of-way mapping project. A considerable amount of this work will be done in FY 2013.
- Sixteen million dollars is budgeted in FY 2013 for the Land and Safehouse.

Mr. Turner advised that the estimated excess of Expenditures over Revenues for FY 2013 is \$15.5 million. The estimated Fund Balance at the beginning of FY 2013 is

approximately \$26 million and the estimated Fund Balance at the end of FY 2013 is approximately \$10.7 million

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

WHEREAS, the Southeast Louisiana Flood Protection Authority-East (SLFP AE) has reviewed financial projections for Fiscal Year 2013 for the East Jefferson Levee District, including estimated operating revenues and expenditures, and

WHEREAS, funding in the following amounts is required as detailed by the line item budget for Fiscal Year 2013:

	General Fund	Levee Improvement Fund	Total (Memorandum Only)
REVENUES			
Ad Valorem Taxes Collected	8,500,000		8,500,000
State Revenue Sharing Funds	510,000		510,000
Interest and Dividend Permit	35,000	7,000	42,000
30% Transfer of Ad Valorem	(2,550,000)	2,550,000	0
TOTAL REVENUES	6,513,000	2,557,000	9,070,000
EXPENDITURES			
Administrative & Executive	911,288	135,000	1,046,288
Levee Maintenance	2,839,917	1,675,000	4,514,917
Police	2,143,619		2,143,619
Sheriff Pension Costs	335,000		335,000
Capital Outlays	541,600	16,000,000	16,541,600
TOTAL EXPENDITURES	6,771,424	17,810,000	24,581,424
EXCESS OF REVENUES OVER EXPENDITURES	(258,424)	(15,253,000)	(15,511,424)
BEGINNING FUND BALANCES	10,269,879	15,918,713	26,188,592
ENDING FUND BALANCES	10,011,455	665,713	10,677,168

WHEREAS, the East Jefferson Levee District is mandated to submit an approved budget by April 1, 2012, to the Joint Legislative Committee on the Budget and other various oversight authorities.

WHEREAS, the Finance Committee at its meeting held on March 1, 2012, reviewed and recommended approval of the EJLD Budget for the Fiscal Year Ending June 30, 2013.

BE IT HEREBY RESOLVED, That the SLFPAE approves the Fiscal Year 2013 General Operating Budget and the Fiscal Year 2013 Levee Improvement Budget for the East Jefferson Levee District.

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

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

NAYS: None

ABSENT: None

**RESOLUTION NO. 03-15-12-10 –
APPROVAL OF EJLD FY 2012 BUDGET REVISIONS**

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

WHEREAS, a review of the operating results to date indicates that budget revisions to the East Jefferson Levee District Operating Budget for Fiscal Year ending June 30, 2012 is necessary to comply with applicable state law, which requires that budgets be changed to reflect new expectations; and

WHEREAS, funding in the following amounts is required for Fiscal Year 2012:

	General Fund	Levee Improvement Fund	Total (Memorandum Only)
REVENUES			
Ad Valorem Taxes Collected	8,500,000		8,500,000
State Revenue Sharing Funds	510,000		510,000
Interest and Dividend	35,000	7,000	42,000
Permit	18,000		18,000
Fema Income	9,150,000		9,150,000
30% Transfer of Ad Valorem	(2,550,000)	2,550,000	0
TOTAL REVENUES	15,663,000	2,557,000	18,220,000

EXPENDITURES

Administrative & Executive	10,036,350	135,000	10,171,350
Levee Maintenance	2,731,775	35,000	2,766,775
Police	1,986,670		1,986,670
Sheriff Pension Costs	335,000		335,000
Capital Outlays	500,300	2,000,000	2,500,300
TOTAL EXPENDITURES	15,590,095	2,170,000	17,760,095
EXCESS OF REVENUES OVER EXPENDITURES	72,905	387,000	459,905
BEGINNING FUND BALANCES	10,196,975	15,531,713	25,728,688
ENDING FUND BALANCES	10,269,879	15,918,713	26,188,592

BE IT HEREBY RESOLVED, that the revisions to the East Jefferson Levee District Fiscal Year 2012 Operating Budget and the Fiscal Year 2012 Levee Improvement Budget is approved.

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

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

NAYS: None

ABSENT: None

RESOLUTION NO. 03-15-12-11 - RATIFICATION OF SETTLEMENT AGREEMENT

Mr. Lacour explained that the Board previously discussed the settlement of the cases listed in the resolution, which are most of the large Bohemia Spillway legal cases.

On the motion of Mr. Wittie,

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

BE IT HEREBY RESOLVED, that in accordance with discussions held in Executive Session, the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) hereby ratifies the Settlement Agreement dated effective September 9, 2011 by and between the Orleans Levee District on the one hand and Poydras Home, Louis Schott and Michael Gaffney (as the court-appointed receivers and judicial liquidators of Union Title Guarantee Company, Inc. and Insurance Securities Company, Inc.) and Eileen Mermelstein Bordelon (both as the court-appointed administratrix for the successions of Helen Katz, wife of/and Sam Mermelstein and in her individual capacity) relating to (among other things) various lands in or near the Bohemia Spillway and the following civil actions:

(a) *Succession of Helen Katz, wife of/and Sam Mermelstein v. Board of Levee Commissioners of the Orleans Levee District of the State of Louisiana*, Docket No. 55-314 in the 25th Judicial District Court for the Parish of Plaquemines, State of Louisiana;

(b) *Board of Commissioners of the Orleans Levee District of the State of Louisiana v. Louisiana Department of Natural Resources*, Docket No. 561,776 in the 19th Judicial District Court for the Parish of East Baton Rouge, State of Louisiana, appealed under Docket No. 2011-CA-0262 the Louisiana Court of Appeal for the First Circuit;

(c) *Union Title Guarantee Company, Inc. by and through its Court-Appointed Liquidators v. Board of Levee Commissioners of the Orleans Levee District, now the Orleans Levee District, and the Division of the Administration of the State of Louisiana*, Docket No. 52-856 in the 25th Judicial District Court for the Parish of Plaquemines, State of Louisiana;

(d) *Board of Commissioners of the Orleans Levee District of the State of Louisiana v. Louisiana Department of Natural Resources Through its Secretary Scott A. Angelle and Union Title Guarantee Company, Inc. by and through its Court-Appointed Liquidators*, Docket No. 537,924 in the 19th Judicial District Court for the Parish of East Baton Rouge, State of Louisiana;

(e) *Union Title Guarantee Company, Inc. by and through its Court-Appointed Liquidators v. Louisiana Department of Natural Resources, through its Secretary Scott A. Angelle*, Docket No. 561,565 in the 19th Judicial District Court for the Parish of East Baton Rouge, State of Louisiana;

(f) *Board of Commissioners of the Southeast Louisiana Flood Protection Authority-East, on behalf of and the Orleans Levee District v. Louisiana Department of Natural Resources*, Docket No. 562,122 in the 19th Judicial District Court for the Parish of East Baton Rouge, State of Louisiana;

(g) *In re: Isabelle Stevens Conner v. Board of Levee Commissioners of the Orleans Levee District of the State of Louisiana*, Docket No. 52-539 in the 25th Judicial District Court for the Parish of Plaquemines, State of Louisiana;

(h) *Shell Oil Company v. Ralph Cappiello et al.*, its Docket No. 10-364 in the 25th Judicial District Court for the Parish of Plaquemines, State of Louisiana; and

(i) *Shell Oil Company v. Richard Jones et al.*, Docket No. 10-365 in the 25th Judicial District Court for the Parish of Plaquemines, State of Louisiana.

BE IT FURTHER RESOLVED, that the SLFPA-E ratifies any further documents previously executed by President Timothy P. Doody, Orleans Levee District Executive Director Gerald J. Gillen, III, and the Authority's outside counsel Gordon, Arata, McCollam, Duplantis & Eagan, LLC pursuant to this same Settlement Agreement.

BE IT FURTHER RESOLVED, that the SLFPA-E authorizes President Timothy P. Doody, Orleans Levee District Executive Director Gerald J. Gillen, III, and the Authority's outside counsel Gordon, Arata, McCollam, Duplantis & Eagan, LLC to

execute any and all further necessary documents subject to approval of the Authority's General Counsel.

BE IT FURTHER RESOLVED, that the SLFPA-E approves keeping the terms of the Settlement Agreement confidential as further provided therein.

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

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

NAYS: None

ABSENT: None

Status report on the renewal of Primary and Excess Property Hazard (Wind/Fire) Insurance coverage for the Orleans Levee District.

Carol Kiefer, O.L.D. Safety-Risk Manager, advised that responses have not yet been received from all of the markets that were approached for quotes for the renewal of the O.L.D.'s Primary and Excess Property Hazard Insurance coverage. This insurance coverage must be renewed by April 20th. Tim Avegno with Eagan Insurance Agency explained that the current property market conditions in the world indicate a significant rate increase of 20 to 30 percent on all large properties in coastal states in this region. The world market has significantly changed since the first of the year. Due to a number of catastrophic events that occurred around the world, reinsurance companies have raised their rates and changed their terms and conditions with the insurance companies. In addition, a new wind model was used last year that took into account the experience from Hurricanes Ike and Gustav. Twelve markets have been approached for quotes and interest has been expressed by two or three markets. Two proposals are being fine tuned at this time. Due to the addition of the Loft Building and the safehouse improvements, property values have increased from \$32 million to \$38 million. Last year's premium was \$270,000 to insure \$32 million of property value, but only for a wind loss of \$15 million. The deductible will probably increase from three to five percent. Ms. Kiefer pointed out that the cost to repair the Franklin Avenue Warehouse roof after Hurricane Katrina was \$4 million. The Board discussed the possibility of self insurance for the future. The results of the market search will be brought to the Finance Committee and to the Board at its April meeting.

RESOLUTION NO. 03-15-12-12 - SEA GRANT AWARD FOR REMOVAL OF BAYOU ST. JOHN WATERFALL STRUCTURE AT ROBERT E. LEE BOULEVARD

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

WHEREAS, the Orleans Levee District (O.L.D.) applied for a \$76,375 matching funds grant from the Mississippi/Alabama Sea Grant Consortium (Sea Grant) for the purpose of removing the obsolete waterfall flood control structure located at the intersection of Robert E. Lee Blvd. and Bayou St. John; and

WHEREAS, the O.L.D. was awarded \$76,375 from Sea Grant; and

WHEREAS, the Sea Grant requires that an Agreement be executed between the O.L.D. and the University of Southern Mississippi certifying that the funds will be used according to the provisions stated in the application; and

WHEREAS, Gerry Gillen is the Executive Director of the Orleans Levee District.

BE IT HEREBY RESOLVED, that Gerry Gillen, O.L.D. Executive Director, be authorized to sign an Agreement with the University of Southern Mississippi on behalf of the O.L.D. to accept a Sea Grant/NOAA award of \$76,375.

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

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

NAYS: None

ABSENT: None

RESOLUTION NO. 03-15-12-13 - BURK-KLEINPETER, INC. TASK ORDER FOR REMOVAL OF BAYOU ST. JOHN WATERFALL

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

WHEREAS, a Bayou St. John Water Maintenance and Improvement Study was developed to improve the bayou marine estuary; and

WHEREAS, the recommendation of the study is to remove the waterfall structure and dredge under the Bayou St. John Bridge to allow an unobstructed flow of marine organisms to enter Bayou St. John from Lake Pontchartrain; and

WHEREAS, the waterfall valves are broken in an open position and the structure serves no function for primary flood protection; and

WHEREAS, a Sea Grant was awarded to the Orleans Levee District to design and remove the structure.

BE IT HEREBY RESOLVED, that Burk-Kleinpeter be issued Task Orders to design, bid and construction manage the waterfall removal in the amount of \$38,285.10 and the dredging under the Bayou St. John Bridge in the amount of \$33,217.20.

BE IT FURTHER RESOLVED, that the O.L.D. Executive Director is hereby authorized to execute said Task Orders and 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. Estopinal, Mr. Jackson, Mr. Kemp,
Mr. Luettich, Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: None

RESOLUTION NO. 03-15-12-14 - LBBLD ACCEPTANCE OF A GRANT FROM THE DEPARTMENT OF HOMELAND SECURITY

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

WHEREAS, the Lake Borgne Basin Levee District (LBBLD) applied for \$188,550 from the Department of Homeland Security (DHS) FY 2010 Port Security Grant Program (PSGP) to fund the purchase of levee surveillance and patrol equipment; and

WHEREAS, the LBBLD was awarded \$188,550 from the PSGP by DHS; and

WHEREAS, the PSGP requires that a Memorandum of Understanding (MOU) be executed between LBBLD and the Lower Mississippi River Port-Wide Strategic Security Council certifying that the funds will be used according to the justifications stated in the application; and

WHEREAS, Peggy Sembera is identified as a key member of the project.

BE IT HEREBY RESOLVED, that Peggy Sembera be authorized to sign a Memorandum of Understanding as stated above with the Lower Mississippi River Port-Wide Strategic Security Council for the acceptance of a grant award of \$188,550 from the Department of Homeland Security on behalf of the LBBLD.

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

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

NAYS: None

ABSENT: None

The next regular monthly Board meeting will be held on April 19, 2012 and hosted by the EJLD.

There was no further business; therefore, the meeting was adjourned at 1:03 p.m.

SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY - EAST
REGIONAL DIRECTOR'S REPORT
March 15, 2012

100 Year Level of Protection

IHNC 01- Seabrook Complex:

The Seabrook Project is about 70% complete.

Seabrook is still expected to meet Hyla prior to the 2012 hurricane season. Both Vertical Lift Gates are installed; all four replacement castings have been installed on the structure. Rewatering of the cofferdam is complete and removal of south coffer cells underway. The Sector Gate was on schedule to arrive on site from St. Louis on March 15, 2012.

Pile driving for the Generator Building is complete, and the elevated concrete platform is being poured.

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

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

Traylor Bros., subcontractor for the approach wall, is almost finished driving the 48" steel piles for the north and center GIWW end piers; pile driving at the north approach wall and the north side of the center approach walls is complete. The setting of precast skirt beams and placing concrete for the approach walls along the sector gate channel is 30% complete.

At the GIWW gate structure, Massman has completed the mechanical gates activities. They are adjusting and aligning the gates' fenders with concrete abutments and trying to resolving the tolerance issue with the cylinders.

Baker, the barge gate subcontractor, has completed the handrails and epoxy coating in the mechanical room; now working to place the tide guard and curbs at the upper deck. The barge mechanical work has started, and crews are setting pipe hangers, installing piping, setting pumps, and installing valves.

The BB steel towers and bridge are complete. All mechanical equipment is set in place, checked for alignment, and bolted down. The load tests on both the north and south motors are complete – everything is ok. Stringing of the lift cable for the gate and the screw jacks for the vehicle bridge will start over the next couple weeks.

The site-wide electrical contractor is installing conduit and wire at the BB control house, BB mechanical equipment, GIWW sector gate, and GIWW sector gate control house.

O&M manuals are under development and onsite training for the Non-Federal Sponsor, or NFS, is scheduled to begin this month.

East Jefferson Levee District:

Reaches 1 thru 5:

Work is substantially complete; turf establishment issues remain. Final Inspections on Reaches 1 and 5 completed in late August and early September. An additional Final Inspection for Reach 1 was held November 9; the turf was acceptably established by the contractor, who was then released from the project. Reaches 2, 3 and 4 still have turf establishment issues, and Final Inspections are pending. The contractor fertilized Reaches 2 and 3 in early February and completely seeded them at the end of February. This was an error on the part of the contractor because no fertilizer was to be added to the levee reaches until substantial Bermuda growth was established; USACE contacted the contractor about this issue. The USACE is addressing East Jefferson Levee District's concerns with access ramps in all reaches. Access road repairs on Reaches 1, 4 and 5 will be addressed in a separate contract.

Bonnabel Breakwater Project:

The Notice of Construction Complete Letter (NCC letter) for this project was transmitted by the USACE to CPRA and copied to EJLD on Nov. 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 Feb. 2, 2011.

Williams Boulevard Floodwall and Gate:

Work is substantially complete. Final Inspection was held on Nov. 28, 2011. Repairs are being made to some of the scour protection and joint sealant.

Bonnabel Floodwall and Gate:

Work is substantially complete; Final Inspection held Nov. 28, 2011. There are repairs needed on the scour protection and to the joint sealant in some areas. Hired labor is to re-stripe the roadway on the flood side of the new gate.

Pump Station Fronting Protection:

Work is about 65% complete and is ongoing at all four Pump Stations (PS). The breakwater concrete is complete at all pump stations, and contractor has completed the west crane pad and slope stability sheets at Bonnabel PS. All major features of work are complete in Suburban PS basin. . The contractor is going to permanently flood Suburban PS once all sluice gates are fully operational; a Pre-Inundation

Inspection was held on March 2. Contractor continuing work to install permanent bells on the discharge pipes at Elmwood PS, as well as working on sluice gates. Pile driving and concrete work for the land monoliths also ongoing at Elmwood and Duncan pump stations. An updated hurricane plan is to be submitted by the contractor for any gaps in the flood protection; there should be only a single gap at Duncan PS by June 1.

LPV 017.2 (Causeway Crossing):

The Phase II traffic switch to the new roadway is complete in both directions. An additional turning lane has been added southbound to alleviate congestion. The contractor is continuing to drive Phase III bridge piles and to work on slab spans in the southbound lane. The temporary bulkhead in the Mainline T-wall is in fabrication and should be on site this week. The contractor will be ready to set the bulkhead by next week. Work is about 72% complete for the project.

West Return Levee/Floodwall - North:

Work is about 94% complete. All base slabs and walls are finished. The concrete rub/patch work is ongoing, as well as joint sealant installation. The old wall has been demolished and debris removed. The rip rap installation on the flood side of the new wall continues. There have been some areas of settlement in the rip rap, and additional stone must be placed. There was a preliminary walk-through of approx 60 monoliths on Nov. 9, and a punch list was created by the East Jefferson Levee District during the meeting. Due to unbalanced loads there will be additional concrete scour protection added to the entire protected side of the new wall; it will double as an access road for the Levee District. The contractor is 60% complete with this task. Embankment work also has started. The new wall alignment has increased the amount of runoff, and the existing contract will be modified to include drainage for that runoff. The 95% plans for landside runoff work should be out shortly. There is an issue with the tie-ins at West Esplanade Avenue and Vintage Drive crossing existing utilities. This issue is slowing down the contractor start time on this portion of work. Red Zone Meeting will be held sometime at the end of March or early April.

West Return Levee/Floodwall – South:

Work is about 94% complete. The contractor has completed all concrete work for the floodwall and the scour protection modification. He continues to place embankment in the airport triangle area, as well as placing a clay cap along the scour protection. The steel doors that go under I-10 are in fabrication, which is scheduled for completion at end of April. Pre-Final Inspection is scheduled for March 14th.

Foreshore Protection Reaches 1 and 2:

Work is about 92% complete. Work on Reach 2 is finished and compliance surveys taken. Seeding and mulching remains to be completed on Reach 2. The contractor

is continuing to place sand and uncompacted fill on Reach 1. Contractor must come back in the spring to recap the stone and to seed and mulch the berm. There contract will be modified to add geotextile fabric and 9" of coarse aggregate between the clay and the rock dike. Drawings have been issued by the USACE; they are waiting on funding to proceed.

Foreshore Protection Reaches 3 and 4:

Work is about 86% complete. Contractor has completed sand placement and is continuing to work on placing uncompacted fill on Reach 3 and 4. The contractor has begun to recap the stone in low areas on Reach 3 where settlement has taken place. There has also been some settlement in the clay close to rock dike that will have to be addressed. There has been some compliance surveys taken on portions of Reach 3, and seeding and mulching has begun. Contractor is also continuing to work on Reach 4 with stone and clay. There will be a modification to the contract that will add geotextile fabric and 9" of coarse aggregate between the clay and the rock dike. Drawings have been issued by the USACE; they are waiting on funding to proceed.

West Return Levee (Airport Runway):

Contractor has begun Phase II of the project on Sept. 21; the overall project is 97% complete. The contractor has completed excavation and placement of the reinforcement fabric, and the surfacing required for access roads, permanent ramp and permanent road. The electrical conduit bridge installed by the airport's electrical contractor is only 16.56' at its peak height. The contractor's proposal to raise the center of the bridge by 2 feet, which gives the needed clearance for embankment, was approved by the FAA on Dec. 1. The entire levee has been raised to elevation 16.5', except under the electrical conduit bridge. Work to raise the conduit bridge is scheduled to begin this week and be completed by month's end. At that point, the contractor will return to complete the embankment work and seeding. The Red Zone meeting was held Nov. 30.

Orleans Levee District:

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

Construction is about 99% complete. All walls are complete and painted; some repatching is being done. The retaining walls have been built for the approaches to gate L-4.

Floodgates L-1A and L-5 columns were bowed, which prevented proper sealing of the gate in the closed position. The USACE approved the contractor's plan to correct the deficiencies, which includes column repair and track replacement for both gates. Tracks have been replaced and are waiting to be grouted in place.

LPV 102.01, 103.01, and 104.01:

Projects are 100% complete, and NCCs have been transmitted to Orleans Levee District on all three projects.

LPV 103.01A1 (Bayou St. John):

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

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

Construction is 99% complete, and Lakeshore Drive is now fully open to traffic. The guard rail at Lake Terrace floodgate must be realigned, which will require a contract modification. Safety fence will added at Rail Street floodwall, also by contract modification.

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

Construction is complete, and all ramps are open to vehicular traffic. Turf establishment is still required at the Franklin Avenue and Canal Boulevard ramps. Contractor is working the punch list items. Turf establishment will be turned over to an IDIQ contractor after final inspection. I-walls at Franklin Avenue must be converted to L-Walls (LPV-104.02b). The conversion work is scheduled to finish in the spring of 2012.

LPV 104.02 (Seabrook West Side IHNC):

Construction is complete. The final inspection will be rescheduled, and punch list items (cracks in slope pavement) are being resolved. I-Wall section to be converted to L-Wall. Seepage issues to be addressed.

LPV 105.01 (Lakefront Airport T-Wall West):

Construction is complete. All lanes of traffic are open at Downman Road. Final inspection will be rescheduled. The flood side of the T-Wall has been painted by the contractor. One street light and pole still must be replaced on the protected side of the floodwalls. Guard rails at Downman Road were corrected per LADOTD's direction.

LPV 105.02 (Lakefront Airport T-Wall East):

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

have been resolved; waiting on equipment. The street curb must be modified, per LDOTD. Small area requires safety fence, similar to LPV-106.

LPV 106 (Citrus Lakefront Levee):

Construction is about 98% complete. Turf needs to be established. Concrete slope pavement cracks must be repaired. A white paper authored by the USACE on "Crack Repair" is being finalized as it relates to inspections. Operation and Maintenance safety concerns still need to be addressed. The proposed type of "safety" device for installation on the top of the I-Wall (2' high PVC coated chain link fence) is in Corps review. Proposal due March 9, 2012. Drains along railroad tracks are being excavated and slope pavement will be shaped to drain.

Ramps must be asphalt paved and curbs redone. Pre-final inspection still needs to be scheduled. Armoring may still be required on the protected side of the levee (under review by USACE).

LPV 107 (Lincoln Beach Floodgate):

Construction is complete. Final inspection has not yet been scheduled. The winch pedestal was repaired and other project pedestals also being reviewed for repairs.

LPV 108 (New Orleans East Lakefront Levee):

The project is substantially complete. The USACE hired labor group is mowing the grass and correcting rill problems (flattening out); a bigger roller for that work is expected on site this week. The access roadway has been removed and is being seeded. Slope pavement at Collins pipeline crossing has been partially repaired. Final inspection is scheduled for April 8, 2012.

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

Construction of the project has been combined with LPV 109.02c (HWY 90 and HWY 11 floodgates). Construction is complete. Grass is growing well in most areas, due to irrigation. Acceptable turf still needs to be established on the protected side of Area 4. The T-Wall monoliths associated with the floodgate at HWY 90 and HWY 11 are complete and the floodgates are installed and have been exercised. HWY 90 and HWY 11 are open to traffic. Dips in asphalt pavement need to be corrected at Hwy. 11 & 90, per DOTD. This work is scheduled for April/May 2012. Slope pavement north of CSX railroad floodgate has severe cracking and will be repaired in the spring 2012. All work at four drainage structures and two USFWS pump stations is complete. The Punch List Resolution meeting was held Nov. 22, 2011. Stations have been tested for USFWS and require retesting, along with the drainage structures. Pre-final inspection will be held in the spring of 2012 when turf is established.

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

Construction is complete.

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

Construction is complete.

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

Construction is complete. I-10 traffic has been rerouted back to the normal lane configuration. Final inspection not yet scheduled. A few turf and rill issues still need to be addressed. Final inspection is scheduled for March 28, 2012.

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

Construction is being done under LPV 109.02a.

LPV 110 (CSX Railroad Crossing):

Construction is complete; final inspection held Oct. 25, 2011. The flood side berm needs turf reestablished due to damage caused by debris washed up by Tropical Storm Lee. Some repainting is required. The gate was exercised for OLD. The allowable gap on gate seals is being reviewed by USACE Engineering. The punch list resolution meeting was held Dec. 15, 2011. Final inspection is scheduled for March 28, 2012.

LPV 111.01 (North Side GIWW):

Project complete, including all T-Wall construction and deep soil mixing. Turf establishment is over 80% complete. The area between the protected side toe and the access roadway still requires turf establishment. Rills need to be repaired, and some repair is currently underway. The contractor gave a demonstration of a spiked-vibrating drum that can be pulled along the levee slope to remove the rills without damaging the turf. It worked best on dry ground, didn't work as well on wet ground; has limited use.

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

The project punch list resolution meeting was held on Nov. 17, 2011. Turf and rills remain as outstanding issues. Pre-final inspection will be held in the spring 2012 after turf has been established.

LPV 113 (NASA):

Construction is complete. Pre-final inspection was conducted in the first week of October 2010. Corps in-house forces repaired ruts and rills. Final inspection is scheduled for March 29, 2012.

OFC-03 London Ave. Canal:

The work is complete. A modification to the original contract has added 2,100 linear feet of sheet pile and 630 linear feet of embankment to this project, and this additional work has been done. Turf still needs to be established. Final inspection was held on Nov. 15, 2011. NCC planned for June 1, 2012.

OFC-04A Orleans Canal:

The work is complete and the punch list resolution meeting was held on Sept. 28, 2011. Rill problems have been corrected. NCC is planned for June 15, 2012.

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

OFC-05 17th Street Canal:

Project complete. Punch list resolution meetings were held on Oct. 12 and 19, 2011. The contractor will maintain grass through the winter and re-establish turf as necessary. NCC planned for June 29, 2012.

OFC-06 Orleans Canal:

Project complete. The final inspection was held on Aug. 9, 2011. The punch list was finalized and completed. The NCC letter is being prepared by the USACE and is scheduled to be sent to the non-federal sponsor on April 5, 2012.

LPV192.02b Buttress Slab:

The scope of work includes installation of pre-stressed/precast concrete piles, placement of a buttress slab, structural backfill and stabilization slabs. The Work is 99% complete. Final inspection is pending turf establishment. The punch list meeting was held on Dec. 13, 2011. Work on turf establishment, and resloping the levee to from 1V to 3H, will be done by in-house labor starting by the end March, 2012.

LPV192.02 Berm:

USACE Memphis Hired Labor force constructed this project (Phase III), and the work is 99.7% complete. Turf establishment issues remain. Hydro seeding is ongoing. Final inspection will be scheduled once successful turf is established.

LPV192.03 Relief Wells

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

France Road Floodgate

A new floodgate in the IHNC west side levee/floodwall is being built at the request of the Port of New Orleans. Funding from Port and Corps

All utility relocations, sheet-piles and H-piles have been driven. Forms for the concrete floodwall and re-steel for Mono 2 wall stems and columns on each side of gate opening were installed last week. The Project is 60% complete, with substantial completion anticipated on April 16, 2012. Site grading and roadway surface preparation continues.

Lake Borgne Basin Levee District:

LPV 144 (Bayou Dupre Control Structure):

The work is about 99% complete. A Final Inspection of the Structure was held y March 8, 2012. The contractor has completed all punch list items. Vibrations were detected during gate operation. Further investigations have determined there is a problem with the hinge and pintle assemblies. The plan is to dewater the structure and examine the pintle bushing for damage, then replace both the hinge and pintle bearings and bushings using a Kamatic greaseless bushing system. This work will be preformed outside of existing contract by USACE Operations Group and Hired Labor.

The construction of the jib crane pad will be done as part of the access road modifications.

The section of the PDD dealing with abandonment of the old Bayou Dupre Structure is being revised by Corps.

LPV 145 (Bayou Bienvenue to Bayou Dupre):

The project is 99% complete. The USACE has instructed the contractor to use uncoated steel sheet piles and H-piles on this project in order to meet schedule demands. Turf establishment is ongoing. No further progress payments will be made until the contractor establishes turf on entire project area. Final inspection depends upon completion of turf establishment, which is estimated to occur by April 30, 2012. The estimated date for notice of substantial completion is June 30, 2012.

The USACE is installing instrumentation to do "bending moment analysis" on this reach. Work should start on March 19, 2012, and is being coordinated with OCPR.

The access swing bridge is planned to be designed by Arcadis. The USACE is still working on refining the A/E's scope of work for the design contract.

LPV 146 (Bayou Dupre to Verret):

The work is 99% complete, with all wall monoliths are in place. The emergency bypass ramp for LA Hwy 46 is complete and paved. The final inspection was held on Aug. 23, 2011. As-built plans and the O&M Manual are under review by USACE.

Access Road design is under review by USACE. The design will be sent to NFS for review.

LPV 147 (LA Hwy 46 Flood Gate):

Project complete. The USACE has eliminated the emergency stand-by beams for all trolley gate projects in the St. Bernard Polder. The LA Hwy 300 Flood Gate has been constructed under the LPV 148.02 Project. The final inspection was held on Aug. 5, 2011. As-built drawings and O/M manuals are being prepared.

LPV 148.02 (Verret to Caernarvon):

Construction is 99% complete. Pre-final inspection and Punch List Resolution Inspection have been held.

The USACE has determined that the Creedmore Drainage Structure is no longer needed and removed it from the project without replacing the structure's drainage capacity.

The 4" clearance between the Bayou Road floodgate and the gate columns makes it difficult to properly close and seal the gate. This problem was resolved by a contract modification. Turf establishment is all that remains on this project.

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

The work is about 99% complete. Pre-final inspection held Oct. 21, 2011. All power supply issues are resolved; permanent power to gate was installed on Dec. 13, 2011. Punch List Resolution meeting Jan. 23, 2012. Contractor must do turf establishment in spring 2012.

Water level gauges are installed on both flood and protected sides of sector gate. The readings from these gauges will be included on "River Gauges" web site.

Armoring:

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

SLFPA-E has reviewed the Armoring Project Description Document (PDD) and provided its comments to the USACE through CPRA. CPRA has asked for a response to its comments before the PDD is forwarded to the Mississippi Valley Division Commander for signature.

An armoring test site was constructed in St. Charles Parish during the latter part of September 2011, and an additional test section was constructed on the LPV 111

project site in late October/early November 2011. The purpose of the test was to determine the potential for damage to HPTRM from wild hogs. The USACE proposes two more armoring pilot projects, the first of which will be constructed on an east bank HSDRRS levee in Jefferson Parish (LPV-19.2, Reach 4). The project is about one-mile long. The USACE has requested the non-federal sponsor to issue a ROE on or before March 9, 2012, and work will begin within 60 days of that issuance. Granting of ROE is on hold until plans and specs are approved. The work will include installation of high performance turf reinforced mat, or HPTRM. Sod will be placed on half the mat, and the other half will be seeded. Plans and specs have been reviewed by SLFPAE, EJLD, and CPRA and those comments are being incorporated for final P&S. An additional pilot project is currently under consideration for the SLFPAW. Lessons learned from all these pilot projects are to be incorporated into the permanent armoring work, which is not expected to begin the fall of 2012.

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 was protested, kicking off a string of events that continues to hamper project construction. The courts are expected to make a decision by mid-March, 2012.

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

USACE leadership is pushing hard find ways of making up lost time and accelerating contracts that have slipped beyond original completion dates so that accreditation isn't adversely affected. Estimated completion dates change on most of these contracts from month to month as new issues present themselves and existing ones are resolved.

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

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

Coastal Protection and Restoration

State of Louisiana – CPRA

The Draft “Coastal Master Plan” was issued on January 12, 2012 for public comment. Comments were provided by February 25, 2012.

Lake Borgne Basin Levee District:

The Violet Freshwater Diversion is flowing.

Flood Fight

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

The Mississippi River is currently rising and was above 8 feet at the Carrollton Gage early Thursday morning. It is predicted to go to 9.4' by March 20, 2012.

Design and Construction

East Jefferson Levee District:

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

Orleans Levee District:

The State Fire Marshall inspection has been rescheduled for March 16, 2012

The Audio/Visual work in the OLD Safe House is 100% complete.

The Administration Building Refurbishment Project designs are 100% complete. The bid will be solicited for the work upon completion of the Safe House Project.

The SEA Grant for the Bayou St. John Waterfall Removal Project is to be signed pending Board approval on March 15, 2012.

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

The “Florida Avenue Sheet Pile Rehabilitation” Project is to be awarded upon passage of pending Board Resolution.

Lakefront Seawall Erosion Control Project Design Modification is progressing.

Lake Borgne Basin Levee District:

Bid documents are on hold for Engine Replacement at PS #4 pending funding source determination

Bid documents for pump station inspection and repair at Drainage Pump Station #6 were completed by Atkins Global and coordinated with LBBLD attorney. LBBLD will conduct final check before putting out for bid.

Pump Station #2 and #3 – 60% review comments were sent to WS Nelson (designer of record) on March 6, 2012, by LBBLD and CPRA.

Bid documents for Violet Canal dredging are in the early stages of assembly and scheduled to be ready to go out for bid on or about the first week of April, 2012.

Bid documents are on hold for the Telemetry project for Pump Stations #2 and #3, pending FEMA funding determination for seepage project at Pump Stations #2 and #3

No change on Violet Canal Closure Structure

Repairs were completed for Pump Station #7 (pump 3)

Pump #1 at Pump Station #7 was removed and is being assessed at CONHAGEN shop. It appears the problem is with the shaft and coupling; waiting on verification from CONHAGEN.

Chalmette Ferry Landing Seepage – verification inspection on March 7, 2012; all punch list items were completed.

Internal Affairs

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

Halcrow Inc. has completed the review of the Safe Water Elevation (SWE) Reports and the designs for the remediation work proposed by the USACE for all three outfall canals. All major comments submitted by Halcrow have been incorporated into the current plans or are under further review by the USACE’s consultants. The maximum stick-up/minimum embedment issues identified by Halcrow are still being investigated by the USACE. The SWE Report was reissued as the “Mean

Operating Water Level” (MOWL) Report with the text rewritten. Halcrow has completed the review of the final version of the MOWL Report for the London Ave. Canal and 17th St. Canal. Final review has just been completed for the Orleans Canal. This work is being conducted under Halcrow’s original SOW. The New Orleans District is having each canal’s report reviewed in detail by other Corps Districts. The USACE ETL 1110-2-575 (6/14/2011) regarding Evaluation of I-Walls has been released by the Corps and Halcrow is reviewing the document to determine potential impacts to previously completed work. An additional remediation report was done by Corps and we are awaiting a copy, according to the Corps it should address remaining Orleans issues found by Halcrow.

The “Hurricane Risk & Safety Module for the New Orleans Levee System” demonstration project is at 80% complete. Most of the updated GIS, geotechnical H&H, P&S, etc. has been obtained from the USACE for the two demonstration sites (LPV 109.02A and LPV 111.01, totaling 15 miles of earthen levees). Additional geotechnical information has been received from Corps on LPV-111.01; and was incorporated into the project. The final geotechnical information is being reviewed. The “dashboard” test screen was provided to SLFPA-E in January for review. The Project is partially funded through a grant from the Netherlands Government (50/50 cost share). A workshop is being planned by the consultant for April 23, 2012 in New Orleans.

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

The contract documents for the LIMS Strategic Implementation Plan have been completed and interviews have been held with staff. The results are being compiled. This project is funded through a CDBG Grant. The next phase is to investigate licensing and hardware requirements for the system, then prioritize various features.

SLFPA-E staff is working closely with CPRA staff to develop an automated on line permitting process for levee districts. A meeting was held at the DNR training facility in the LaSalle Building in Baton Rouge on December 20, 2011 to get input from other interested Louisiana levee districts. CPRA gave a presentation to SLFPAE at the January 19, 2012 Board meeting. Work is proceeding with CPRA.

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

Two new internal workgroups have been established to deal with new O&M requirements for the HSDRRS. One will deal with general Operation and Maintenance and the other will deal with the specialized O&M requirements for the surge barrier and navigation gates.

The New Orleans District office briefed the CPRA and both regional levee authorities this week regarding our concerns on the Mississippi River Levee co-located work.

RFQ's for survey firms to survey and confirm the Levee District's servitudes and properties have been received. The selection Committee will have a recommendation to the Board in April.

RFQ's for a consultant to develop a comprehensive O&M plan for all flood control structures within SLFPAE's jurisdiction have been received. A selection Committee has rated the applicants and is scheduled to have a recommendation for the selection to the Board in March.

Three separate ID-IQ RFQ's were published in the Times-Picayune beginning March 12, 2012, for as-required services on Geotechnical, Hydraulic and Coastal Engineering specialties.

CPRA and SLFPAE attended the kick-off meeting of the Independent External Peer Review of LPV 145 – Corrosion Review. A compilation of documents has been completed for the review.

SLFPAE staff met with the Executive Directors and Carol Kiefer to finalize the forms that will be used to collect data that will allow commissioners to look at health benefits offered to current and retired employees across the three Districts. The data was presented to the Finance Committee in March 2012.

The ALBL Annual Workshop will be held in Baton Rouge, LA on May 3rd and 4th. Commissioners can contact SLFPAE to be registered.

Safety:

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

New Contracts:

None

Hurricane Preparedness:

The 2012 Hurricane Season officially starts on June 1, 2012.

Revisions to the Districts EOP manuals are underway for approval by the Board in May, 2012.