

**MINUTES OF THE
SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY – EAST
BOARD MEETING
THURSDAY, DECEMBER 20, 2012**

The regular monthly Board Meeting of the Southeast Louisiana Flood Protection Authority - East (Authority or SLFPA-E) was held on Thursday, December 20, 2012, in 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 9:35 a.m. and led in the pledge of allegiance.

PRESENT:

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

ABSENT:

Thomas L. Jackson

OPENING COMMENTS:

Mr. Doody advised that he wrote a Letter to the Editor in response to an article in the Times Picayune on the presentation made by the Rand Corporation to the Coastal Protection and Restoration Authority (CPRA). He explained that the Rand Study met its objective, which was to ascertain the amount of ad valorem taxes collected by the levee districts, subtract operations and maintenance (O&M) costs and determine whether the O&M costs could be met. The Rand Report did not tell the full story and misused the term "surplus". He stressed that the levee districts will have no surplus funds. The CPRA will continue the study. Items not included in the report include projects built by the U.S. Army Corps of Engineers (USACE) that will be turned over to levee districts throughout the State that will require future levee lifts at substantial costs to the districts and the repayment of the local cost share for the Hurricane and Storm Damage Risk Reduction System (HSDRRS). This local cost share totals \$20 million for the levee districts under SLFPA-E'S jurisdiction.

Mr. Doody commented that a recent boat tour of the IHNC Surge Barrier reminded everyone about the complexity of the system that will be maintained by the Authority and levee districts. The Barge Gate remains closed since Hurricane Isaac. The puncture in the sill that occurred while closing the gate has been repaired; however, the gate pin subsequently required resetting. The Barge Gate is four stories high and 150-

ft. wide with numerous pumps that will require exercising on a regular basis. The water management plan is still being developed by the USACE. On December 3rd officials from New York visited several of the recently constructed flood protection projects in the New Orleans area to assist in determining some of their own flood protection needs.

Mr. Doody advised that the Association of Levee Boards of Louisiana and the Mississippi Valley Flood Control Association held their annual meetings on December 5-8, 2012.

Mr. Doody reported that SLFPA-E and U.S. Coast Guard representatives met on December 11 concerning the After Action Report on Hurricane Isaac. The Coast Guard completed its investigation on the barge that broke free in the IHNC-GIWW corridor during Hurricane Isaac and determined that the incident was due to the mooring lines rubbing against sheetpile. The Coast Guard has agreed to place a liaison officer in the SLFPA-E's Emergency Operations Center (EOC) during hurricane events to facilitate communications. A SLFPA-E point of contact will be supplied to the Coast Guard to assist with the inventory and evacuation of the IHNC corridor.

Mr. Doody reported that he met with Senator Morrell on December 12th relative to Isaac related debris materials left in place by USACE contractors on levees in New Orleans East. The meeting took place after a site visit that included Senator Morrell, representatives of the SLFPA-E, USACE, USACE contractors, CPRA and the Orleans Levee District, and concerned citizens. It was determined that the material consisted primarily of marsh grass. The USACE contractors will remove any heavy woody materials and compact the marsh grass. The material will be located outside of the vegetation free zone. The material poses no threat to the levee and will deteriorate within six to twelve months.

Mr. Doody commented that the Authority has often discussed achieving a higher level of protection for this area. The report by Ben C. Gerwick, Inc. on the New Orleans East Land Bridge that will be provided in this meeting is at step in that direction.

ADOPTION OF AGENDA:

A motion was offered by Mr. Barry, seconded by Mr. Estopinal and unanimously approved, to adopt the agenda.

RESOLUTION NO. 12-20-12-01 – **APPROVAL OF NOVEMBER 15, 2012 BOARD MEETING MINUTES**

Mr. Wittie read the following statement prior to the approval of the minutes:

“The Minutes are being approved as written. The vote in the Proclamation of the Canvass of Votes was changed to reflect the official results. The changes made were:
“Absentee votes -- the FOR changed to 11,182 and AGAINST to 10,516, which made the totals change to FOR 65,513 and AGAINST 41,325 for MAJORITY FOR of 24,188.”

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

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East approves the minutes of the Board Meeting held on November 15, 2012.

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

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

NAYS: None

ABSENT: Mr. Jackson

PUBLIC HEARING:

Mr. Doody opened the public hearing portion of the meeting. The purpose of the public hearing is to present to the public findings, conclusions, priorities and preliminary cost estimates for selected projects on the recently completed Fortification – N.O. East Land Bridge Feasibility Level Study prepared by Ben C. Gerwick, Inc. (Gerwick). Written comment will be received on the report over the next approximately thirty days and action on the report will be taken at the next Board meeting. The public was advised that comments would be allowed after the presentation. The draft final report on the New Orleans East Land Bridge Study, LPV 111 to Chef Menteur, Chef Menteur, Chef Menteur to Rigolets, dated December 2012, is posted on the SLFPA-E website.

Dale E. Berner, PhD, PE, President of Ben C Gerwick, Inc. (Gerwick), introduced himself and Jean O. Toilliez, PhD, PE. Gerwick was retained by the SLFPA-E for the N.O. East Land Bridge (ELB) Feasibility Level Study. Mr. Berner explained that existing studies and previous efforts were considered, local conditions were assessed and a plan formulated for the protection of the land bridge. The presentation will cover the preliminary nature of the plan, the proposed levee, the hydrodynamic model studies, proposed plans, recommendations and conclusions.

Mr. Berner discussed the background references, which included the Louisiana State Master Plan (2007 and 2012) and LaCPR Final Technical Report, with a focus on the area between the Chef Menteur and Rigolets Passes. The LaCPR Technical Report considered two primary alignments; i.e., along Highway 90 (US 90) and the CSX Railroad. The focus was on the US 90 alignment and a barrier without overtopping was evaluated. The LaCPR Technical Report considered the following barrier crest heights for the following storm levels: 25-ft. for 100-year, 32-ft. for 400-year, and 36-ft. for 1,000-year. The report also considered a weir approach.

Mr. Berner advised that Gerwick focused on the 100-year to 400-year storm level in its study. The LaCPR Technical Report included three alternates:

- Alternative EA - Full closure at US-90 with presence of closed flood control structures at the Chef Menteur and Rigolets passes. The levee is non-overtopping,

with a design crest elevation of 27-ft. This option is the most effective at reducing storm surge near Slidell.

- Alternative EB - Same as EA but with an overtopping levee, with top crest elevation of 12.5-ft. Again, the two passes at ELB are in a closed position.
- Alternative EC - This alternative is identical to EB, however in this case the two passes are in an open position (i.e. no flood control structures).

Mr. Berner reviewed the effects of the structures under the three alternatives. The CSX Railroad alignment is the preferred alignment. The railroad alignment is slightly elevated, the foundation is consolidated and there is less interference with the developed area along US 90. The summary of demands imposed on the area (i.e., frequency of flooding, winds and waves) included in the report were reviewed. The summary emphasizes that the wave height for a 100-year level hurricane in the land bridge area is on the order of six to eight feet, which would impact the overtopping of the barrier proposed by Gerwick. Gerwick is proposing a barrier with an elevation of +22-ft., which is lower than the height recommended in the LaCPR, with open passes.

Mr. Berner noted that sea level rise is an important parameter. The target year used by Gerwick for this study is 2060. Gerwick recommended considering a sea level rise of 2.34-ft. for a 100-year case. He discussed the sensitivity of the land bridge to sea level rise and the vulnerability of the area. Gerwick was charged to formulate a mitigation plan to protect the area and is attempting to continue existing efforts to preserve the land bridge and build on top of these efforts. Slides exhibiting the more pronounced areas of coastline and marsh degradation and shoreline movement were reviewed. It was pointed out that the shoreline is becoming steeper around the Chef Menteur and Rigolets Passes and more subject to degradation and that the need to stabilize these areas is being recognized with some on-going measures already taking place. Gerwick will recommend additional measures to supplement the current measures, particularly around the edge of Alligator Bend and the Chef Menteur area. It was noted that almost all of the USACE models for storm surge around Lake Pontchartrain assume that the land bridge is intact.

Mr. Berner explained that the specific scope of work for this feasibility study consisted of two objectives:

Objective 1: To reduce flood risk at the LPB by placing a physical flood barrier against storm surge.

Objective 2: To preserve the integrity and encourage efforts to expand and strengthen the shoreline at the ELB.

Mr. Berner reviewed the absolute and non-absolute constraints in the plan formulation:

- **Absolute** constraints
 - Do not contradict or otherwise negatively interfere with Master Plan requirements and guidelines.
 - Do not jeopardize existing or future flood reduction system near study area.
- **Non-absolute** constraints

- › Further loss of existing marshes, tidal flats in the study area and reduction in the quality of existing marshes.
- › Negative impact on salinity, tidal fluxes and sediment quality within the study area.
- › Negative impacts to native species; reduction of total habitat value.
- › Negative impacts to existing infrastructure function within the study area.
- › Features that reduce or limit future ability to adapt to increased flood risk due to changing climatic conditions in excess of those considered during the evaluation period.

Mr. Berner explained that Gerwick used the following criteria in the assessment used to formulate a recommendation: completeness, effectiveness, efficiency and acceptability. The analysis had to consider the entire area—even those areas away from the land bridge. Gerwick recommended that whatever is done to strengthen the land bridge be considered part of a multiple lines of defense principle. The proposed levee would be a part of an overall system that includes barrier islands, marshland and other elements. Mr. Berner stated that the focus in this presentation will be on the high crested levee solution, nominally up to elevation +22-ft., and recommended that a supplemental environmental impact study be done should the Authority move ahead with this recommendation. The measure screening methodology utilized by Gerwick was reviewed. Options of providing a levee, armored berm, increases to the barrier islands and elevating the highway were assessed in the study. A recommended path forward and an order of priorities was developed after the evaluations that included a +22-ft. high levee with open passes, the continuation and monitoring of the foreshore stabilization protection system, and complementing this system with additional measures to protect the shoreline and marshes. Gerwick realized that there are important risks to the adjoining areas and that there would be tradeoffs and concessions between the recommendations. The recommendation to keep the pass open minimizes the impact on adjoining areas, including St. Bernard Parish.

Mr. Berner commented on hydrodynamic modeling, storm selection, test cases and levee design parameters. The recommended levee height by Gerwick for a 100-year storm is elevation +22-ft. and +26-ft. for a 400-year storm. A slide compared the levee heights recommended by Gerwick and the LaCPR for the various storm levels. The focus of the report is on the 100-year storm level. The +22-ft. high levee with open passes results is a more manageable amount of impact on the adjoining areas, but still provides a one to two foot reduction of storm surge inside of Lake Pontchartrain. The levee with passes should be combined with a multi-layer line of defense system and be part of an adaptive system in the event of future changes in conditions. It was noted that the relatively high currents in the open passes predicted by the modeling merit additional study.

Mr. Berner reviewed and discussed the recommended path forward:

Step 1: High-crested levee without gates

- Adaptive design for a high-crested levee at the ELB

- ELB as another line of defense and integral component of a multi-layered complex
- Provides supplemental surge reduction for already existing projects, such as PCCP (Permanent Canal Closure Projects)

Step 2: FSSP (Foreshore and Shoreline Stabilization Projects) monitoring program.

- Track success through quantifiable metrics such as a regrowth index, organic top-layer measurements; aerial photo and on-site collection campaign.
- Focus on the on-going Alligator Bend restoration project.

Step 3: Complement/augment existing FSSP with ad-hoc measures wherever required.

- Additional efforts conditioned to efficacy of high-crested levee in limiting storm surge
- Augment and/or complement existing FSSP at critical areas where shoreline stabilization is critical and participates in improving the efficacy of the flood control system.

Mr. Berner advised that the preliminary cost estimate for the approximately ten mile long barrier is about one billion dollars. The cost may be controlled by focusing on the 50-year storm level for the first increment with additional increments added in the future. Gerwick recommended a FSSP monitoring program and proposed supplemental operations around the backside of Alligator Bend at an additional cost.

Mr. Berner reviewed the presentation summary:

The ELB is a critical component of a multi-tiered flood protection system

- A more comprehensive assessment of existing assets, projects and anticipated changes is needed
 - > Serious platform for high-grade levee system
 - > Promising restoration projects are anticipated to deliver
- Impact of high-crested system exists but is manageable
 - > Several ways to mitigate
- Recommended immediate action
 - > No-gate levee, adaptive steps leading to 100-yr level within 20-30 years
- FSSP monitoring program

Mr. Berner pointed out that should the criteria change in the future (e.g., storms and/or sea level rise becomes more severe) the SLFPA-E may wish to consider a feasibility study for a combination of floodgate/flood-barrier as a future stage. A possible option for consideration was proposed and reviewed; however, it was noted that the structure was not significantly studied.

Mr. Doody opened the floor for comments and questions from the Board and the public.

Mr. Estopinal asked whether the elevation projections for the 50-year level surge included both subsidence and absolute sea level rise. Mr. Berner responded that both

subsidence and absolute sea level rise were used in the projections. The subsidence in the land bridge is higher than in the adjoining areas. The USACE also uses this methodology. There was a brief discussion concerning the use of both subsidence and absolute sea level rise in determining the projections. Mr. Estopinal noted that the issue of absolute sea level rise and storm surge should be revisited.

Mr. Estopinal asked whether consideration was given to low navigational sills to reduce the cross sectional area of flow through the Rigolets and Chef Menteur Passes and prevent scour. Mr. Berner explained that armoring is proposed with the increase in velocities to protect the bottom of the passes. A low crested weir would also protect the bottom of the passes; however, this concept is beyond Gerwick's recommendation at this point. Mr. Estopinal suggested the consideration in future studies of a navigational sill set perhaps at elevation -12-ft. in order to reduce the cross sectional area flow, particularly for a slow moving storm or a storm some distance from the coastline.

Mr. Estopinal inquired about the issue of sloshing, which is addressed in the Gerwick Report. Mr. Toilliez explained that sloshing is a recognized phenomenon; however, it would not be as nearly as severe as it would be if the storm surge is allowed to come into the lake.

Mr. Luettich asked whether any design work had been considered by Gerwick or in past studies for a surge barrier height that is not constant along the entire length of the barrier, but is higher in the middle and tapered down on the end sections to mitigate the impacts to the communities outside of the barrier. Mr. Berner replied that this concept was not evaluated rigorously; however, it could be included in future studies. He noted that storm surge levels tend to be relatively uniformly distributed across the land bridge. However, areas that would be overtopped could be selected. Mr. Luettich pointed out that a problem in leaving the passes open is that there is a lot of volume filling of Lake Pontchartrain in the two days leading up to a storm. He suggested a low weir may help mitigate this situation.

Mr. Barry inquired about the use of the term 100-year level of protection in the presentation. Mr. Berner clarified that the term as used in the presentation means the one percent exceedance hurricane. This hurricane with the associated sea levels was brought in to determine the effects. The Gerwick recommendations would not necessarily provide the 100-year level of protection to the area. The recommendations are considered a part of a multiple defense system. The implementation of the recommendations would reduce the surge in the lake by one to two feet. The existing protection systems in the adjoining shorelines are dependent on the land bridge not being degraded.

Mr. Barry commented that one of the absolute constraints was being consistent with the State Master Plan; however, the Master Plan is revised every five years. He asked whether Gerwick would have had different conclusions if the Master Plan was not a constraint. Mr. Berner explained that the Master Plan recognizes the option of a future barrier, but does not authorize a barrier plan. The barrier plan would have to be adopted as part of a future Master Plan.

Mr. Barry asked about the difference in conclusions between the Gerwick and LaCPR recommendations concerning levee height. Mr. Toilliez explained that the Gerwick study complemented the existing body of research and Gerwick favored the lower crest elevation. The objective was to strike a balance between minimizing the footprint of the new barrier and achieving acceptable efficiency. Gerwick's recommendation was based on criteria on how to establish the crest height of the levee given the hydraulic forces for the 100-year level. Mr. Berner added that the additional levee height does not buy much additional protection and adds to the cost and intrusiveness.

Robert Turner, SLFPA-E Regional Director, explained that at the outset of this effort the SLFPA-E recognized that there is already a significant body work that has looked at various scenarios in determining what could be done at the land bridge. Gerwick was tasked to focus on looking at options that had not previously been investigated and determine a system that could work from a standpoint of reducing storm surge in the lake, but at the same time minimizing the negative impacts that could occur outside of the land bridge area.

Mr. Doody asked what would happen if nothing is done? Mr. Berner responded that the analysis shows some degradation to the land bridge and some increase to the storm surge in Lake Pontchartrain, especially in the case of a 400-year event in the future with sea level rise. At the present there would not be a lot of change with a 100-year event.

Mr. Kemp commented that the presentation brings out the need for a systematic approach. He noted that a barrier plan is not a "silver bullet" and pointed out the need to determine where the most risk reduction can be achieved for the limited available dollars.

Sam Scandaliano stated that he is a native of New Orleans and has been an engineer for over fifty years specializing in foundations. He commented on a double wall impact levee system that he designed that could be constructed for less than half of the estimated one billion dollars. He stated that test results from Texas A&M University on the levee design would be made available to the Board.

Mr. Doody commented that it seemed that the next step would be an environmental impact assessment and then an attempt to include the recommendations in the State Master Plan. Mr. Berner noted that the barrier would have value for events such as Hurricane Isaac, which focused on storm surge in this area.

Dr. John Lopez with the Lake Pontchartrain Basin Foundation congratulated the SLFPA-E for its forward thinking in looking at the land bridge and stated that the comments were extremely insightful. He commented on the importance of the land bridge and the need to consider multiple lines of defense.

Mr. Doody closed the public hearing portion of the meeting.

PRESENTATIONS:

1. Legal Analysis of U.S. Army Corps of Engineers responsibilities for sediment management of the Mississippi River System – Mark Davis.

Mark Davis, Director of the Tulane Institute on Water Resources Law and Policy at Tulane Law School, explained that the question of adequate sediment supply is physical and legal and policy. The notion of using the river resources that built the delta in a way that fits with some vision of sustainability requires a different way of managing those resources. The coastal restoration program in South Louisiana is essentially re-engineering and re-managing the riverine resources. He reviewed and discussed milestones in coastal restoration:

- 1967—Louisiana Ecosystem Restoration Study
- 1990—Coastal Wetlands Planning Protection and Restoration Act (CWPPRA)
- 1993—CWPPRA Comprehensive Coastal Restoration Plan
- 1998—Coast 2050 Plan Completed and Incorporated into State of Louisiana Coastal Resources Program Guidelines. Serves as Reconnaissance Report for LCA
- 2004—Louisiana Coastal Ecosystem (LCA) Report
- 2007—Louisiana Coastal Ecosystem (LCA) Program Authorized in WRDA 2007

Mr. Davis noted that the plans and authorizations discussed contain policy language that has been embraced by State government, Congress and at least five Federal agencies. He reviewed language from the CWPPRA statute and plan:

- Comprehensive Plan “shall coordinate and integrate coastal wetlands restoration projects in a manner that will **ensure** the long-term conservation of the coastal wetlands of Louisiana.”—CWPPRA statute
- “the no-action alternative condemns the Nation to a far more expensive course of uncoordinated and increasingly futile emergency efforts to protect existing investments in the economic infrastructure without hope of achieving sustainability”. CWPPRA Plan

Mr. Davis commented that this language places us in the context of a very clear policy mandate. Doing nothing or too little comes with higher societal and program costs to the Federal government as well as the State of Louisiana. The CWPPRA statute makes clear that there is a legal mandate, at least for the USACE and to some extent for the U.S. Fish and Wildlife Service (USFWS) and EPA (Environmental Protection Agency), to make the mandate real. CWPPRA mandates USACE consultation with the EPA and USFWS on consistency issues. The consistency provision in the CWPPRA statute states:

- In implementing, maintaining, modifying, or rehabilitating navigation, flood control, or irrigation projects...the Secretary [of the Army] **shall...ensure that such actions are consistent with the purposes of the restoration plan....**” CWPPRA Statute

Mr. Davis explained that a public meeting was held in New Orleans as a part of the outreach when the Missouri River Manual was being revised in the early part of the century. Groups, such as the Coalition to Restore Coastal Louisiana, had pointed out the required nature of this effort; however, no such reference is found in the current Missouri River Manual. The management of the Missouri River has a profound effect on the health and viability of the purposes for which Louisiana needs and manages the Mississippi River. He pointed out that the time for consultation or consistency is on the front end. He suggested that this is not a guarantee that South Louisiana will be made happy at this end of the Mississippi River, but it is a requirement that the rest of the river be managed in a way that recognizes that the lack of a viable lower river means an unsustainable river system for the United States. It also recognizes that the comprehensive values at the lower Mississippi River are now national policy mandates.

Mr. Davis commented that river management is about to enter into a new era due to drought, climate change and new demands on water resources. He noted that it is not just a question of water, but the question of a river. A river is made up of water, nutrients, sediment and other elements. The consistency mandate is directed at managing a river to achieve the benefits that ecologically must be achieved for a system that functions economically on its lower end. He pointed out that there is no legal standing or cause of action specifically created under this mandate. However, within the context of an environmental analysis under the National Environmental Policy Act, this can and should be one of the things that is mandatory. Mr. Davis commented that based on the initial analysis and records review, he has not seen that this has been done. He urged that everyone with water management responsibilities in South Louisiana, including the SLFPA-E, understand that this mandate will only have effect if given effect. The duties of the USACE tend not to mean much in a world of budget cuts and a management system that is vulcanized. The Missouri River is managed out of a different USACE division than the Mississippi River; therefore, the needs of South Louisiana must be brought to their attention. He suggested that the SLFPA-E attain a better understanding of the duties that exist, the context in which they are likely to come back to the table in the ensuing months and what rights the SLFPA-E and the State of Louisiana have to make the most of the duties. He urged the SLFPA-E to become a guardian of the adaptive management mandate.

Mr. Luettich inquired about precedents that may have been set. Mr. Davis responded that this is largely new ground. This is the only situation that he was aware of where the re-management of an ecosystem cannot be accomplished with a river that has been divided up amongst irrigation, flood control and navigation. This does not put Louisiana in a roll of dominance, but a position of equality. He stressed that hard decisions will have to be made in the coming years about the management of rivers. Those who are most prepared will be the loudest and most successful voices. Louisiana is starting to look at how it manages its own water resources in several different forums. A new Water Resources Commission held its first meeting a month ago. The Legislature charged the Louisiana Law Institute with reviewing Louisiana water law. He pointed out that it is difficult to ask other entities to be consistent with Louisiana's desires and plans if the amounts of water, sediment and nutrients that are needed is unknown. The fact that Louisiana is looking at revisiting the legal and policy framework for how it manages

its own waters makes it an excellent time for Louisiana and the Board to ensure that rights are successfully asserted. He stressed, however, that Louisiana must know what it wants to achieve and the strengths of its arguments. He explained that the State of Louisiana would clearly have standing in this situation, and that the SLFPA-E may have standing as an entity of the State. The legal remedy that could be sought is injunctive relief. He urged that the SLFPA-E begin framing its interests in the context of mandates. Also, the SLFPA-E must understand the obligations of the entities that it is working with and make its imperatives fit within that framework.

PUBLIC COMMENTS:

None.

COMMITTEE REPORTS:

Finance Committee: The Finance Committee did not meet during the month of December; therefore, there was no report.

Operations Committee: The Operations Committee did not meet during the month of December; therefore, there was no report.

Legal Committee: The Legal Committee did not meet during the month of December; therefore, there was no report.

CPRA/Governmental Affairs: Mr. Barry reported that the CPRA Board met on November 28th. The CPRA Board considered the Rand Study, which compared the ad valorem tax revenues received by the levee districts and their operations and maintenance (O&M) costs. The study answered an extremely narrow question and did not consider any levee district efforts outside of O&M; therefore, it gave a false impression of a surplus. Due to its narrow focus the study excluded many costs, such as the \$20 million annual cost share payback to the Federal government on the HSDRRS, the on-going restoration of the Lakefront seawall and levee district police.

Coastal Advisory Committee: Mr. Kemp reported that the Coastal Advisory Committee met to review the Gerwick report that was presented at this meeting. The Committee also discussed the proposal for a cypress nursery.

REGIONAL DIRECTOR'S REPORT:

Mr. Turner reviewed the highlights of the Regional Director's Report (copy appended to minutes) and provided the following additional comments:

- Notice of Construction Complete (NCC) letters have been received from the USACE on a significant number of HSDRRS projects. A NCC letter was received on the West Return Floodwall North Project; however, an outstanding issue remains in regards to cracking on the base slab. The State retained a consultant for advice on this issue and the consultant's report was recently transmitted to the USACE. The report, however, was not circulated to all of the appropriate individuals at the USACE

before the NCC letter was issued. USACE will revisit this issue. The SLFPA-E requested a written response from the USACE regarding the consultant's report.

- Tie-in between the HSDRRS (LPV 149) and the Mississippi River Levee (MRL) – The transition will be redone by the USACE. The current plan is to maintain an elevation of +24-ft. all of the way to the MRL, raise the MRL to elevation +24-ft. at that point and taper down the elevation at a gentle slope. The USACE is finishing the alternative analysis and a decision will be made after January 1st.
- Flood Fight – The Regional Director's Report was prepared prior to the issuance of the latest Mississippi River forecast. The river is near elevation +3-ft. today. Based on rainfall estimates for the last event the river is predicted to rise to about elevation +7.-ft. during the week between Christmas and New Years.
- Outfall Canals – SLFPA-E and USACE representatives met several weeks ago on the status of the remediation work. The USACE has not yet determined how it will analyze a potential low water case in the canals. A resolution of this issue is expected within the first quarter of 2013. Outstanding issues remain relative to the high water (8-ft. elevation) case in several areas. Information concerning these issues has been transmitted to the USACE. Additional remediation work is anticipated in areas along the 17th Street and London Avenue Canals. The SLFPA-E is awaiting a final decision from the USACE on the areas for the additional remediation work.
- Mr. Turner discussed the concrete barge that broke loose in the IHNC/GIWW corridor during Hurricane Isaac. Representatives of the SLFPA-E and Coast Guard met on November 11th and reviewed the details of the investigation of the incident. Last month the SLFPA-E adopted a resolution urging the USACE to consider the level of risk posed by floating objects in this corridor. The SLFPA-E requested that the Coast Guard provide a liaison officer in the SLFPA-E EOC during hurricane events to facilitate communications. The SLFPA-E, Coast Guard and USACE will hold a series of meetings in order to develop good working relationships and begin planning for the next hurricane season. He reminded everyone that the non-federal sponsor will be responsible for operating the complicated gate system and will have to interface directly with the Coast Guard. The meetings will be used to define roles, responsibilities and lines of communication. The potential difficulties in closing the barge gate in advance of a storm were discussed.

Mr. Pineda advised that he will meet tomorrow with the Executive Director of the Natural Hazards Mitigation Association. The national headquarters for the Association is located in Metairie, LA.

EXECUTIVE SESSION:

1. Lake Borgne Basin Levee District versus Ross Tedesco Quarter, LLC, H2K Enterprises, LLC, Shore Materials, LCC and Akon, LLC, 34th Judicial District Court for the Parish of St. Bernard, No. 117613, Div. B.
2. Long term legal strategy re: protection system.

3. Oil Pollution Act presentment by SLFPA-E Special Counsel, Leger & Shaw, relative to BP/Deepwater Horizon oil spill claims.

A motion was offered by Mr. Barnes, seconded by Mr. Barry and unanimously adopted, for the Board to convene in Executive Session to discuss the items listed on the agenda. The Board convened in Executive Session at 12:00 p.m.

A motion was offered by Mr. Estopinal, seconded by Mr. Luettich and unanimously adopted, for the Board to reconvene in regular session at 1:40 p.m.

RESOLUTION NO. 12-20-12-02 – LEGAL ACTION

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

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East accepts the recommendation of council in the legal case entitled “Lake Borgne Basin Levee District versus Ross Tedesco Quarter, LLC, H2K Enterprises, LLC, Shore Materials, LCC and Akon, LLC, 34th Judicial District Court for the Parish of St. Bernard, No. 117613, Div. B.”

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

YEAS: Mr. Estopinal, Mr. Kemp, Mr. Luettich, Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: Mr. Barnes, Mr. Barry and Mr. Jackson

RESOLUTION NO. 12-20-12-03 – APPROVAL OF LEGAL INVOICES

On the motion of Mr. Wittie,
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 December 20, 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 December 20, 2012” are hereby approved.

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

YEAS: Mr. Estopinal, Mr. Kemp, Mr. Luettich, Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: Mr. Barnes, Mr. Barry and Mr. Jackson

RESOLUTION NO. 12-20-12-04 –
ESTABLISHMENT OF A BALDCYPRESS NURSERY

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

WHEREAS, the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) received a presentation on the Grant Proposal to the Coastal Protection and Restoration Authority (CPRA) Conservation and Restoration Partnership Fund for the Establishment of a Baldcypress Nursery for Wetland Restoration and Protection of Flood Control Levees in Coastal Louisiana at its regular monthly meeting held on November 15, 2012; and

WHEREAS, the SLFPA-E expressed its support for the proposal and its desire to enter into a partnership with the Louisiana State University (LSU) to accomplish this objective; and

WHEREAS, the proposed Baldcypress Nursery will be located in the Central Wetlands Unit in the vicinity of the Gore Pump Station and the one-year old seedlings will be planted in front of the Forty Arpent Levee to protect the non-federal levee from wave attack; and

WHEREAS, the Grant Proposal submitted to the CPRA Conservation and Restoration Partnership Fund is for funding in the amount of \$100,000; and

WHEREAS, a cost share match of \$25,000 per year for two years and an in-kind services match of \$25,000 per year for two years will be required from the SLFPA-E should the Grant be approved; and

WHEREAS, the in-kind services match can be supplied through the operation of the Gore Pump Station by the Lake Borgne Basin Levee District, and by providing consulting and design recommendations.

BE IT HEREBY RESOLVED, that the participation of the Southeast Louisiana Flood Protection Authority-East in a CPRA Conservation and Restoration Partnership Fund Grant for the Establishment of a Baldcypress Nursery for Wetland Restoration and Protection of Flood Control Levees in Coastal Louisiana is hereby approved with cost share and in-kind contributions as stated above.

BE IT FURTER RESOLVED, that the SLFPA-E President is authorized to sign any and all documents necessary to accomplish the above.

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

YEAS: Mr. Estopinal, Mr. Kemp, Mr. Luettich, Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: Mr. Barnes, Mr. Barry and Mr. Jackson

RESOLUTION NO. 12-20-12-05 – BP/DEEPWATER HORIZON OIL SPILL CLAIMS

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

A resolution authorizing Oil Pollution Act presentment by Southeast Louisiana Flood Protection Authority-East Special Counsel, Leger & Shaw, relative to BP/Deepwater Horizon oil spill claims:

BE IT RESOLVED that the President of the Board of the Southeast Louisiana Flood Protection Authority – East is hereby authorized and instructed to direct its attorneys, Leger & Shaw, to make presentment under the Oil Pollution Act of 1990 in an amount, a sum certain, to be approved by the President for the Authority and the East Jefferson Levee District, Orleans Levee District and Lake Borgne Basin Levee District.

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

YEAS: Mr. Estopinal, Mr. Kemp, Mr. Luettich, Mr. Pineda and Mr. Wittie

NAYS: None

ABSTENTIONS: None

ABSENT: Mr. Barnes, Mr. Barry and Mr. Jackson

RESOLUTION NO. 12-20-12-06 RENEWAL OF EJLD INSURANCE COVERAGES

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

WHEREAS, the East Jefferson Levee District's (EJLD) Property, Inland Marine, Law Enforcement Liability, Worker's Compensation and Pollution Insurance coverages and Accident Policy will expire on or about January 1, 2013; and

WHEREAS, Arthur J. Gallagher Risk Management Services, Inc. shopped the market and provided the following recommendations for the renewal of said coverages:

- Property Insurance from Allianz at an annual premium of \$14,891.
- Inland Marine Insurance from Allianz at an annual premium of \$14,830.
- Law Enforcement Liability Insurance from the Darwin Group at an annual premium of \$31,869.60.
- Worker's Comp Insurance from LWCC at an estimated annual premium of \$126,333.
- Pollution Insurance from Allied World at an annual premium of \$10,570.35.
- Accident Policy from ACE at an annual premium of \$1,200.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East authorizes the renewal of Property, Inland Marine, Law Enforcement Liability, Worker's Compensation and Pollution Insurance coverages and Accident

Policy, as recommended and stated above, for a one year period commencing on or about January 1, 2013, through Arthur J. Gallagher Risk Management Services, Inc.

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

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

YEAS: Mr. Estopinal, Mr. Kemp, Mr. Luettich, Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: Mr. Barnes, Mr. Barry and Mr. Jackson

RESOLUTION NO. 12-20-12-07 – FLORIDA AVENUE SHEETPILE REHABILITATION

On the motion of Mr. Wittie,

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

WHEREAS, the Florida Avenue Sheet Pile Floodwall Project was awarded to Cycle Construction Company, LLC in the amount of \$1,650,175.00; and

WHEREAS, a contingency budget amount of \$1,800,000 was established in the approved FY 2012 Special Levee Improvement Budget.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority – East authorize the increase of the contingency budget to \$1,812,565.09 for additional stone placement on the flood side of the sheet pile.

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

YEAS: Mr. Estopinal, Mr. Kemp, Mr. Luettich, Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: Mr. Barnes, Mr. Barry and Mr. Jackson

RESOLUTION NO. 12-20-12-08 –

PROCUREMENT OF UMBRELLA INSURANCE COVERAGE FOR THE O.L.D.

On the motion of Mr. Estopinal,

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

WHEREAS, the Orleans Levee District (O.L.D.) Flood Protection Division's Umbrella Insurance Coverage will expire on December 19, 2012; and

WHEREAS, Arthur J. Gallagher Risk Management Services, Inc. shopped the market and recommended that said coverage be renewed with Lexington Insurance Company, with a limit of liability of three million dollars, for a one year period commencing on December 19, 2012 and ending on December 19, 2013, at an annual premium of \$59,522.40.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East authorizes the renewal of Umbrella Insurance coverage with Lexington Insurance Company at an annual premium of \$59,522.40, for a one year

period commencing on December 19, 2012, through Arthur J. Gallagher Risk Management Services, Inc.

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

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

YEAS: Mr. Estopinal, Mr. Kemp, Mr. Luettich, Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: Mr. Barnes, Mr. Barry and Mr. Jackson

**RESOLUTION NO. 12-20-12-09 –
MOA BETWEEN O.L.D. AND DEPARTMENT OF THE ARMY**

Mr. Lacour explained that the USACE is raising the MRL behind Audubon Park. The Audubon Commission would like the removal and relocation of the water manhole to be accomplished by the USACE. The Audubon Commission cannot contract directly with the USACE; therefore, the Commission will contract with the Orleans Levee District, who in turn will contract with the USACE. The work will be funded by the Audubon Commission.

On the motion of Mr. Estopinal,

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

BE IT HEREBY RESOLVED, that the Board approves a Memorandum of Agreement (“MOA”) between the Orleans Levee District and the Department of the Army and authorizes its Executive Director, Gerard Gillen, to execute said MOA with the Department of the Army setting forth the Non-Federal estimated costs associated with the removal, relocation and return to original location of the Audubon Commission’s water manhole, underground water line, and underground sewer force main and provide temporary service during construction in connection with the Mississippi River and Tributaries Project, Mississippi River Levees, Carrollton Levee Enlargement and Concrete Slope Pavement, said costs estimated being \$264,608.00.

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

YEAS: Mr. Estopinal, Mr. Kemp, Mr. Luettich, Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: Mr. Barnes, Mr. Barry and Mr. Jackson

**RESOLUTION NO. 12-20-12-10 –
CEA BETWEEN O.L.D. AND AUDUBON COMMISSION**

On the motion of Mr. Estopinal,

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

BE IT HEREBY RESOLVED, that the Board approves the Cooperative Endeavor Agreement between the Orleans Levee District and the Audubon Commission, and authorizes the Executive Director of Orleans Levee District to execute said agreement to remove, relocate and return to the original location, the water manhole, the underground water line and the underground sewer force main, and provide temporary service during construction, as required by the U. S. Army Corps of Engineers for construction of the Carrollton Levee Enlargement and Concrete Slope Pavement.

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

YEAS: Mr. Estopinal, Mr. Kemp, Mr. Luettich, Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: Mr. Barnes, Mr. Barry and Mr. Jackson

RESOLUTION NO. 12-20-12-11 – RENEWAL OF LBBLD INSURANCE COVERAGES

On the motion of Mr. Wittie,

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

WHEREAS, the Lake Borgne Basin Levee District's (LBBLD) Worker's Compensation and Pollution Insurance coverages will expire on or about January 1, 2013; and

WHEREAS, Arthur J. Gallagher Risk Management Services, Inc. shopped the market and provided the following recommendations for the renewal of said coverages:

- Worker's Comp Insurance from LWCC at an estimated annual premium of \$70,478.
- Pollution Insurance from Allied World at an annual premium of \$16,399.95.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East authorizes the renewal of Worker's Compensation and Pollution Insurance coverages, as recommended and stated above, for a one year period commencing on or about January 1, 2013, through Arthur J. Gallagher Risk Management Services, Inc.

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

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

YEAS: Mr. Estopinal, Mr. Kemp, Mr. Luettich, Mr. Pineda and Mr. Wittie

NAYS: None

ABSENT: Mr. Barnes, Mr. Barry and Mr. Jackson

The next regular monthly Board meeting will be held on January 17, 2013 and hosted by the East Jefferson Levee District.

There was no further business; therefore, the meeting was adjourned at 2:00 p.m.

**SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY - EAST
REGIONAL DIRECTOR'S REPORT**

December 20, 2012

100 Year Level of Protection

IHNC 01- Seabrook Complex:

The Seabrook project is substantially complete and open to navigation.

Two of three coordinated operational exercises were held with Orleans Levee District (OLD), the last of those on Oct. 16, 2012. The complex will be operated and maintained by the Corps until it is turned over to the non federal sponsor.

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

The project is 98% complete. The final inspection will be rescheduled for some time in mid January, 2013.

Commissioning and training is complete for the surge barrier lift gate (SBLG) and the GIWW sector gate. The next barge gate training session will be rescheduled for some time in January, 2013.

The repair work on the concrete barge is complete and the pivot arm assembly has been reset. Work on the Windlass winch assemblies is ongoing. The barge gate commissioning is progressing

.
The south vehicle access ramp is complete and its adjacent turf establishment is ongoing.

Corps Project Managers are determining what, if any, navigation signage is required around the wall at the "dead ends" and the wall itself.

The first of the Real Time Current Velocity (RTCV) Meters is working but the data cannot yet be accessed via the Corps' website.

East Jefferson Levee District:

Pump Station Fronting Protection:

The Work is approximately 86% complete. Work is ongoing at all four Pump Stations. Demolition of the existing flood wall has begun at Duncan and Bonnabel Pump Stations. Pre-Inundation Inspections were held at Elmwood and Suburban stations.

LPV 017.2 (Causeway Crossing):

Work is approximately 98% complete for the project. Work is progressing on the all weather access road, slope paving, scour protection and placement of embankment

material. The northbound and southbound lanes on Causeway Blvd. have been reopened. Pre-Final Inspection is scheduled for mid-January. The final inspection and NCC for this job will be pushed into spring 2013 due to delays in the canopy construction and turf establishment.

West Return Levee/Floodwall - North:

The Notice of Construction Complete Letter for this Project was transmitted by the USACE on December 14, 2012. The issue concerning cracks in the wall monoliths near the north end of the project has not yet been resolved. We are awaiting a written response from the Corps to comments submitted by CPRA.

West Return Levee/Floodwall North LSRO (Landside Runoff Collection System)

A-E has submitted 95% plans and specifications and they are currently under review.

Foreshore Protection Reaches 1 and 2:

Work is approximately 99% complete. The contractor is currently replacing the clay embankment that was washed out during Hurricane Isaac. This contract will be modified to include the damage done by Hurricane Isaac to the “re-curve” area of the LPV 3.2B project. Repair of the failure area on Reach 1 is nearing completion. Turf will not be established until the spring of 2013. The Red Zone meeting was held on December 11, 2012.

Foreshore Protection Reaches 3 and 4:

Work is approximately 99% complete. The contractor is nearly complete with replacing the clay embankment that was washed out due to Hurricane Isaac. The contractor is still working on Reach 4 embankment as well as relocating a portion of the rock dike. Most of the debris that was washed on site during Hurricane Isaac has been cleaned up. The Red Zone Meeting was held on December 4, 2012. Pre-Final Inspection is scheduled for December 18, 2012. Turf will not be established until spring 2013.

Reach 1 Lakefront Levee:

The Notice of Construction Complete Letter for this Project was transmitted by the USACE on July 27, 2012.

Reach 2 Lakefront Levee:

The Notice of Construction Complete Letter for this Project was transmitted by the USACE on July 31, 2012.

Reach 3 Lakefront Levee:

The Notice of Construction Complete Letter for this Project was transmitted by the USACE on August 8, 2012.

Reach 4 Lakefront Levee:

The Notice of Construction Complete Letter for this Project was transmitted by the USACE on August 14, 2012

Reach 5 Lakefront Levee:

The Notice of Construction Complete Letter for this Project was transmitted by the USACE on August 14, 2012

Bonnabel Breakwater Project:

The Notice of Construction Complete Letter for this Project was transmitted by the USACE on November 12, 2010.

Duncan Breakwater Project:

The Notice of Construction Complete Letter for this Project was transmitted by the USACE on February 2, 2011.

Williams Blvd. Floodwall and Gate:

The Notice of Construction Complete Letter for this Project was transmitted by the USACE on May 30, 2012.

Bonnabel Floodwall and Gate:

The Notice of Construction Complete Letter for this Project was transmitted by the USACE on May 17, 2012.

West Return Levee/Floodwall – South:

The Notice of Construction Complete Letter for this Project was transmitted by the USACE November 28, 2012.

West Return Levee (Airport Runway):

The Notice of Construction Complete Letter for this Project was transmitted by the USACE on August 1, 2012.

Orleans Levee District:

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

Construction is substantially complete.

The final inspection was held on June 28, 2012, and as-built plans are being prepared.

The asphalt parking lot buckled during Hurricane Isaac; a “fix” to add new drains is being constructed by the Corps “hired labor forces”.

LPV 104.02 (Seabrook to IHNC):

The construction of the railroad floodgate is substantially complete. Contract modifications were required to convert the I-wall section at the miter gates on Lakeshore Drive to L-wall. The L-wall work was completed before Nov. 1, 2012, and the final inspection was held on Dec. 5, 2012.

LPV 104.02b (Franklin to Seabrook Seepage Cut-off)

The construction contract will be awarded in January 2013.

LPV 105.01 (Lakefront Airport T-Wall West):

Construction is substantially complete. Gates were exercised and adjusted. Final inspection was held on Oct. 31, 2012.

LPV 105.02 (Lakefront Airport T-Wall East):

Construction is 99% complete. The pre-final inspection was held Aug. 22, 2012. Horizontal joint sealant in slope pavement needs to be redone in several places. A punch list resolution meeting was held on December 19, 2012.

LPV 106 (Citrus Lakefront Levee):

Construction is substantially complete. Concrete slope pavement cracks on the flood side still must be repaired; resolution is pending. The Corps is still investigating continuous cracking of the slope pavement on the flood side of the levee along the railroad tracks. Operation and maintenance safety concerns related to the cracking still need to be addressed.

Final inspections were held on July 26 and Aug. 2, 2012. An informal walk-thru inspection was held on December 17, 2012. Armoring may still be required on the protected side of the levee (under review by USACE). The placement of mow strips adjacent to the crown slab and roadway is being investigated.

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

Construction is substantially complete and the final inspection was held July 25, 2012.

Highway 11 floodgate monoliths are settling and now leaning away from the floodgate. URS is investigating the movement and has submitted their report to the USACE for review. Additional movement of the slope pavement and by-pass road is occurring and will continue to be monitored. The by-pass road slump was repaired; a permanent fix is being developed.

The 15' vegetative clear zone waiver request is in review along with a stability analysis for required berms.

Of the 23 monitoring (instrumentation) test sections, 7 will be kept in place for the State to monitor.

A report from URS confirming the increased shear strengths resulting from the wick system is pending. Increased strengths are expected to confirm the necessary factors of safety for stability, as required by the HSDRRS. Subsidence of Reach 2 (I-10 to Hwy. 11) is being investigated by URS, a second lift may be necessary before 2015.

Debris removal from Hurricane Isaac along the toe of levee berms is being done under a separate debris contract. All debris has been removed from the project site.

LPV 109.02b (I-10 Crossing):

Construction is substantially complete. Subsidence on the shoulders of I-10 is being investigated. Further survey work is required. The NCC is being prepared by USACE, pending the subsidence review and resolution.

LPV 111.01 (North Side GIWW):

Construction is substantially complete.

The 15' vegetative clear zone waiver request is in review, similar to LPV-109.02a.

Final inspection was held on June 6, 2012. Small areas of turf still need to be addressed. The NCC is being prepared. The top elevation of the T-wall is 0.2' lower than shown on the plans in several places; the H&H and Geotechnical departments at USACE are investigating the deficient wall height to determine if further action is required.

Debris deposited on the flood side by Hurricane Isaac has been removed from the berms and windrowed near the edge of the right-of-way limits.

LPV 113 (NASA):

Construction is substantially complete. The first final inspection was held Aug. 23, 2012. The second final inspection was held on Dec. 6, 2012.

OFC-03 London Ave. Canal:

Turf still needs to be established. Final inspection was held on Nov. 15, 2011; another final inspection will be scheduled to check turf establishment. The NCC is planned for July 18, 2013.

OFC-04A Orleans Canal:

The work is substantially complete and the punch list resolution meeting was held on Sept. 28, 2011. Rill problems have been corrected and re-establishment of turf is ongoing. The NCC is planned for July 12, 2013.

OFC-05 17th Street Canal:

The project is complete. Re-establishment of turf is ongoing. The final inspection (both sides) was held on Nov. 1, 2012. The NCC is planned for Feb. 22, 2013.

LPV192.02b Buttress Slab:

The work is nearly complete. Final inspection has been delayed pending turf establishment. Some minor slope re-grading is still required. The NCC is planned for July 2013.

LPV192.02 Berm:

USACE Memphis hired labor force constructed this project (Phase III), and the work is substantially complete. Turf establishment issues remain. Hydro seeding is on-going. Final inspection was scheduled for Sept. 7, 2012, pending turf establishment, but needs to be rescheduled due to weather. The NCC is planned for May 2013.

LPV 102.01, 103.01, and 104.01:

Construction is complete. The NCC letters have been issued.

LPV 103.01A1 (Bayou St. John):

Construction is complete. The NCC was issued Aug. 22, 2012.

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

Construction is complete. The NCC was issued on Aug. 2, 2012.

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

Construction of the originally required work is complete. The NCC was issued on Dec. 10, 2012.

LPV 107 (Lincoln Beach Floodgate):

Construction is complete. The NCC was issued on Oct. 30, 2012.

LPV 108 (New Orleans East Lakefront Levee):

Construction is complete. The NCC was issued on Oct. 30, 2012.

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

Construction is complete. NCC is not required.

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

Construction is complete. NCC is not required.

LPV 110 (CSX Railroad Crossing):

Construction is complete. The NCC was issued on June 4, 2012.

OFC-06 Orleans Canal:

Construction is complete. The NCC was issued on March 9, 2012.

LPV192.03 Relief Wells

Construction is substantially complete. The NCC was issued on July 20, 2012. Some slope re-grading is ongoing with Corps forces.

France Road Floodgate

Construction is complete. The NCC was issued on Sept. 28, 2012.

Lake Borgne Basin Levee District:

LPV 144 (Bayou Dupre Control Structure):

The work is about 99% complete. The two pintle ball assemblies do not meet specifications and will be replaced using a new greaseless bushing system. This will be done during a second dewatering in May of 2013. Meanwhile, the gate has been re-assembled and is currently operational.

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 to allow for removal of the existing gate leaves.

LPV 145 (Bayou Bienvenue to Bayou Dupre):

The construction is substantially complete.

The USACE has installed instrumentation to collect data to support the “pile bending moment” analysis. The work is being coordinated with CPRA. A draft report on findings is being circulated at this time.

The bridge design by Arcadis is scheduled to be complete in February, 2013. Bid solicitations for construction should be out in the spring 2013. The 65% design review is underway. A project delivery team (PDT) team has been established for this project.

The Scope of Work for the access road is being modified.

Debris deposited on the flood side by Hurricane Isaac has been removed from the berms and windrowed near the edge of the right-of-way limits.

LPV 146 (Bayou Dupre to Verret):

Construction is substantially complete. The emergency bypass road has developed settlement cracking, which will be addressed in the spring of 2013. The final inspection was held on Aug. 23, 2011. As-built plans and the O&M Manual are under review by USACE.

The Scope of Work for the access road is being modified.

Debris deposited on the flood side by Hurricane Isaac has been removed from the berms and windrowed near the edge of the right-of-way limits.

LPV 147 (LA Hwy 46 Flood Gate):

Construction is substantially complete. The final inspection was held Aug. 5, 2011. As-built drawings and O&M manuals have been prepared.

Debris deposited on the flood side by Hurricane Isaac has been removed from the berms and windrowed near the edge of the right-of-way limits.

LPV 148.02 (Verret to Caernarvon):

Construction is substantially complete. Final inspection was held on June 11, 2012, and all punch list items were completed. USACE has started the NCC process.

The Access Road Project is in 95% design review and work should be started in the spring of 2013.

Debris deposited on the flood side by Hurricane Isaac has been removed from the berms and windrowed near the edge of the right-of-way limits.

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

The work is about 99% complete. The pre-final inspection was held Oct. 21, 2011. The USACE held a punch list resolution meeting Jan. 3, 2012. The final inspection for this project was held Friday Aug. 17, 2012.

The USACE will modify the project tie-in to the Mississippi River levee. Several alternatives are being evaluated.

Debris deposited on the flood side by Hurricane Isaac has been removed from the berms and windrowed near the edge of the right-of-way limits.

Armoring:

Construction of the LPV armoring pilot project got underway this month in St. Charles Parish, and already, there have been adjustments required in the field to address issues that include anchors problems, the troublesome overlap of High Performance Turf Reinforced Mat (HPTRM) and the apparent inability of the sod industry to meet USACE soils spec requirements for sod. Ultimately, that is what the test program is all about: testing the material and installation to determine the best way to specify, install, repair, replace, operate and otherwise maintain HPTRM armoring on the HSDRRS.

It is important that we have first-hand information to evaluate as this months-long pilot progresses. Toward that end, SLFPAE staff is currently establishing an eyes-on system for monitoring the test sections.

In the longer-term, milestone dates for the HSDRRS system-wide armoring project continue to be moved out as USACE works to resolve questions/issues raised re: the Levee Armoring Research & Recommendation Report. The questions were raised by the Non-Federal Sponsor and the Risk Management Center, which is USACE's center of expertise for water management. The SLFPAE staff has requested a copy of the center's comments and the Corps' responses, and we hope to have those in hand later this week.

The current USACE schedule shows the Project Decision Document (PDD) on the armoring project should be ready for review by USACE Mississippi Valley Division (MVD) on Jan. 30, 2013. Until the PDD is issued, the New Orleans District cannot issue any construction contracts beyond the pilot project phase.

The Corps is working on armoring P&S on two projects in EJLD and five projects in OLD. They plan to solicit bids in the Aug. /Oct. 2013 and complete the work in late 2014.

Permanent Pump Stations

The USACE awarded the design-build contract for the permanent pump stations on Sept. 28, 2012, to PCCP Constructor's for \$629,500,000.00. The PCCP Constructors joint venture is comprised of Kiewit Louisiana Co., Traylor Bros., Inc., and the M. R. Pittman Group, LLC. A protest was filed by at least one of the unsuccessful proposers shortly after the award was announced. After evaluating the merits of the protest, the Corps has decided to issue a limited RFP. The revised project schedule indicates that the RFP will be issued in mid January; and proposals will be received and evaluated by the Corps in mid to late February, followed by a contract award in mid April, 2013.

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 2012 Status Map can be found at the following web address:

http://www.mvn.usace.army.mil/hps2/pdf>Status_Map_June_2012_reduced.pdf

FEMA National Flood Insurance Program Levee System Accreditation

The Corps still estimates completion of the HSDRRS Levee System Evaluation Report (LSER) in the spring of 2012. The LSER will fulfill FEMA “certification” requirements for HSDRRS levee system accreditation.

The OLD and LBBLD will have to “certify” the non-federal levee systems in the Lower Ninth Ward/St. Bernard and New Orleans East areas. The authority signed a PAL Agreement with FEMA for the non-federal levee systems in the summer of 2012. The agreement requires SLFPAE to submit a certification report to FEMA before the end of the summer of 2014.

Tetra-Tech, Inc. has been selected to provide the engineering services required for the certification effort, and a scope of work along with a Professional Services contract is being finalized. SLFPAE staff is investigating grant programs that might be suitable for funding the certification work.

Coastal Protection and Restoration

State of Louisiana – CPRA

The last meeting was held on Nov. 28, 2012, in Baton Rouge. The January 2013 meeting has not yet been scheduled.

Lake Borgne Basin Levee District:

The Violet Freshwater Diversion is not operating due to low river stage.

Flood Fight

The SLFPA-E after Action Review has been completed, items identified for improvement have been listed, and a plan is being developed to evaluate and incorporate all feasible suggested changes.

The Mississippi River is near El. 2' at the Carrollton Gage and is predicted to rise during the next 30 days to El. 3.0'.

Design and Construction

East Jefferson Levee District:

Work continues on multiple fronts to finalize the contract with Ball & Waggoner for design of the EJLD Safe house and Consolidated Facility project, as well as to re-subdivide and rezone the construction site property.

Toward that end, the title work has been ordered, applications for the alienation of streets and property have been made with the City of Kenner, and a scope of work for geotechnical evaluation is being developed.

Orleans Levee District:

The new Franklin Avenue safe house facility was substantially completed on Aug. 21, 2012; punch list items are being corrected.

The Franklin Administration Building Refurbishment Project contract has been executed. The pre-construction meeting is pending.

Construction work for the Bayou St. John Waterfall Removal Project is underway. The Bayou St. John Dredge Project contract is awaiting signatures.

The Maxent/Paris Road Levee Clear and Grub Project contractor has begun.

The Bayou Bienvenue Maintenance Cycle Project contract has been executed and the notice to proceed was issued on Dec. 17, 2012.

The Outfall Canal Bank Stabilization Monitoring Project is 70% complete.

Florida Avenue Sheet Pile Rehabilitation Project is complete.

The Lakefront Seawall Reach 1B Erosion Control Project Design is 100% complete and bids for construction are due on January 8, 2013.

The Lakefront Seawall/Reach 5 Erosion Control Project Design is 60% complete.

Lake Borgne Basin Levee District

The USACE Seepage Repairs Project at Pump Stations #2 and #3 is progressing. A scoping meeting was held on 10/23/12 to discuss design, environmental and real estate items related to the project. USACE awarded a task order on November 2, 2012 for design services.

A permit request for new swing bridge across Bayou Bienvenue has been submitted to the US Coast Guard. Estimated construction award date for the project is May, 2013, and the tentative completion date is June 1, 2014.

The pump repair at Pump Station 7 is complete and the station is operable at 100% capacity.

The PS #6 Pump Inspection and Repair Project is funded through a FEMA Public Assistance Grant. Work includes the inspection and repair of Pumps 1, 2, and 3 at PS #6; erosion repair on the discharge side of PS #6 and #7; and the repair of the pipe hangers on the discharge pipes at PS #6 and #7. Atkins is preparing bid documents and will provide project and construction management support for this project.

A Solicitation for Proposals was prepared by St. Bernard Parish Government for engineering services required for design of LBBLD Safe Rooms. The solicitation will be advertised for a 30 day period. The deadline for submitting a proposal to St. Bernard Parish is January 15, 2013. The project is funded through the FEMA Hazard Mitigation Grant Program (HMGP).

Vali Cooper is assisting with the preparation and submission of an application for FEMA HMGP funding for the Phase 1 design of the upgrades to the engines at Pump Stations 1&4. The proposed upgrades will modernize the engines and allow them to be remotely operated and monitored via the telemetry system incorporated in the Safe Room designs. FEMA HMGP administrators are currently evaluating the Phase 1 proposal.

LBBLD is working with USACE, St. Bernard Parish Government, GOSEPH and La DOTD to develop and execute a community outreach program that will inform the public about the HSDRRS is St. Bernard Parish, shared responsibilities in risk reduction, and ensure a good flow of information prior to and during the hurricane season. This work will be funded through FEMA's Hazard Mitigation Grant Program.

Internal Affairs

We continue to have 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 and Vali Cooper International through an ID/IQ contract with CPRA. One inspector is now primarily focused on the completion of the IHNC Surge Barrier project. The state is considering what inspection services will be needed on the permanent pump stations project and will make a decision in the near future.

Halcrow Inc. has completed 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 USACE 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 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. We met with the corps on Sept. 21, 2012, to discuss additional remediation work required by the corps on the three outfall canals. Additional remediation reports were done by the corps, and we are reviewing the draft reports along with Halcrow. According to the corps, it should address the remaining canal issues found by Halcrow on all three canals. An extension to Halcrow contract was approved by the SLFPAE Board. A follow-up meeting on remediation was held on Nov. 8, 2012. Halcrow has prepared a letter report on their findings for London Canal confirming what remediation is planned with additional recommendations on two other Reaches. All of their comments have been entered into Dr. Checks. Halcrow is preparing a second letter report for their findings on the 17th Street Canal..

The "Hurricane Risk & Safety Module for the New Orleans Levee System" demonstration project is complete. The transfer and location of the website for the next year is being considered.

SLFPA-E staff is working closely with CPRA staff to develop an automated, on-line permitting process for levee districts. Billy Wall is the project manager. A beta version was demonstrated on Sept. 24, 2012, in Baton Rouge for the new "online permit software". It may be a year before it is fully operational.

On Aug. 6, 2012, SLFPA-E, SLFPA-W, CPRA and Corps personnel met to discuss floodgate information for use in the "Emergency Operations System" floodgate module. SLFPA-E and levee district staffs have updated floodgate information contained in the new program. The system was used successfully during the recent Hurricane Isaac event.

Revisions to the program have been proposed by SLFPA-E and are in review by the State.

Two internal working groups are dealing with new operation and maintenance (O&M) requirements for the HSDRRS. One group focuses on general O&M and the other group focuses on the specialized O&M requirements for the surge barrier and navigation gates. The board selected a consultant on Sept. 20, 2012, to assist the latter group, and the consultant contract has been signed. Background information from the Corps is being obtained for the Consultants use.

The Coast Guard monthly RNA Assessment tours have been discontinued until April/May 2013.

Safety:

SLFPAE 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 meeting process.

Hurricane Preparedness:

A concrete barge in the IHNC/GIWW corridor broke loose and floated free during hurricane Isaac. The US Coast Guard investigated the incident and provided us with details at a Hurricane Isaac “hot wash” meeting on November 11, 2012.

The 2012 Hurricane Season ended on Nov. 30, 2012.