

**MINUTES OF THE
SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY – EAST
BOARD MEETING
THURSDAY, OCTOBER 17, 2013**

The regular monthly Board Meeting of the Southeast Louisiana Flood Protection Authority - East (Authority or SLFPA-E) was held on Thursday, October 17, 2013, in the Second Floor Council Chambers, Joseph Yenni Bldg., 1221 Elmwood Park Blvd., Harahan, Louisiana, after due legal notice of the meeting was sent to each Board member and the news media and posted.

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

ADMINISTERING OATH OF OFFICE TO NEW BOARD MEMBERS:

T. Robert LaCour, SLFPA-E General Counsel, administered the Oath of Office to the three new members of the Board: Jefferson M. “Jeff” Angers, Lambert J. “Joe” Hassinger, Jr., and Kelly J. McHugh.

The roll was called by Secretary Wittie:

PRESENT:

Timothy P. Doody, President
Louis E. Wittie, Secretary
Stephen Estopinal, Treasurer
Jefferson M. Angers
Lambert J. Hassinger, Jr.
Kelly J. McHugh
G. Paul Kemp
Richard A. Luettich, Jr.
Wilton P. Tilly, III

ABSENT:

None

OPENING COMMENTS:

Mr. Doody welcomed the Board new members. He commented on the recent attention received by the Board. The SLFPA-E Board was born of a reform movement. The Board was instructed by Governor Kathleen Blanco at its first meeting that it was to focus on three things only: flood protection, flood protection and flood protection. He noted that he and Mr. Wittie are the only two remaining members of the Board who heard this instruction directly from Governor Blanco. He stated that having lost his home and community and having his family scattered, it was easy to understand and critical for the Board to follow this instruction. He stated that since the Board's inception, it has done just that. Recent actions have received a great deal of attention, but the Board is still committed to securing the highest level of flood protection possible

for the community. The perimeter system is nearing completion and there are a multitude of issues that the Board must address. The Board never has been, nor will it ever be, a single issue Board. The Board will continue to work on flood protection issues. Three of its founding members, David P. Barnes, Jr., John M. Barry and Ricardo S. Pineda, are no longer on the Board. These members served the community very well and the SLFPA-E and the community owe them a great debt of gratitude.

Mr. Doody reported on Tropical Storm (TS) Karen. The SLFPA-E conducted pre-storm meetings and closed gates as necessary to meet the threat. The coordination among Federal, State and local partners worked well. The IHNC Surge Barrier system gates (Barge Gate, Sector Gate and Bayou Bienvenue Lift Gate) were closed. The Seabrook Sector and Lift Gates, Bayou Dupre (old and new) Structure Gates and London Avenue Canal Gate were also closed. The trigger was not reached for closing the 17th Street Canal and Orleans Avenue Canal Gates. The IHNC was cleared of most vessels. A number of pleasure craft remained inside the Regulated Navigation Area (RNA). The SLFPA-E will follow up with the U.S. Army Corps of Engineers (USACE) and U.S. Coast Guard on how to best address this situation. Several vessels and barges had waivers from the Coast Guard. It was noted during the flyover that three hopper barges remained inside the Michoud Canal. The Coastal Protection and Restoration Authority (CPRA) will produce an after action report on TS Karen.

Mr. Doody requested that Garrett Graves, the Governor's Executive Assistant for Coastal Activities and Chair of the CPRA, provide a report to the Board on the October 16th CPRA meeting. Mr. Graves advised that the coordination and performance of all of the participating Federal, State and local entities and the levee districts for TS Karen was great. Lessons were learned and issues brought out during TS Karen will be addressed.

Mr. Graves pointed out the importance of focusing on regional flood protection and reported on the West Shore Lake Pontchartrain, Louisiana Hurricane and Storm Damage Risk Reduction Project. The project has been in some degree of a study phase within the USACE for about the past forty years. He noted that the funding to properly advance the project had not been provided by Congress. He thanked Colonel Hansen and Colonel Fleming for their recommendations produced within recent weeks. One of the recommendations provides West Shore protection for St. John Parish. Other alternatives in the report provide better protection for St. Charles, St. James, Ascension and other parishes. The CPRA is working with local entities, parish governments and levee districts to develop a consensus position and encourage the USACE to take a broader approach on protection. Mr. Doody noted that the USACE's recommended alignment (Alternative C) for the West Shore Project would extend a levee in parallel alignment with the I-10 about three miles west of I-55 and the levee would then turn south. The CPRA's and Pontchartrain Levee District's preferred alignment travels much further towards Ascension Parish. Pictures viewed at the CPRA meeting showed the inundation of the I-10 during Hurricane Isaac. The USACE did not include potential damage to the I-10 and other facilities in its cost-benefit ratios. He recommended that the SLFPA-E support the preferred alignment and stressed the importance of protecting the I-10 evacuation route. Mr. Graves explained that Alternative D (the preferred alignment) in the USACE's report is much closer to the alignment in the Louisiana

Master Plan. He advised that the CPRA will be issuing a draft letter sharing the State's position and requested the SLFPA-E's input.

Mr. Graves reported that, although TS Karen was a much smaller storm than anticipated, oil was recovered in some areas and new oil was exposed. Approximately 200,000 pounds of oil and oil materials was recovered between March and August of 2012. Approximately three million pounds of oil and oil materials was recovered during the same period in 2013.

Mr. Graves advised that the Louisiana State Legislature Joint Insurance Committee will hold a meeting on October 23rd to discuss the Federal Biggert-Waters Flood Insurance Act and the possible effect on flood insurance rates for Louisiana's citizens. Efforts are being coordinated among local and State entities and Louisiana's Congressional Delegation on this issue. He noted that Greater New Orleans, Inc. has been doing a phenomenal job leading the coordination effort to ensure that Louisiana does not experience the negative repercussions of this reform act. The FEMA Digital Flood Insurance Rate Maps (DFIRMs) are being updated in Louisiana at this time. Therefore, the repercussions of Biggert-Waters will affect Louisiana before many of the other states. Louisiana has had a very good dialogue with New York, New Jersey and several other states that will be a few years behind Louisiana, but recognize the extraordinary repercussions. A number of states around the country participate in weekly conference calls and coordinate strategy.

Mr. Graves reported on the status of the Water Resources Development Act (WRDA) bill. The issue of levee certification and accreditation is addressed differently in the House and Senate versions of the WRDA bill. He stressed that a consensus position must be developed among the CPRA and levee districts to assure that the best approach is ultimately enacted.

Mr. Doody advised that the opportunity to provide comment on the RESTORE (Resources and Ecosystem Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States) Act was noted at the CPRA meeting. He asked that the SLFPA-E's Coastal Advisory Committee discuss the issues related to this act and suggested that one of the SLFPA-E's Indefinite Delivery-Indefinite Quantity (ID-IQ) contractors could be engaged to provide assistance. The State's official response will be circulated by the end of this week and the comment period will end on November 5th.

Mr. Doody suggested that the CPRA provide a report at a future Board meeting on the coastal restoration projects within the SLFPA-E's jurisdiction. Mr. Graves commented that there are a number of on-going projects in this region and a number of projects in the queue.

Mr. Doody informed the Board that there were a number of public comments offered at the CPRA meeting on diversions. He stressed that decisions relative to diversions must be guided by the best properly applied science. He requested that the Coastal Advisory Committee consider this issue.

Mr. Graves offered to have the CPRA provide a presentation at a future Board meeting on area projects and the path forward designed to implement the Master Plan as it pertains to sediment diversions and restoring distributaries.

ADOPTION OF AGENDA:

On a motion by Mr. Doody, seconded by Mr. Hassinger, the agenda was amended by a unanimous roll call vote to include the following items and the agenda was subsequently adopted:

- Under presentations - recognition of Dave Barnes, Ricardo Pineda and John Barry for their service to the Board and recognition of the three new Board members.
- Item XII.A.5 – Motion to approve the issuance of Task Order No. 2 to Tetra Tech, Inc. for the next phase of the non-federal levee certification work. Approval of Task Order No. 2 is required in order to proceed with the process of accrediting the non-federal levees (Maxent Levee in New Orleans East and the Forty Arpent Levee in the Lower Ninth Ward and St. Bernard Parish) in a timely manner. The scope of work for Task Order No. 2 was developed after recent teleconferences were held with FEMA and the USACE to resolve several pending issues. The scope of work was substantially reduced from the original estimate of \$4 million as a result of the resolution of the pending issues. The SLFPA-E must continue to demonstrate progress in the certification effort in order for the non-federal levees to be included in the FEMA DFIRMs.

Mr. Doody called for public comment on the amendment of the agenda prior to the adoption of the motion. There was no public comment.

Mr. Doody recognized John F. Young, Jr., Jefferson Parish President, and invited President Young to address the Board.

President Young welcomed the Board to Jefferson Parish and thanked the members of the Board for their service.

RESOLUTION NO. 10-17-13-01 – RECOGNITION OF JOHN “STEVE” KING

Mr. Doody commented on the loss of John “Steve” King, who passed away on October 2, 2013. Mr. King provided forty-two years of service to the Orleans Levee District and the community. Mr. Doody praised Mr. King’s performance during Hurricane Isaac and his calm, professional demeanor while investigating reports of emergency situations during the peak of the hurricane. The years of experience lost with Mr. King will be very difficult to replace. A suggestion that the O.L.D. Emergency Operations Center be named in Mr. King’s honor was offered by Gerry Gillen, Orleans Levee District (O.L.D.) Executive Director. Mr. Doody presented a copy of the resolution adopted by the Board to Mrs. Fran King.

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

**A RESOLUTION TO EXPRESS SINCERE AND HEARTFELT CONDOLENCES
UPON THE DEATH OF JOHN “STEVE” KING**

WHEREAS, it is with deep regret and profound sorrow that the members of the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) learned of the death of John “Steve” King on October 2, 2013; and

WHEREAS, Mr. King was employed by the Louisiana Department of Transportation and Development prior to his employment by the Orleans Levee District on September 16, 1970 as an Engineering Aide II; and

WHEREAS, Mr. King served as the Orleans Levee District’s Emergency Operations Center Manager and Head of the Survey Crew and had advanced to the position of Engineering Technician 5; and

WHEREAS, Mr. King was so committed to the Orleans Levee District and flood protection that although he tried a brief stint of retirement, first retiring on July 18, 2003, he returned to the employ of the Orleans Levee District on August 2, 2004, to resume his service to the Levee District and the community; and

WHEREAS, Mr. King again retired from public service on September 14, 2013; and

WHEREAS, Mr. King’s many years of hard work in the trenches operating, maintaining and monitoring the hurricane and flood protection system for Orleans Parish provided him with a wealth of accumulated knowledge and a familiarity and understanding of the system that few possess; and

WHEREAS, Mr. King spent many long and arduous hours with his fellow employees performing the work required to complete the closure of the hurricane protection system within exacting time frames and monitoring the system during and after severe weather events; and

WHEREAS, in August, 2005, Mr. King was a key Orleans Levee District employee who remained on duty during Hurricane Katrina securing and maintaining the hurricane protection system, and played an important part in the recovery of the District; and

WHEREAS, Mr. King’s role in the management and execution of emergency operation procedures grew significantly over the years and he became an invaluable asset to the Southeast Louisiana Flood Protection Authority-East, as well as the Orleans Levee District; and

WHEREAS, Mr. King routinely worked closely with various Federal, State and local agencies in the performance of his day-to-day and emergency operation activities, including the U.S. Army Corps of Engineers, Coastal Protection and Restoration Authority, Louisiana Department of Transportation and Development, and the New Orleans Sewerage and Water Board; and

WHEREAS, the professionalism, phenomenal performance and calm demeanor demonstrated by Mr. King under the most stressful of circumstances was witnessed and praised by his superiors and colleagues; and

WHEREAS, his friendship, his legacy as a public servant for over forty-two years, and his significant contribution to flood protection will be remembered for many

years to come by all who had the privilege of knowing him as a man and working with him as a colleague; and

WHEREAS, Mr. King was well respected by his subordinates and superiors alike and will be sorely missed.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East does hereby express its deepest appreciation to John "Steve" King for his dedication and distinguished public service, and its sincere and heartfelt condolences to the family and loved ones of Mr. King.

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

YEAS: Mr. Angers, Mr. Estopinal, Mr. Hassinger, Mr. Kemp, Mr. Luettich,
Mr. McHugh, Mr. Tilly and Mr. Wittie

NAYS: None

ABSENT: None

RESOLUTION NO. 10-17-13-02 - APPROVAL OF SEPTEMBER 19, 2013 BOARD MEETING MINUTES

On the motion of Mr. Wittie,

Seconded by Mr. Luettich, 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 September 19, 2013.

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

YEAS: Mr. Angers, Mr. Estopinal, Mr. Hassinger, Mr. Kemp, Mr. Luettich,
Mr. McHugh, Mr. Tilly and Mr. Wittie

NAYS: None

ABSENT: None

PRESENTATIONS:

1. Recognition of Dave Barnes, Ricardo Pineda and John Barry for their service to the Board.

Mr. Doody advised that the appropriate resolutions to express the Board's appreciation and gratitude to Mr. Barnes, Mr. Pineda and Mr. Barry for their service to the Board and the community will be prepared and placed on the agenda for the next Board meeting.

2. Recognition of the new Board members:

Lambert J. "Joe" Hassinger, Jr. Vice John M. Barry

Kelly J. McHugh Vice David P. Barnes, Jr.

Jefferson M. "Jeff" Angers Vice Ricardo S. Pineda

Mr. Hassinger was born and raised in New Orleans and is a partner in the law firm of Galloway, Johnson, Tompkins, Burr & Smith. He is married with three children who

grew up and live in New Orleans. He explained that since Hurricane Katrina he has met and has had the privilege of working with a number of people who have dedicated their time and talent and doing their small part to make the City and region a better place. He stated that he respected the work that the SLFPA-E is doing and is glad to be a part of the team.

Mr. Angers resides in Baton Rouge and is married with three children. He was the CEO for the Coastal Conservation Association for fifteen years and now serves as the President of the Center for Coastal Conservation. Mr. Angers, a native of St. Mary Parish, advised that he is intimately familiar with coastal communities and coastal Louisiana. He stated that he is honored to be selected to work in the serious business of flood protection and to sit on the Board and focus on the work of the SLFPA-E.

Mr. McHugh was born and raised in New Orleans and graduated from the University of New Orleans with a degree in engineering. He moved to the North Shore in 1975 and practices civil engineering and land development and surveying. Mr. McHugh is on the North Shore Business Council and is active in community affairs. He explained that when asked if he would like to sit on the SLFPA-E Board, he responded, yes, as he would be able to provide some expertise in engineering. He added that he is an avid hunter and fisherman and cares about the coast.

PUBLIC COMMENTS:

John Barry thanked the staffs of the three levee districts for their service and dedication. He commented that none of the workers for the levee districts abandoned their posts during Hurricane Katrina and that they did what they needed to do. He noted that he heard that Mr. Hassinger affirmed to several people that flood protection will be his priority while he sits on the SLFPA-E Board.

Mr. Barry commented on the lawsuit filed by the SLFPA-E against 97 oil, gas and pipeline companies. He stated that many comments were made since the suit was filed and that he did not take offense, except for the comment that he somehow dominated the Board. He stated that the SLFPA-E Board is not a board that can be dominated by anyone. He stated that he respected all of the members of the Board and that the members do what they regard as the right thing. He pointed out that the Board has been remarkably collegial, and that because there may be disagreement over one issue, it does not mean that the Board will not continue to be collegial. He commented that everyone recognizes that there is liability on the part of the oil and gas industry. He asked what has the industry done that is so valuable to the State of Louisiana that people should overlook a liability that statewide is in the tens of billions of dollars. He added that the industry has done things that are helpful; however, the reality is that the value of those contributions to other levee districts primarily measure in the millions of dollars. Millions compared to billions is a tenth of a penny on the dollar.

Mr. Barry stated that he would like to explain what his role in going forward is likely to be. He stated that he can have no formal relationship with the Board; however, he can have any informal relationship that he would like with anyone on the Board, as long as the relationship is not formal and is not paid. He stated that he will be associated with

an independent third party entity that will be formed. This entity will be independent of the attorneys and will work hard to see that the lawsuit has political support. He commented that at times the Board may be interested in the activities of this entity and that he would be happy to report on its activities. He added that it would probably be appropriate for the reports to be made in executive session. He suggested that the SLFPA-E obtain the appropriate opinions on the appropriateness of his being invited into the executive sessions because of his past relationship with the Board. He stated that he will work closely with Gladstone Jones and the SLFPA-E's legal team.

Mr. Barry stated that it has been a great pleasure serving on the Board.

Mr. Doody commented that he appreciated getting to know Mr. Barry and that the SLFPA-E and the community owe Mr. Barry a debt of gratitude. Mr. Barry has performed a great service for the area and on the CPRA.

COMMITTEE REPORTS:

Finance Committee: Mr. Estopinal reported that the Finance Committee met on October 3rd and that all of the items considered by the Committee have been placed on the Board agenda.

Operations Committee: Mr. Wittie reported that the Operations Committee met on October 3rd and discussed the following items:

- Issuance of a Task Order to The URS Corporation for the development of plans and specifications for improvements to certain sections of Lakeshore Drive - The Committee recommended that the Board approve the Task Order.
- Utilization of Lakeshore Drive as a haul road for the construction of the Permanent Canal Closures and Pumps (PCCP) – He pointed out that the SLFPA-E should ensure that it does not become responsible for the cost of repairing any damages to the roadway caused by the trucks. Mr. Doody pointed out that Lakeshore Drive was declared by agreement to be a Non-Flood Asset; however, the SLFPA-E participates in its operation and maintenance. Mr. Hassinger advised that the Non-Flood Protection Asset Management Authority (NFPAMA) wrote a letter to the USACE asking that an evaluation be made of the traffic implications. An e-mail sent to the NFPAMA indicated that an expert was hired and is looking into this issue. Mr. Tilly recommended that the roadway be videotaped prior to the start of construction of the PCCP Project to assist with any claims against the contractor. Mr. Doody recommended that a meeting be set up between the USACE and SLFPA-E on this issue and asked that Mr. Hassinger participate in the meeting.

Mr. Doody commented on the turnover of the Hurricane and Storm Damage Risk Reduction System (HSDRRS) to the local sponsor and on the operations and maintenance (O&M) responsibilities. The SLFPA-E has agreed, as a good local partner, to operate and maintain the components of the system that the levee districts are competent and capable of operating and maintaining (typically, grass maintenance and the O&M of the smaller sector gates). A Project Partnering Agreement (PPA) was executed between the USACE and the State (the local sponsor). The turnover of the

HSDRRS was contemplated by polder. A mechanism is included in the PPA for obtaining a third party opinion in the event there is disagreement about the completion of the HSDRRS. He pointed out that many outstanding issues remain, such as armoring and mechanical problems on some of the sector gates. The SLFPA-E will be looking to the State, as the local sponsor, for a resolution of the turnover issue.

Robert Turner, SLFPA-E Regional Director, advised that the Notification of Contract Completion (NCC) is anticipated to be issued by the USACE for the Seabrook Complex Structure on or about December 2nd and for the IHNC Surge Barrier on or about December 15th. SLFPA-E/O.L.D. staff is currently exercising the gates and doing the day-to-day maintenance for the Seabrook Complex Structure under the USACE's observation. This will ensure that levee district staff is properly trained and understands the maintenance requirements. Several outstanding issues remain relative to the IHNC Surge Barrier. The SLFPA-E requested that the USACE change the operational plan for the Barge Gate to allow the gate to be closed during hurricane season; however, numerous issues dealing with environmental and navigation concerns must be fully vetted and worked out before a decision can be made to change the operating parameters. He pointed out that the USACE has replaced rock a number of times in the rock dike alongside of the dredged construction access channels along both the floodside and protected side of the IHNC Surge Barrier wall; however, the rock continues to subside at a relatively rapid rate. The SLFPA-E is concerned that the USACE may bring the rock dike to a particular height and then issue the NCC. The rock could sink below the required elevation in a very short period of time and the dike may require constant maintenance to keep it at the required elevation. The PPA specifically excludes subsidence and sea level rise from O&M requirements. He suggested that this issue be reviewed from a legal perspective to determine whether the SLFPA-E can be held responsible for maintaining the rock at a particular elevation and whether it should be a part of the USACE's O&M manual.

Legal Committee: Mr. Doody advised that the Legal Committee did not meet during the month of October. A motion to approve the legal invoices has been placed on the Board agenda.

CPRA/Governmental Affairs: A report on the CPRA meeting held on October 16th was provided earlier in the meeting.

Coastal Advisory Committee: Mr. Kemp advised that the Coastal Advisory Committee did not meeting during the month of October.

REGIONAL DIRECTOR'S REPORT:

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

- East Jefferson Levee District Foreshore Protection – Approximately 12 miles of foreshore protection was constructed along the lakefront in Jefferson Parish. The major portion of the foreshore protection was constructed by the USACE as part of the HSDRRS. Reaches 3 and 4 of the project have been turned over to the local

sponsor. Issues relative to erosion repairs remain outstanding. The final inspection has not yet occurred for Reaches 1 and 2. The SLFPA-E is requesting that the final inspection be delayed until issues are resolved relative to the proper repair of erosion and the investigation of an area in Reach 3 that may potentially slide.

- Mississippi River Levee Raising Project – The project in Orleans Parish is nearing completion. The project in Jefferson Parish will start soon. The Jefferson Parish project will impact the public because of the bike path atop the levee. The project will also include the removal of vegetation within the levee section. Meetings are being held with elected officials and the SLFPA-E is attempting to ensure that everyone is fully aware of the project activities.
- Certification of Non-Federal Levees (Maxent Levee in New Orleans East and the Forty Arpent Levee in the Lower Ninth Ward and St. Bernard Parish) – The SLFPA-E signed a PAL (Provisionally Accredited Levee) agreement in August, 2012, which requires that the certification document be submitted to FEMA in August, 2014. The SLFPA-E has a path forward and plan in place; however, it must continue to work on the issue of funding. The consequence of not successfully completing the certification of the non-federal levees is severe. Problems will need to be addressed in a timely manner. The Phase I Needs Assessment has been completed. Part of the assessment included a profile survey of the system. Several areas were found to be a little low in terms of freeboard; however, the low areas were minor in nature and were easily raised. He emphasized that a conservative approach of three feet was taken on freeboard. If necessary, the freeboard could potentially be dropped to two feet since the levees are not riverine or coastal levees. There are no known systemic problems and the system has performed well for many years. The levees are only required to handle rainfall events. The water surface profile in the Central Wetlands area for the 100-year rainfall event is plus four-feet. It was noted that the water surface level would not change significantly (probably about one-foot) should approval be obtained for pumping water from the IHNC into the Central Wetlands; however, a re-analysis will probably be required.
- Proposed use of the Central Wetlands as an additional storage unit for the IHNC and Non-Federal Levees - Usage of the Central Wetlands area as an additional storage unit for the IHNC would decrease the potential danger to the IHNC I-walls from floating objects under the 100-year condition. The SLFPA-E requested that the USACE conduct an inspection to include the non-federal levees in the Rehabilitation and Inspection Program (RIP), which would qualify the levees for PL 84-99 funding. The inclusion of the levees in the RIP would allow Federal funding for repairs should the levees be damaged during an emergency event. Several meetings have been held with Charles Brittingham, senior staffer for Senator David Vitter, to discuss the potential of including language in the Senate version of the WRDA bill for a study on the potential usage of the Central Wetlands. There is language in the bill to allow the USACE to do studies when requested under certain circumstances. Discussions on the proposed use of the Central Wetlands have taken place with several individuals at USACE Headquarters, including Steve Stockton, Director of Civil Works, and Eric Halpin, Special Assistant for Dam and Levee Safety. The SLFPA-E can also request the USACE to do a reconnaissance study, which is 100 percent federally funded, but would probably require Congressional action. A feasibility

study, which would be the next step, would be cost shared. Mr. Doody requested that the CPRA include the study on using the Central Wetlands in the State's official response on the WRDA bill. Mr. Barry cautioned that there is serious concern about whether the House will manage to pass a WRDA bill this year. If a bill is passed in conference, the IHNC Surge Barrier would probably be included; however, he had no hope that the Seabrook Complex would be included. Mr. Graves commented that one of the strategies being contemplated is for the Committee passed bill to be sent through the House without amendments. Therefore, the House Committee bill and the Senate passed bill would go into conference. The current House bill does not have O&M language for the IHNC Surge Barrier and Seabrook Complex structures. The Senate bill has a placeholder. The CPRA is continuing to ask the House to do a 100 percent O&M provision for these structures based upon the precedent set by other navigation structures. He commented on the CPRA's efforts to develop a consensus position on the WRDA bill.

Mr. Luetlich asked the status of the floating pier located inside the Orleans Avenue Canal. Mr. Gillen explained that the Sewerage & Water Board (S&WB) verbally responded that the pier does not interfere with its pumping process. Once the S&WB confirms its response in writing, the Tulane Rowing Club and New Orleans Rowing Club will be formally requested to apply for an after the fact permit. The permit process may take four to six weeks. Mr. Estopinal asked whether the pier would be considered a hazard. Mr. Gillen responded, no; the pier is a low profile wooden structure and has been in place since the 1990's. Mr. Estopinal asked the possibility of the pier being swept along the canal to the pumps at the lake end of the canal. Mr. Gillen responded that this could happen; however, it would have to get past the bridges. The USACE will be an integral part of the permit process.

Mr. Luetlich inquired about the impact of the recent reports and workshop on the design criteria on the turnover of the HSDRRS to the local sponsor. Mr. Turner explained the turnover process. The Commander of the New Orleans District Corps of Engineers (NOD COE) can unilaterally make the decision that the project is complete. Language in the PPA allows the NOD COE Commander to send the local sponsor a letter that the project is complete and ready for operation and maintenance. The local sponsor can object and a process is in place for the local sponsor to argue its case; however, the final decision remains with the USACE. The SLFPA-E must coordinate with the CPRA, the official non-federal sponsor, relative to anything determined not to be in compliance with requirements. The process would continue through the available remedies.

Mr. Wittie inquired about the armoring for the HSDRRS. Mr. Turner explained that the responsibility for armoring and for defining the projects to be armored has been transferred from Task Force Hope to the NOD COE. Task Force Hope is still responsible for the armoring testing program and the Levee Armoring Research Development Report (LARDR). One significant change is that there will be no recommendation in the LARDR on the criteria to be used to determine which projects will be armored. A research paper will outline what was done, what data was collected and the results of the data. The Project Description Document (PDD) and the Engineering Alternatives Report (EAR) will be prepared by the NOD COE. The PDD and EAR will ferret out which projects merit armoring. The SLFPA-E's involvement in

the project has increased from a participation perspective. Two pilot projects were developed to test High Performance Turf Reinforcement Matting (HPTRM) from installation and maintenance perspectives. The construction portion of the East Bank pilot project is complete and maintenance testing will begin soon. The testing will continue for several months in order to determine the O&M characteristics of the HPTRM. Extensive work has been done regarding the anchoring system used to anchor the HPTRM and methods for growing grass through the mat. The USACE is anticipated to let the first armoring contract in July, 2014.

NEW BUSINESS:

RESOLUTION NO. 10-17-13-03 - APPROVAL OF LEGAL INVOICES

On the motion of Mr. Estopinal,
Seconded by Mr. Wittie, 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 October 17, 2013", 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 October 17, 2013" are hereby approved.

The foregoing was submitted to a vote, the vote thereon was as follows:
YEAS: Mr. Angers, Mr. Estopinal, Mr. Hassinger, Mr. Kemp, Mr. Luettich,
Mr. McHugh, Mr. Tilly and Mr. Wittie
NAYS: None
ABSENT: None

RESOLUTION NO. 10-17-13-04 - SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY-EAST- CAPITAL OUTLAY PROGRAM FUNDING REQUEST

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

WHEREAS, the State of Louisiana COP funding applications are required to be submitted by November 1, 2013, with a Resolution requesting sponsor funding; and

WHEREAS, the Southeast Louisiana Flood Protection Authority-East has a project that requires funding from the COP in order to implement said project.

BE IT HEREBY RESOLVED, the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) by this Resolution formally requests the State of Louisiana COP to fund the following SLFPA-E project for Fiscal Year 2014-2015 in the amount shown:

LEEVE CERTIFICATION – MAXENT LEEVE AND LOWER NINTH WARD/ST. BERNARD BACK LEEVE - \$4,500,000

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

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

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

BE IT FURTHER RESOLVED, that the SLFPA-E Regional Director be authorized to sign any and all documents necessary to accomplish the above.

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

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

YEAS: Mr. Angers, Mr. Estopinal, Mr. Hassinger, Mr. Kemp, Mr. Luettich,
Mr. McHugh, Mr. Tilly and Mr. Wittie

NAYS: None

ABSENT: None

Report on the Financial Audit of the SLFPA-E, EJLD, LBBLD and O.L.D. for the Fiscal Year ending June 30, 2013.

Jim Bollinger, O.L.D. Comptroller, reported that the Auditor (Silva, Gurtner & Abney) stated in its letter that no impediments were put before the Auditor in conducting the audit, the Auditor was satisfied with the estimates and disclosures within the audit, the accounting was done in accordance with the appropriate principles, and no problems were discovered with internal controls. The SLFPA-E and levee districts received a clean opinion and there were no audit findings. The Board received and accepted the Financial Audit. A copy of the Financial Audit was placed on the SLFPA-E website.

RESOLUTION NO. 10-17-13-05 - NON-FEDERAL LEEVE CERTIFICATION

On the motion of Mr. Wittie,

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

WHEREAS, the Maxent Levee in New Orleans East and the Forty Arpent Levee in the Lower Ninth Ward and St. Bernard Parish must be certified order to be accredited by FEMA for the National Flood Insurance Program; and

WHEREAS, by Resolution No. 11-15-12-06, the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) approved the selection of Tetra Tech for the purpose of entering into a Contract with said consultant to provide the professional engineering services required for the aforementioned non-federal levee certification effort; and

WHEREAS, the SLFPA-E entered into Task Order No. 1, dated May 9, 2013, for Phase I – Needs Assessment, which identified the additional work needed to complete the certification effort; and

WHEREAS, the next phase involves geotechnical investigations to determine soil properties within the levees and the stability and seepage analysis required for certification; and

WHEREAS, Tetra Tech submitted a scope of work with a not to exceed amount of approximately \$1.7 million for the geotechnical investigations.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East approves the issuance of Task Order No. 2 for the aforementioned geotechnical investigations and authorized the SLFPA-E Regional Director to sign said Task Order and any and all other documents necessary to carry out the above.

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

YEAS: Mr. Angers, Mr. Estopinal, Mr. Hassinger, Mr. Kemp, Mr. Luettich,
Mr. McHugh, Mr. Tilly and Mr. Wittie

NAYS: None

ABSENT: None

**RESOLUTION NO. 10-17-13-06 - EAST JEFFERSON LEVEE DISTRICT-
CAPITAL OUTLAY PROGRAM FUNDING REQUEST**

Fran Campbell, East Jefferson Levee District (EJLD) Executive Director, explained that the EJLD is requesting Capital Outlay funding for the construction of a consolidated facility. The EJLD is in the process of purchasing about 19 acres of property near the river levee from the Armstrong International Airport at an investment of approximately \$2 million. Several parcels within the 19 acres are being purchased from other property owners. An architect was retained by the EJLD and the project is in the design phase. The request to the Capital Outlay Program is for funding the entire project.

On the motion of Mr. Wittie,

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

WHEREAS, the State of Louisiana COP funding applications are required to be submitted by November 1, 2013, with a Resolution requesting sponsor funding; and

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

BE IT HEREBY RESOLVED, the Southeast Louisiana Flood Protection Authority-East on behalf of the EJLD by this Resolution formally requests the State of Louisiana COP to fund the following EJLD projects for Fiscal Year 2014-2015 in the amounts shown:

Planning, Design, Land Acquisition and Construction of a Safehouse/Consolidated Operating Facility - \$20,720,877

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

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

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

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

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

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

YEAS: Mr. Angers, Mr. Estopinal, Mr. Hassinger, Mr. Kemp, Mr. Luettich,
Mr. McHugh, Mr. Tilly and Mr. Wittie

NAYS: None

ABSENT: None

RESOLUTION NO. 10-17-13-07 - RENEWAL OF ORLEANS LEVEE DISTRICT AUTOMOBILE LIABILITY INSURANCE COVERAGE WITH TPA SERVICE AND LIMITED PHYSICAL DAMAGE INSURANCE COVERAGE

Randy Maddox, President of the Morrison Insurance Agency, explained that the O.L.D. has enjoyed rates for automobile liability insurance coverage (approximately \$1,000 per unit for the entire vehicle fleet with \$1 million of coverage) that were well below the marketplace for at least the past five years. Premium rates have substantially increased due to market conditions. The premium rate presented to the Finance Committee at its

October 3rd meeting was approximately \$270,000. Suggestions were made by Committee members concerning high deductibles on the liability coverage since the O.L.D. has had very good experience. Scottsdale Insurance Company (AM Best rated A+15) was advised about the SLFPA-E's concerns. Scottsdale offered to experience rate the O.L.D.'s risk over the past five years. The premium was reduced from \$270,000 to approximately \$210,000 (about \$1,500 per unit). Mr. Maddox stated that the marketplace has been searched diligently and that Scottsdale's rate is very competitive in today's marketplace, especially for the private sector.

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

WHEREAS, the Orleans Levee District's (O.L.D.) Automobile Liability Insurance coverage with Limited Physical Damage coverage on nine scheduled vehicles will expire on November 1, 2013; and

WHEREAS, Scottsdale Insurance Company offered the most cost effective Automobile Liability Insurance coverage, excluding motorcycles, with a \$1,000 deductible applied to heavy duty trucks, and Limited Physical Damage Insurance coverage with a \$2,500 physical/damage deductible applied to nine scheduled vehicles, at an annual estimated cost of \$209,936.65; and

WHEREAS, the aforementioned insurance coverages were offered through the Morrison Insurance Company for a term of one year commencing on November 1, 2013 and expiring on November 1, 2014 at 12:01 am.

BE IT HEREBY RESOLVED, the Southeast Louisiana Flood Protection Authority-East authorizes the procurement of Automobile Liability Insurance coverage with Limited Physical Damage Coverage as stated above from Scottsdale Insurance Company through the Morrison Insurance Agency for a period of one year commencing on November 1, 2013.

BE IT FURTHER RESOLVED, that the O.L.D. Executive Director is hereby authorized to sign any and all documents to carry out the above.

The foregoing was submitted to a vote, the vote thereon was as follows:
YEAS: Mr. Angers, Mr. Estopinal, Mr. Hassinger, Mr. Kemp, Mr. Luettich,
Mr. McHugh, Mr. Tilly and Mr. Wittie
NAYS: None
ABSENT: None

RESOLUTION NO. 10-17-13-08 - ORLEANS LEVEE DISTRICT CAPITAL OUTLAY PROGRAM FUNDING REQUEST

Mr. Gillen explained that the O.L.D.'s Capital Outlay funding request consists of three projects. The Seawall Flood Protection Modification Project is the currently on-going erosion control project. Capital Outlay funding was received for the first phase of the Bayou St. John Water Management Plan. The second phase of the plan is currently unfunded. The third project is the Highway 90 Land Bridge project.

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

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

WHEREAS, the State of Louisiana COP funding applications are required to be submitted by November 1, 2013, with a Resolution requesting sponsor funding; and

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

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East on behalf of the O.L.D. by this Resolution formally requests the State of Louisiana COP to fund the following O.L.D. projects for Fiscal Year 2014-2015 in the amounts shown:

- | | |
|---|---------------------|
| A. Seawall Flood Protection Modification, Phase I
(at Lakeshore Drive) | \$ 5,000,000 |
| B. Bayou St. John Water Management Improvements | \$ 875,000 |
| C. Highway 90 Land Bridge | \$ 5,000,000 |

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

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

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

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

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

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

YEAS: Mr. Angers, Mr. Estopinal, Mr. Hassinger, Mr. Kemp, Mr. Luettich,

Mr. McHugh, Mr. Tilly and Mr. Wittie

NAYS: None

ABSENT: None

RESOLUTION NO. 10-17-13-09 - LAKESHORE DRIVE IMPROVEMENTS – REACH 2A, 2B, 2C – ORLEANS AVENUE CANAL TO RAIL STREET

Mr. Gillen advised that power and lights are being returned to Lakeshore Drive; therefore, the usage of the parkway will increase. The O.L.D. would like to address additional safety lighting, improvements to provide safe public access to Shelter No. 2 and erosion repairs in this area through a Task Order to a current SLFPA-E ID-IQ contractor (The URS Corporation).

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

WHEREAS, the lighting along Lakeshore Drive needs to be made functional for safety reasons, seawall lighting needs to be installed for aesthetic reasons and for safety, striping in Lakeshore Drive needs replacement and plaza paving needs to be installed across from Shelter Number 2 between the seawall and Lakeshore Drive to mitigate lakeshore erosion; and

WHEREAS, the Orleans Levee District negotiated design fees to prepare plans and specifications and provide bidding support for the Lakeshore Drive improvements with The URS Corporation under the IDIQ contract with Southeast Flood Protection Authority – East.

BE IT HEREBY RESOLVED, that The URS Corporation be granted a Task Order in the amount of \$186,501.82 to prepare plans and specifications and provide bidding support for the Lakeshore Drive improvements.

BE IT FURTHER RESOLVED, that the Orleans Levee District Executive Director be authorized to sign the Task Order and any and all other documents necessary to carry out the above.

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

YEAS: Mr. Angers, Mr. Estopinal, Mr. Hassinger, Mr. Kemp, Mr. Luettich,
Mr. McHugh, Mr. Tilly and Mr. Wittie

NAYS: None

ABSENT: None

RESOLUTION NO. 10-17-13-10 - AWARD OF CONTRACT FOR CITRUS LAKEFRONT LEVEE UTILITY PAD REMOVAL

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

WHEREAS, the utility pads on the protected side of the Citrus Lakefront Levee along Hayne Boulevard that once provided electric and water service to camps on the flood side of the levee no longer provide service since the camps have been removed; and

WHEREAS, the utility pads impair efficient levee maintenance and grass cutting operations by the Orleans Levee District; and

WHEREAS, the Utility Pad Removal Project was informally solicited and three proposals were received, as follows:

Bidding Contractors	Total Base Bid Price
Wallace C. Drennan, Inc.	\$68,800
Commander Corporation	\$79,000
Professional Construction Services, Inc.	\$82,800

WHEREAS, funds for this project are available from the approved FY 2014 Special Levee Improvement Fund Budget.

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority – East authorizes the award of a purchase order for services in the amount of \$68,800.00 to Wallace C. Drennan, Inc., and the establishment of a budget in the amount of \$80,000 to include contingencies, for the Citrus Lakefront Levee Utility Pad Removal Project.

BE IT FURTHER RESOLVED, that the Orleans Levee District Executive Director is hereby authorized to issue a purchase order in the amount of \$68,800.00 to Wallace C. Drennan, Inc., and to sign any and all other documents necessary to accomplish the above.

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

YEAS: Mr. Angers, Mr. Estopinal, Mr. Hassinger, Mr. Kemp, Mr. Luettich,
Mr. McHugh, Mr. Tilly and Mr. Wittie

NAYS: None

ABSENT: None

Motion to award a contract to the lowest responsive bidder for OLD Project No. 29921 - Floodgate and Floodwall Repair.

The deadline for the receipt of bids for the Floodgate and Floodwall Repair Project was rescheduled. Therefore, this item will be placed on the agenda for the next Board meeting.

RESOLUTION NO. 10-17-13-11 - LAKE BORGNE BASIN LEVEE DISTRICT CAPITAL OUTLAY PROGRAM FUNDING REQUEST

Nick Cali, Lake Borgne Basin Levee District (LBBLD) Executive Director, advised that the LBBLD is submitting the same request for funding from the Capital Outlay Program as it did last year.

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

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

WHEREAS, the State of Louisiana COP funding applications are required to be submitted to Facility Planning and Control by November 1, 2013, with a Resolution requesting sponsor funding; and

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

BE IT HEREBY RESOLVED, that the Southeast Louisiana Flood Protection Authority-East on behalf of the LBBLD by this Resolution formally requests the State of Louisiana COP to fund the following LBBLD projects for Fiscal Year 2014-2015 in the amounts and priority shown:

LIST OF PROJECTS

- | | |
|--|---------------|
| 1. Drainage Improvements to LA 46 Roadway and Drainage Improvement Project Between Parish Road and Webster Road, Planning and Construction | \$ 3,840,000 |
| 2. Flooding and Drainage Improvements, Planning and Construction | \$ 270,000 |
| 3. Drainage Pump Stations and Channel Improvements, Land Acquisition, Planning and Construction | \$ 11,550,000 |
| 4. Bulkheading of Canals, Planning and Construction-Phase 1 | \$ 2,040,000 |
| 5. Storm Proofing Pump Stations St. Bernard Parish, La. Planning and Construction – Phase 1 | \$ 8,000,000 |
| 6. Storm Proofing Pump Stations St. Bernard Parish, La. Planning and Construction – Phase 2 | \$ 8,000,000 |
| 7. Storm Proofing Pump Stations St. Bernard Parish, La. Planning and Construction - Phase 3 | \$ 8,000,000 |

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

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

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

BE IT FURTHER RESOLVED, that the LBBLD Executive Director and/or SLFPA-E President is hereby authorized to sign any and all documents necessary to accomplish the above.

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

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

YEAS: Mr. Angers, Mr. Estopinal, Mr. Hassinger, Mr. Kemp, Mr. Luettich,
Mr. McHugh, Mr. Tilly and Mr. Wittie

NAYS: None

ABSENT: None

ANNOUNCEMENT OF NEXT BOARD MEETING TO BE HELD ON NOVEMBER 21, 2013 AND HOSTED BY O.L.D

Mr. Wittie publicly read the following announcement: At the regular monthly Board meeting to be held on November 21, 2013 at 9:30 a.m. at the Orleans Levee District Franklin Administrative Complex, 6920 Franklin Avenue, Meeting Room 221, New Orleans, La, the Southeast Louisiana Flood Protection Authority-East Board on behalf of the Orleans Levee District will adopt millage rates for the year 2014 and certify the levy of the three millage rates (General Tax, Special Levee Improvement Tax and Maintenance Tax) to the City Of New Orleans for the purpose of assessing and collection of the three taxes.

EXECUTIVE SESSION:

1. *Haspel & Davis Milling & Planting Co., Ltd. et al. v. Board of Levee Commissioners of the Orleans Levee of the State of Louisiana*, 25th JDC, Parish of Plaquemines, No. 31-357, Division A.
2. Southeast Louisiana Flood Protection Authority-East, et al, v. Tennessee Gas Pipeline Company, LCC, et al, Civil District Court for the Parish of Orleans No. 13-6911.

A motion was offered by Mr. Wittie, seconded by Mr. Tilly 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 11:53 a.m.

A motion was offered by Mr. Tilly, seconded by Mr. Hassinger and unanimously adopted, for the Board to reconvene in regular session. The Board reconvened in regular session at 2:10 p.m.

RESOLUTION NO. 10-17-13-12 – LEGAL ACTION

Mr. Kemp read into the record the motion that was before the Board. The verbiage in the draft resolution “ratified and approved” was changed to “approved”.

Mr. Hassinger stated that as a new Board member he did not understand the details of the proposed compromise and was not in a position evaluate its merits; therefore, he would abstain from the vote on the resolution. Mr. McHugh and Mr. Angers, as new Board members, also advised that they would abstain from the vote.

On the motion of Mr. Kemp,
Seconded by Mr. Tilly, the following resolution was offered:

BE IT HEREBY RESOLVED, that the Proposed Compromise dated October 10, 2013 in the case entitled "*Haspel & Davis Milling & Planting Co., Ltd. et al. v. Board of Levee Commissioners of the Orleans Levee of the State of Louisiana, 25th JDC, Parish of Plaquemines, No. 31-357, Division A*" is hereby approved.

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

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

NAYS: None

ABSENT: None

ABSTAINED: Mr. Angers, Mr. Hassinger and Mr. McHugh

There was no further business; therefore, the meeting was adjourned at 2:15 p.m.

SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY - EAST

REGIONAL DIRECTOR'S REPORT

October 17, 2013

HSDRRS Project Status Update

IHNC-01 - Seabrook Complex All gates are operational. The Corps removed the dogging device on the easternmost lift gate tower to replace a defective bearing assembly. The bearing was repaired, re-installed and is working well. A replacement bearing is on order and will be retained in stock in case it is needed at a later date.

Orleans Levee District personnel conduct routine maintenance and gate operations each Tuesday under Army Corps of Engineers' supervision, as part of the Seabrook Complex Operations & Maintenance Training Program.

The Notification of Contractor Completion (NCC) is to be issued in December of 2013, according to the latest Corps schedule.

IHNC-02 - Lake Borgne Surge Barrier Complex Pre-final inspections have been completed on all three navigational floodgates, and they are operational. Miscellaneous work continues on various surge barrier and gate structure components, and final Operation and Maintenance Manuals are still being developed. Software for a new remote control unit (windlass control) is being installed.

Orleans Levee District personnel continue to practice barge gate operations, as well as participate with the Corps in utilization meetings each week to review activities and discuss lessons learned.

The most recent Corps schedule indicates that the NCC will be issued in December of 2013.

Water Control Plans (WCP) The review process for the proposed Water Control Plan for the IHNC/GIWW Corridor is complete, and the final version is being sent to USACE Mississippi Valley Division for approval. Interim Standing Instructions currently in place for all navigational gates were used during Tropical Storm Karen.

LPV-3.2B - West Return Wall Northern Segment The Corps' contractor has almost finished crack sealing operations, although new cracks have opened and must be addressed.

LPV-20.2 - Foreshore Protection Reach 3&4 A copy of the NCC letter for this Project was received on October 2, but there are still several unresolved issues. First, there is a 150- foot section of the rock dike just west of Pump Station 2 that may be defective. It is being investigated by SLFPA-E, the CPRA and the Corps to determine if a rotational failure has occurred.

We are also concerned about a “fix” the Corps is using to address some areas of excessive erosion that have developed along the landward interface between the rock and the soil embankment on this project and on **LPV-01.2 - Foreshore Protection Reach 1&2**. Despite our repeated objections, the Corps has continued placing concrete sack revetment without using geotextile fabric to prevent the soil from moving through the revetment/rock voids and into the lake. SLFPA-E and the CPRA have asked that the final inspection be delayed until this issue is finally resolved.

LPV-104.02b - Seepage Cutoff Orleans Lakefront The final inspection was held Oct. 8, 2013, and only minor turf issues remain.

LPV-109.02a - Levee Enlargement for South Point to CXS Railroad and US11 and US 90 Floodgates Approximately 3,000 linear feet of levee were raised about 2.5 feet to account for post-construction settlement, and another 250 feet of levee north of Hwy. 90 is still to be raised.

The Corps’ consultant is preparing plans to repair problems resulting from unanticipated settlement of the Highway 11 floodgate. Temporary repairs to the emergency by-pass road adjacent to the gate structure will begin later this month.

A section of slope paving near the CSX Railroad Floodgate has undergone significant, non-uniform settlement, and the Corps is evaluating various options to repair or replace the damaged panels.

LPV-111 - CSX RR to Michoud Canal Gaps in slope paving joints caused by levee embankment settlement near the CSX Railroad Floodgate are being filled with asphalt, per Corps guidelines.

The Corps is investigating the significance of a linear crack recently discovered on the flood side berm near Drainage Pump Station 15. Preliminary analysis by the Corps’ consultant indicates this is a desiccation crack that has mostly closed up due to recent rains. This issue may delay NCC.

LPV-149AR - Access Road This project will be awarded to a Small Disadvantaged Business (8A) Contractor within the next week.

LPV-149A - Floodwall Tie-in to MRL The Notice To Proceed with this project was issued Sept. 24, 2013, to Keiland Construction LLC. The 230-day project is scheduled for completion in mid-May of 2014

Outfall Canals The plans and specs for installation of more sheet pile along the London Ave Canal and west side of the 17th St. Canal have been reviewed and our comments submitted (OFC-07). The construction contract award is scheduled for mid-November 2013.

The low water case in all three outfall canals is still being investigated. Canal bank protection on the west side of the 17th Street Canal to ensure wall stability for the low water case is in design (OFC-08).

Permanent Canal Closures and Pumps (PCCP) Construction is scheduled to begin in November of 2013. The CPRA is conducting regular Non Federal Sponsor team meetings throughout the life of the project.

Armoring Project responsibility has been transferred from Task Force Hope to the New Orleans District Corps of Engineers. The extent of armoring on LPV projects has not yet been determined, but indications are that multiple LPV segments will be candidates for armoring with HPTRM. The Corps has abandoned the use of “enhanced” grass as an effective means of increasing resilience beyond that provided by regular grass. According to the latest schedule available, the Corps tentatively expects Levee Armoring Research Development Report certification this month and Project Development Document approval by Corps Division Headquarters in March 2014.

SBPS-07 – Repairs to LBBLD Pump Stations #2 and #3 The project is scheduled for construction contract award in January of 2014, with completion anticipated the following December.

Mississippi River & Tributaries (MR&T)

There are two Mississippi River east bank levee-raising projects, the Jefferson Heights Project in East Jefferson and the Carrollton Project in New Orleans. The \$10.5 million Jefferson project was awarded on Sept. 27, 2013, and is expected to take 783 days to complete. The work will add height to the river levee from the Jefferson-St. Charles parish line east to the Jefferson-Orleans parish line.

The Carrollton project, which raises the east bank levee from the Orleans-Jefferson line to just north of Audubon Park, is 95% complete. One small section of levee must still be raised near Bisso Marine, but that work is waiting on a power line relocation. All slope pavement has been replaced, and the entire project is scheduled for completion next month.

Internal Affairs

Non-Federal Levee Certification Our consultant has submitted a Phase 2 cost estimate of about \$4 million. Additional surveys have been authorized for the “Shrimp Factory” in lower St. Bernard, and the Corps is reviewing that geotechnical scope of work.

Complex Structure Training Our personnel train weekly to become more familiar with operation and maintenance of the complex gated HSDRRS structures.

Emergency Preparedness Authority and Levee District staff reacted to Tropical Storm Karen, which developed over the Yucatan Channel and the Southern Gulf of Mexico on Thursday morning, Oct. 3, 2013. Coordination was handled primarily through regularly scheduled conference calls.

Orleans Levee District staffed their Emergency Operations Center to manage the closing of low sill gates in the IHNC area and several gates along the lakefront. Both the Bayou Bienvenue and Bayou Dupre Control Structures were closed on Oct. 3 due to wind driven high tides. The Corps closed all navigational gates in the Lake Borgne Surge Barrier and Seabrook Complex on Saturday morning, Oct. 5 and the Coast Guard enforced the RNA in the IHNC/GIWW corridor on the east bank of the Mississippi River.

The storm weakened as it moved northward through the Gulf of Mexico and was downgraded to a remnant low before reaching the northern Gulf Coast. The Surge Barrier and Seabrook navigational gates and the land gates along the lakefront were opened on Sunday, Oct. 6. The Bayou Bienvenue and Bayou Dupre Control Structures were opened the following day, as were all low-sill gates along the IHNC.

No damage to the levee system was detected. A brief after action review was conducted at our Director’s Staff Meeting on Oct. 14.

The river level at the Carrollton Gage is hovering around 3’.

USCG IHNC/GIWW Corridor Inspection SLFPA-E President Tim Doody flew with the Coast Guard and Corps to make an aerial inspection on Oct. 4, 2013, prior to T.S. Karen. The boat tour inspection scheduled for Oct. 16 was canceled because of the federal government partial shutdown.

Floodgate Status Module CPRA has updated the Levee Information Management System Floodgate Module, and it was utilized during Karen.

Document Management System A Request for Proposals has been advertised, and questions seeking clarification have been received and answered. Proposal submittals are due Oct. 18.

NEW SLFPA-E CONTRACTS

Consulting Agreement with Shelley Midura for assistance in grant identification, application and administration – not to exceed \$45, 000 – Term: 10/11/13 – 10/11/14

Meetings and Items of Note:

The Governor’s Advisory Commission on Coastal Protection, Restoration and Conservation will meet Dec. 10 from 9:30 am – 5 pm at the Lafitte Civic Center in Lafitte.

The CPRA board meeting will be held Nov 20 in the LaSalle Building’s LaBelle Room, 617 N. Third Street in Baton Rouge. The meeting starts at 9:30 am.

The CPRA and USACE will sponsor the Mississippi River Hydrodynamic & Delta Management Study public meeting and status update on Oct. 23, 2013, at the Lindy C. Boggs Building at UNO. Details and registration on the <http://coastal.la.gov> website.

The Lake Pontchartrain Basin Foundation hosts “Basics of the Basin 2013 Research Symposium” on Oct. 24-25, also in the Lindy Boggs Center at 2045 Lakeshore Drive, New Orleans. Registration at <http://saveourlake.org/basics-of-basin.php> or by calling 504-308-3470.

Topics include Mississippi River Delta development, management and restoration, storm surge protection and attenuation, river diversions, wetland restoration, the Central Wetlands and fisheries. Plenary speakers, including Chip Groat, President/CEO of the Water Institute of the Gulf, will discuss “Current State and Future Projections for Research and Funding in the Pontchartrain Basin.”

The Corps of Engineers canceled the Oct. 17 Coastal Wetlands Planning Protection and Restoration Act (CWPPRA) Task Force Meeting and Oct. 18 dedication ceremony due to the government shutdown and its impact on the federal agencies in the program.

Levee District Construction Projects:

Project	District	Status	Comments
Franklin Administration Building Refurbishment	OLD	99% complete	Substantial completion issued Aug. 6, 2013.
Bayou Bienvenue Maintenance Cycle	OLD	99% complete	Structure open for navigation
Bayou St. John Waterfall Demolition Project	OLD	Complete	
Bayou St. John Sandbar Removal	OLD	70% complete	Notice to Proceed (NTP) issued April 29, 2013; marsh creation added
Seawall Steps Erosion – Phase 1B	OLD	22% complete	NTP issued Feb. 27, 2013; investigating power outage to lights
Franklin Warehouse Steel Silo Demolition	OLD	90% complete	NTP issued June 24, 2013.
Franklin Warehouse Safehouse Remediation	OLD	90% complete	Work started Aug. 12, 2013.
OLD Franklin Facility Parking Lot Improvements Landscaping Plan	OLD		Bid opening Oct. 21, 2013
Fence repair on Canal/Levees	LBBLD	75% complete	
Citrus Lakefront Levee Haynes Blvd. utility pads removal	OLD		Bids opened; SLFPAE board to award Oct. 17, 2013
IHNC Florida Ave. Bridge Sheet Pile	OLD		Bid opening Oct. 22
Floodgate & Floodwall Repairs	OLD		Bid opening Oct. 22

Levee District Project Designs and Studies

Project	District	Comments
Citrus Lakefront Railroad Drain Pipe Crossings (BKI)	OLD	Study 81% complete
Franklin Front Parking Facility	OLD	Design complete
Lakefront Seawall Area Reach , 4&5	OLD	Bid opening Dec. 12, 2013; Reach 4&5 Design 95% complete
Floodgate Seal Repairs	OLD	Design complete
IHNC Florida Bridge Floodwall Replacement	OLD	Design complete
Phase 1 for the engine upgrades at Pump Stations 1&4 HMGP approved by FEMA	LBBLD	Design Contract awarded; NTP to be issued by Oct. 31
Phase 1 for Safe Room Design HMGP approved by FEMA	LBBLD	Design 95% submitted to FEMA/GOHSEP for review
Pump Station #6 pump repair and hangers at P.S. #7	LBBLD	P&S at 100%; advertise when erosion control project is complete
Pump Station #6 Erosion Repair	LBBLD	P&S at 100%; advertise for construction bids in October 2013
Floodgate #9 renovation	LBBLD	P&S at 100%; advertise for construction bids in October 2013
Safehouse & Consolidated Facility	EJLD	Airport property purchase awaiting FAA okay of on-site fuel storage. Waggoner & Ball to introduce preliminary plan to Kenner officials. Private property appraisals in progress.
PM Support to LBBLD Staff for HMGP Projects	LBBLD	Contract executed; kickoff meeting with stakeholders Oct. 8, 2013
Paris/Maxent Levee Clearing	OLD	Complete