

**MINUTES OF THE  
SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY–EAST  
PUBLIC HEARING  
THURSDAY, APRIL 16, 2015**

Pursuant to Article 7, Section 23(C) of the Louisiana Constitution and R.S. 47:1705(B), a public hearing of the Southeast Louisiana Flood Protection Authority – East for the East Jefferson Levee District was held on Thursday, April 16, 2015, at 9:30 a.m. in the Second Floor Council Chambers, Joseph Yenni Building, 1221 Elmwood Park Boulevard., Harahan, Louisiana, to consider levying additional or increased millage rates without further voter approval or adopting the adjusted millage rate and rolling forward to a millage rate not to exceed the prior year's maximum (2011).

**PRESENT:**

Stephen V. Estopinal, President  
Lambert J. Hassinger, Jr., Vice President  
Louis E. Wittie, Secretary  
Wilton P. Tilly, III, Treasurer  
Tyrone Ben  
G. Paul Kemp  
Richard A. Luettich, Jr.

**ABSENT:**

Jefferson M. Angers  
Kelly J. McHugh

Mr. Estopinal read the notice for the public hearing. He asked whether there was any member of the public who wished to speak in favor of or against the proposed roll forward of the East Jefferson Levee District's millage rate. There was no one from the public who wished to speak.

The public meeting was adjourned at 9:32 a.m.

**MINUTES OF THE  
SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY–EAST  
BOARD MEETING  
THURSDAY, APRIL 16, 2015**

The regular monthly Board Meeting of the Southeast Louisiana Flood Protection Authority-East (Authority or SLFPA-E) was held on Thursday, April 16, 2015 in the Second Floor Council Chambers, Joseph Yenni Building, 1221 Elmwood Park Boulevard., Harahan, Louisiana, after due legal notice of the meeting was sent to each Board member and the news media and posted.

Mr. Estopinal called the meeting to order at 9:33 a.m. and led in the pledge of allegiance.

The roll was called by Mr. Wittie and a quorum was present:

**PRESENT:**

Stephen V. Estopinal, President  
Lambert J. Hassinger, Jr., Vice President  
Louis E. Wittie, Secretary  
Wilton P. Tilly, III, Treasurer  
Tyrone Ben  
G. Paul Kemp  
Richard A. Luettich, Jr.

**ABSENT:**

Jefferson M. Angers  
Kelly J. McHugh

**OPENING COMMENTS:** Mr. Estopinal announced that a Special Board meeting would be held on Thursday, May 14, 2015, at 9:00 a.m. in order to meet the requirements of R.S. 42:19.1, which requires the public announcement of the Board's adoption of millage rates for the Lake Borgne Basin Levee District for the year 2015 at the June Board Meeting. The announcement must be made at a (Special) Board Meeting at least 30 days, but not more than 60 days, before the June Board meeting. A quorum (at least 5 Board members) must be present at the Special Board meeting. The Committee meetings for May have been rescheduled for May 14<sup>th</sup> due to the scheduling conflict with Louisiana Association of Levee Boards workshop.

**ADOPTION OF AGENDA:**

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

**RESOLUTION NO. 04-16-15-01 – APPROVAL OF MARCH 19, 2015  
BOARD MEETING MINUTES**

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On the motion of Mr. Luettich,  
Seconded by Mr. Ben, 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 March 19, 2015.

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

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

NAYS: None

ABSENT: Mr. Angers and Mr. McHugh

## **PUBLIC COMMENTS:**

Carol Byram advised that she distributed a handout to the members of the Board regarding the toe plus 15-ft. prohibition zone issue.

Craig Berthold requested that Mr. Hassinger ask that a representative of the Coastal Protection and Restoration Authority (CPRA) appear at the Legislative Committee to express support for House Bill 65, which would reverse the 15-ft. prohibition zone to 6-ft. along the 17<sup>th</sup> Street, Orleans and London Avenue Canals, when the bill is considered.

## **Committee Reports:**

**Finance Committee:** Mr. Tilly advised that the Finance Committee did not meet during the month of April.

**Operations Committee:** Mr. Wittie reported that the Operations Committee met on April 2<sup>nd</sup> and considered the following items:

- Placement of surveillance cameras along the Mississippi River Levee in Jefferson Parish – An agreement is needed with Entergy Louisiana, Inc. in order to place the cameras on the utility poles. The cameras will be purchased with funding from a Port Security Program Grant and will be used to view activities along the levee.
- Construction budget increase for Floodgate Sill Roadway Project – The contractor discovered that an extra 22-inches of asphalt had to be removed, which resulted in an increase in the project's cost of approximately \$11,000.
- Authorization of Design Engineering, Inc. (DEI) to proceed with Phases 2 and 3 of the Seawall Erosion Project – The estimated cost of the work is \$712,000.
- Issuance of a task order to Burk Kleinpeter, Inc. for the preparation of plans and specifications for Drainage Pipe Repairs along the Citrus Lakefront Levee under the Norfolk Southern Railroad tracks – Under an agreement with the Railroad the Orleans Levee District (O.L.D.) is responsible for the repairs to the drain lines.

**Legal Committee:** Mr. Hassinger advised that the Legal Committee did not meet during the month of April.

**CPRA:** Mr. Hassinger reported that the CPRA Board met on April 15<sup>th</sup> in Baton Rouge. The issue of lifting certain levee reaches prior to the placement of armoring was discussed. The sentiment among the CPRA Board members was that the lifts should definitely occur before the armoring is installed. The Chair expressly stated that the CPRA is not directing any levee board to do anything specifically; however, the clear sentiment was that the levee districts need to proceed with the effort and do what needs to be done. A meeting was held on Monday that included members of the Association of Levee Boards of Louisiana (ALBL) and representatives of the CPRA to discuss the issue and to form a working group to develop a plan.

**Coastal Advisory Committee:** Mr. Kemp reported that the Coastal Advisory Committee met on March 19<sup>th</sup>. The Committee worked on the Request for Qualifications in order to continue the investigation of surge risk. The Committee is attempting to ensure that the multi-agency process headed by the CPRA continues to move forward. Mr. Kemp advised that he attended the Strategic Partnership Meeting in March. Representatives of various agencies meet monthly to work through important issues. The continuation of the existing collaboration was discussed. He advised that he was privately assured by a U.S. Army Corps of Engineers (USACE) representative that he would work to ensure that the level of collaboration would not decrease after the operational authority for the levees is turned over to the local sponsor. Mr. Kemp also advised that he was invited to Sacramento, California, as an advisor on the levee system and received information concerning recently developed levee inspection capabilities drawn from military research on technology to locate IEDs and tunnels. He anticipated setting up a demonstration of the technology, which can be used to detect voids, foreign materials, seepage channels and other irregularities, prior to the next Board meeting. The technology can also be used to establish a baseline for future comparisons.

## **PRESENTATIONS:**

### **1. Modeling and Empirical Data insights into Hurricane Surge Dynamics within the Lake Pontchartrain-Maurepas Region and the Surge Consortium – John Lopez, Ph.D., Lake Pontchartrain Basin Foundation**

Dr. Lopez discussed the Pontchartrain-Maurepas Surge Consortium. The mission of the Consortium is to promote a better understanding of storm surge dynamics in the lakes, risk reduction strategies and sustainability. About one-third of the Pontchartrain Basin is included in the Consortium, which includes multiple levee districts, parishes and regional planning commissions. The objective is for the representatives of the different entities that have an interest in storm surge in the lakes to work together in order to develop common understandings and solutions.

Dr. Lopez explained that model data and observed storm surge elevations often reflect the maximum surge over the duration of the storm, which masks the actual storm surge dynamics and movement. Primary drivers of water movement in the lake during a storm event include wind stress, wind driven waves and surge flux. Parameters that classically attribute to wave height include wind speed, fetch, wind duration and water depth. A profile was developed across Lake Maurepas, Lake Pontchartrain and the Mississippi Sound in order to assess wave behavior. The system under consideration is an east-west elongated system. The north and south shores of Lake Pontchartrain tend to have shorter fetches and the east and west ends of the lake have longer fetches. Shallow water can limit the size of waves. Deeper water will allow waves to build up if there is enough land and fetch. The deepest part of Lake Pontchartrain is to the east of the Causeway.

Dr. Lopez discussed incoming storm surge and pointed out that the capacity of water to flow across Lake Pontchartrain is not uniform. The two ends of the lake are very different and topography is a factor as surge moves in and out of the lake. The high

ground on the west end of the lake is equidistant and has a soft boundary with marsh and cypress forests and no levees or big ridges. The topography on the north shore and the Hurricane and the Storm Damage Risk Reduction System (HSDRRS) on the south shore act as hard boundaries and converge on the east side of the lake.

Dr. Lopez discussed storms that move in on the east side of the lake (such as Hurricane Katrina) that initially have strong easterly winds that push water to the west side of the lake; however, as the storm moves inland the wind direction reverses resulting in a slosh on the east side of the lake. He pointed out that virtually every storm initially has an easterly effect. As the storm moves inland over Lake Pontchartrain there is a westerly effect. When a storm is at the same latitude as the lake, if the storm on the east side (such as Hurricane Katrina), the wind is blowing from north to south -- if the track is on the west side (such as Hurricane Isaac), the wind is blowing from south to north. The wind rotation is east-north-west in a Katrina track. The wind rotation is east-south-west in an Isaac track. A direct hit across the lake will have a very strong east wind and then a very strong west wind in a very short period of time. Dr. Lopez reviewed sequenced surge model data from Hurricane Katrina (example of a storm with an easterly passage) and Hurricane Isaac (example of a storm with a westerly passage). A storm with a westerly passage, such as Hurricane Isaac, is acerbated because the largest amount of rainfall and highest winds are in the northeast quadrant going over the lake and the drainage areas coming into the lake. Dr. Lopez discussed the 1915 Hurricane that passed over the lake and had winds that switched very quickly from east to west.

Dr. Lopez pointed out that different tracks place different areas most at risk. He reviewed slides that illustrated the worst case surge risk for the three conceptual tracks. A profile is being developed for each of the three tracks and is being populated with additional data in order to look at the various reaches around the lake and determine how each may affect localized areas. This information will help inform the members of the Consortium.

Dr. Lopez summarized by stating that sloshing in most cases is actually a rotation of maximum surge around the lake perimeter that is typically more pronounced on the eastern and western shores. The primary factors are the storm surge flux and waves. However, there are secondary factors that are important, such as shoreline geometry, the nature of the shoreline, the surge transmission potential and levee alignments. A westerly track has a clockwise rotation and an easterly track has a counterclockwise rotation.

Mr. Luettich asked whether additional modeling is anticipated or would existing available modeling results be mined. Dr. Lopez responded that most of the data will be mined from existing data; however, the LPBF has some available funding and is in discussions with UNO concerning additional modeling. He noted that the LPBF is aware of the interest expressed by the SLFPA-E in reanalyzing surge in the region. He suggested that the Consortium may be of some assistance in the effort.

Mr. Kemp thanked Dr. Lopez and the LPBF for the analysis. Dr. Lopez commented on the contribution that the analysis can make to developing solutions for risk reduction for

the various regions around the lake. He noted that the analysis highlighted the importance of the Maurepas Land Bridge. Over time the surge is moving farther westward because of factors such as sea level rise and wetlands loss and Baton Rouge is falling farther eastward. If the Maurepas Land Bridge disappears, the lake will be 50 or 60 miles wide instead of 40 miles wide.

Mr. Estopinal recognized Councilman Gregory W. Carroll, District 1, City of Kenner, who asked to speak concerning the construction of the East Jefferson Levee District (EJLD) safehouse and consolidated facilities.

Councilman Carroll thanked the members of the Board for the communications and support that was given to him and to the individuals that he represents in District 1. He commented that the citizens are sensitive to the Board's mission. He stated that he would like to understand some of the changes that are taking place and asked for the name of a contact individual that he could communicate with concerning the EJLD safehouse and consolidated facilities project in order to facilitate the dissemination of information to his constituents. Mr. Estopinal informed Councilman Carroll that Sheila Grissett, Special Assistant to the SLFPA-E Regional Director, would provide the contact information requested.

#### **REGIONAL DIRECTOR'S REPORT:**

Robert Turner, SLFPA-E Regional Director, reviewed the highlights of the Regional Director's Report (copy appended to minutes). He advised that the right-of-entry (ROE) is anticipated to be issued today to the USACE for armoring the New Orleans Lakefront Levee (LPV-102, LPV-103 and LPV-104). The USACE will probably issue the contract for the project by the end of next week. The SLFPA-E is waiting for the USACE's concurrence on site access requirements by the FAA in order to issue the ROE to armor a levee reach in Kenner (LPV-03d.2). The USACE requested ROE for LPV 108 (Little Woods to Southpoint) and will probably request the ROE for LPV 109 (Southpoint to GIWW). The USACE reevaluated LPV 109 and determined that a lift to meet HSDRRS requirements would not be needed for about ten years. The SLFPA-E and CPRA will make a determination regarding LPV 109 soon.

Mr. Turner noted that a resolution will be presented to the Board for the selection of a firm in order to negotiate a contract for the development of a risk assessment for the complex structures and navigation gates that will be funded by a Community Development Block Grant (CDBG). The risk assessment can be used as a tool to assist in the proper and efficient allocation of maintenance resources and in the potential modification of operation procedures. The assessment will provide usable information in the first two phases and the Board can decide at that point if it wishes to proceed further with the process.

Mr. Turner reported that the meeting that took place on Monday in Jefferson Parish President John Young's office concerning the construction of levee lifts prior to armoring was well attended and included all of the major regional partners. Everyone left the meeting with a clear understanding that better communications are needed for the collaboration in the future of the non-federal partners. A recommendation was made

that a cohesive group be formed that would include the CPRA, USACE and all of the agencies with a stake in ensuring that efforts proceed properly and are sufficiently funded. He asked that Brock Schmidt, Project Manager, Evans-Graves Engineers, Inc. (Evans-Graves), the engineering firm tasked with Program and Project Management for the Levee Lifts in Orleans and Jefferson Parishes, provide an update on the proposed work.

Mr. Schmidt explained that when Evans-Graves received the task order in December, 2014, for the levee lift project, it took into consideration the current levee surveys, USACE settlement curves, achievement of 500-year protection, the life of the armoring program and the FEMA levee certification in 2023. It appeared from information concerning settlement curves that was received from the USACE in June that certain levees would be below the acceptable height in 2023 for the certification. Evans-Graves did a linear look at the centerline of the levees based on survey data produced by Linfield, Hunter and Junius. A baseline was established for the levee lifts. The criteria used for the levee lifts included public safety, USACE 2025 design elevations, USACE acceptable overtopping rates, FEMA freeboard requirements for certification of coastal levees and the level of design required to lift the levees. The USACE's design elevations are based on overtopping rates in consideration of settlement curves. It was determined based on the settlement curves that the levees along the Jefferson Parish lakefront and in New Orleans East would require a lift prior to armoring in order to maximize the life of the armoring product. Additional information was recently received from the USACE. Several levee sections in the EJLD were designated as priority. A key component of the project is the 408 Permit process. As part of the 408 Permit process, the 95 percent design documents for the levee lift must be submitted to the USACE for evaluation and permission to strip the grass and lift the levee. The USACE had advised that the levees could be lifted six-inches above the original construction grade with the 95 percent design documentation without the need for geotechnical research. The existing strength curves would be used. The stability berm would have to be within six-inches of the design grade. Upon further evaluation and the receipt of additional information from the USACE, Evans-Graves was not sure that a lift using this criteria would be sufficient. Evans-Graves' goal is to maximize the life of the High Performance Turf Reinforcement Mat (HPTRM), ensure accreditation in 2023 and move towards the ultimate goal of 500-year protection.

Mr. Schmidt advised that the current and projected freeboard of the still water level and the wave elevation plus one-foot were considered and it was determined that LPV-00.2, LPV-19.2 and LPV-20.1, as well as sections of LPV-111, would not have a foot of freeboard above the design wave and still water elevations. Therefore, these levee reaches have become critical points to consider for immediate levee lifts and will require lifts in order to be accredited in 2023. This finding is in line with the information delivered last Thursday by the USACE to the CPRA. Additional evaluation will be required on all of the levees in order to maximize the life of the HPTRM. There is no requirement in the Project Partnering Agreement (PPA) as it is currently written to replace the HPTRM after a future levee lift. However, if all of the levees are armored and a lift is constructed in the future, the USACE may comment in the 408 Permit process if the armoring is not included in project. Further discussions are needed with the USACE in order to understand its expectations for future lifts. The USACE tied

residential density into its evaluation process and determined that LPV-20.1 and LPV-19.2 are currently most significant and are priority for lifts.

Mr. Schmidt explained that Evans-Graves considered future risks that included increased overtopping potential in some densely populated areas and potential levee certification issues. If the levees are not raised, over time the overtopping rates will increase. Therefore, a decision must be made whether to lift the levees today or in the future. He pointed out that there is a potential that every three years a surveying process would have to take place in order to determine the centerline of the levee. A centerline certification during the course of the next eight years could potentially drop additional levee areas below the certification line in 2023. He reiterated that additional discussions are needed with the USACE in order to determine exactly what must be accomplished; however, it is known with some certainty that LPV-00.2, LPV-19.2 and LPV-20.1 must be lifted prior to armoring. If the lift is constructed after the levee is armored, the armoring will have to be removed and replaced, which could more than double the cost.

Mr. Schmidt concluded by stating that with the State's assistance it has been determined that the USACE's settlement curves appear reasonable and accurate based upon the construction elevations and surveys completed in 2012 and in the last year. Overtopping rates in the most densely populated areas are projected to be above acceptable USACE/FEMA standards for accreditation. Sections of East Jefferson may be at greater risk if the levees are not raised prior to USACE armoring.

Mr. Turner advised that in addition to the scientific component, economics and available funding also play a part in the decision making process. The SLFPA-E does not have at this time some of the information that is required in order to make really good decisions. Several meetings were held with the USACE in an attempt to obtain a better understanding regarding overtopping rates and the calculation of the effects of the overtopping rates as the levees settle, such as the effects on drainage, inundation due to overtopping inside of the system, and at what point would the overtopping present a potential for a significant breach. In addition, FEMA and the certification issue must be taken into consideration. He stated that he has been attempting to reach some fidelity on this issue for the past six weeks without any success because no one seems to know what will happen in 2023 or even between now and 2023 if portions of the system fall below the projected grade requirements that are a part of the Operations and Maintenance Manual. He pointed out that it is not the SLFPA-E's responsibility from an operations and maintenance perspective to raise the levees. The USACE has published data with the height requirements to meet the criteria established for the levee certification effort. A conclusion was reached at the last meeting, which included representatives from the USACE's Hydraulics Branch and individuals who put together the Levee System Evaluation Report for the certification of the HSDRRS, that FEMA must have a seat at the table. An attempt is being made to schedule a meeting that would include representatives of SLFPA-E, CPRA, FEMA and other participants in order to obtain some clarity from FEMA from a certification perspective.

Mr. Turner explained that although there is nothing in writing stating that the armoring must be replaced after a lift is constructed, it would not be a wise decision to not replace the armoring. The USACE states that HPTRM will provide the resiliency that is needed.

Mr. Turner explained that all of a sudden the USACE has been bombarding the SLFPA-E with new information and information is being changed on a weekly basis. Additional scientific information and data is being provided to the SLFPA-E to assist with the decision making process. In addition, a significant amount of pressure has been placed on the USACE and SLFPA-E to move directly into armoring as soon as possible because of some time constraints that have been imposed upon the USACE to complete all of the work. It has become apparent that the real decision makers are not in the local office. An attempt is being made to determine the identity of the individuals in the Federal partnership that are the driving force behind whether or not this effort is going to work. He commented that at this point he was not sure whether the lifts would be allowed. He stressed that a path forward is needed soon. A meeting will be held with the USACE and an attempt will be made to determine the individuals that the SLFPA-E should meet with in order to hash out this issue. The work may or may not be constructed depending on the various caveats put in place by the USACE that could significantly increase the costs.

Mr. Hassinger asked Mr. Turner was he saying that the USACE may not want the SLFPA-E to raise the levees before armoring. Mr. Turner replied, yes; there have been various individuals recently who are pressuring all of the non-federal sponsors to move directly into armoring. Most of the technical people at the USACE understand that constructing the lifts to extend the life of the armoring makes a lot of sense. However, there is a significant amount of pressure being placed upon the USACE New Orleans District to complete all of the work. The work cannot be completed until the last bit of armoring is placed on the system and the permanent pump stations are completed. The repayment of the local match to the Federal government cannot begin until after the last project is completed and the Notification of Contract Completion is received. There was a feeling at one point in time amongst some of the people at the USACE that the SLFPA-E was just trying to delay the repayment of the local match. However, that is not the case. He commented that he did not know if the people up the line understand how seriously the SLFPA-E is taking this issue and trying to make it work.

Mr. Hassinger commented that the SLFPA-E has been discussing the construction of levee lifts prior to armoring for years and that tens of millions of dollars will not be spent on constructing the consolidated facilities while money is needed to lift the levees. He stated that he did not think that a point would be reached where there is a definitive statement from FEMA, the USACE or any other entity telling the SLFPA-E with certainty what the future holds or what it needs to do. At some point the SLFPA-E needs to pull the trigger and act. Mr. Turner commented that he was in agreement and that this is the point that the SLFPA-E is trying to reach. The SLFPA-E cannot touch the levees without the USACE's permission. An application must be made for a 408 Permit. The latest information from the USACE is that it may not be able to allow the SLFPA-E to do the work itself. Mr. Hassinger commented that this issue must be dealt with now and that the SLFPA-E cannot hold off on the work hoping that there is a resolution concerning the receipt of credit for the work. Mr. Turner stated that he agreed with Mr.

Hassinger; however, the SLFPA-E cannot even get to the point where it can commit to the work until it goes through the 408 Permit process. Every time the SLFPA-E thinks that it is close, there is another piece of information provided to the SLFPA-E to consider or there is another interpretation of what must be done on the USACE's side to make this work.

Mr. Hassinger asked Mr. Turner was there anything that the Board could do to help him get the issue resolved. Mr. Turner replied, yes. He stated that he spoke to Mr. Luettich yesterday and that a meeting is needed, perhaps with USACE Headquarters or Division. The SLFPA-E needs to find the right group at the USACE to deal with this issue. The USACE has attorneys that are advising them on what the requirements will be in order for this work to be done. There is talk about a revision or amendment to the PPA. Mr. Hassinger suggested that, rather than wait on FEMA, the USACE or CPRA, the SLFPA-E present its proposal on what it wants to do, when it wants to do it and how it will proceed and see if it can get some consensus amongst everyone. The SLFPA-E would be out in front and not waiting on another entity to sign off on the proposal. Mr. Turner responded that, in effect, this is what the SLFPA-E has done. The SLFPA-E went with the CPRA to the USACE in January and gave the USACE a schedule, cost estimates and the projects that it wants to construct. Mr. Luettich asked whether this was a part of the 408 Permit process. Mr. Schmidt explained that the 408 Permit deals with the actual design and the approval of the design to change a Federal project. Mr. Turner advised that this is a step towards the 408 Permit process. The response to the information provided by the SLFPA-E was for the USACE to give the SLFPA-E some additional information to consider to perhaps revise the number of sections that the SLFPA-E determined would require a lift so that the USACE can place those sections in the armoring schedule. He commented that he thought the USACE would accept a 408 Permit submittal at this point; however, the USACE may turn it around and state that it cannot review the submittal because there is no PPA amendment or something to that effect. The SLFPA-E could prepare the 408 Permit; however, it would have to prepare the design documents in order to submit the application. Therefore, the SLFPA-E would have to retain consultants to actually do the design work and prepare the plans and specifications for the 408 Permit submittal.

Mr. Luettich commented that he understood the frustration since the SLFPA-E has been actively engaged in trying to move this project along for more than a year. However, data does not make decisions; people make decisions. No matter how long the SLFPA-E waits, it will not have perfect data and at some point a decision must be made to go forward. A decision must be made to pull the trigger and the SLFPA-E is close and may already be at that point. He pointed out the importance of public safety; however, he explained that, functionally, this is not how decisions are made. He explained that there are two criteria on which to base decisions. The first is a financial one—making sure that people can afford to live and do business within the Greater New Orleans region. Therefore, there must be 100-year certification of flood protection and eligibility for flood insurance. This criteria is consistent with the design of the HSDRRS. The SLFPA-E does not want to negotiate with FEMA concerning how much the levees can be allowed to decline over a period of time. The SLFPA-E needs to stick with the 100-year criteria and the best data on the design of the system. This needs to be the SLFPA-E's baseline. The second criteria is does it make sense to live in the area, which deals with

public safety, risks, 500-year protection and other issues. He noted that there seems to be a good consistency between 100-year protection and perhaps even more elevated levels of protection in higher density populated areas in the information provided at the last Board meeting and today. Therefore, the path forward looks good, particularly, if the armoring is preserved. Armoring provides resiliency and extra protection. He commented that the data looks relatively consistent and that he agreed with Mr. Hassinger that it is time to start pulling triggers. He commented that the SLFPA-E should start pushing towards a formal 408 Permit for the areas that the SLFPA-E is convinced must be raised to ensure 100-year protection. Parallel with this effort, meetings should be held with individuals who are higher up in the organizations in order to make the process proceed more smoothly. He reiterated that he did not think that the SLFPA-E should wait on meetings and that the SLFPA-E's consultants should be instructed to begin preparing the 408 Permit submittals; particularly, on the areas where there is no debate on the need for a lift. The levees should be lifted to all of the criteria (including overtopping and surge) that go into comprising essentially the most conservative FEMA requirements to maintain certification. Mr. Estopinal noted that this seems to be the consensus of the Board and that the Board would like the SLFPA-E to proceed with the 408 Permit.

Mr. Turner explained that what will be required for the 408 Permit submittal is in evolution at this point. The State has been working to try to convince the USACE that all of the geotechnical analysis should not have to be redone. At this time, the USACE is requesting for some of the areas a significant number of new soil borings, a new soil analysis and a check to determine whether the factors of safety will be met without raising the entire stability berm or going to a height higher than six-inches above the constructed grade. These are the types of issues that seem to be vacillating. If the SLFPA-E has to redo the soil analysis as part of the 408 Permit process, it will be very costly. Mr. Luettich recommended that the 408 Permit application be submitted without the soil analysis. If the USACE states that the permit will not be approved unless the soil analysis is redone, then a cost estimate will be obtained. Mr. Turner stated that the SLFPA-E has not submitted a 408 Permit application; however, the proposed technical analysis has been taken to the USACE and it is under review. The CPRA developed a method using CPTs and a select number of soil borings in order to make the determinations required to show the USACE that height can safely be added to the levees. The original group from the USACE that reviewed the method stated that it is not sufficient and that the additional analysis must be done. Additional work done by the CPRA was submitted to the USACE and it is under review. This factor could be the driving cost for the design required in the 408 Permit process.

Mr. Turner commented that, assuming the more expensive work will not have to be done, the SLFPA-E could retain the consultants that will be preparing the plans and specifications. The SLFPA-E can fashion the plans and specifications as it sees fit, make the submittal and let the USACE tell the SLFPA-E if it is not going to work.

Mr. Kemp pointed out that there is additional risk associated with delay. Mr. Luettich added that the longer the SLFPA-E delays, the USACE at some point could say that it cannot wait any longer, even if the USACE is the cause of the delay. However, if the SLFPA-E can proceed more formally into the process, then it will become clearer where

the bottleneck is located, or there will be better documentation of where the bottleneck is located. He reiterated that the SLFPA-E should concurrently try to understand who the decision makers are at the USACE and make sure they understand the catch-22 that the SLFPA-E is presently in and perhaps the process can be forced from both ends.

Mr. Estopinal commented that there is a clear understanding of what needs to be done. The SLFPA-E will push the 408 Permit process as hard as it can.

Mr. Hassinger inquired about a new contract with VCI, Inc. in the amount of \$49,000. Mr. Turner explained that the contract is for assistance to the SLFPA-E and levee districts with completing the crediting packages for the HSDRRS work and some of the work associated with the legacy crediting. The USACE provided a letter stating that money is owed for the work that was done before Hurricane Katrina because the levee districts did not submit the credit information. Some of the work may have to be recreated and information must be submitted in order to claim credit for the work that has been done and to erase the millions of dollars that the Federal government is seeking in payment. Mr. Hassinger asked whether the contract reflects continuing work. Mr. Turner responded that VCI assisted the SLFPA-E with this work for a six to eight month period about two years ago. The information compiled for the HSDRRS was submitted to the CPRA for crediting. The contract was completed; therefore, this contract is for a continuation of the same type of work, but under a different contract. Mr. Hassinger cautioned against having several \$49,000 contracts for the same type of work. He asked if this type of contract is brought to the Operations Committee for discussion. Mr. Turner replied, yes. Mr. Estopinal directed that in the future a second contract for the same type of work should be brought to the Board for approval.

Mr. Estopinal requested that the Executive Session be taken up later in the meeting and that Item XII.A.4 be considered after the Executive Session. There was no objection.

#### **RESOLUTION NO. 04-16-15-02 – APPROVAL OF LEGAL INVOICES**

Mr. Hassinger advised that there was an error in Invoice No. 40102 and a correction is required. Therefore, Invoice No. 40102 was removed from the list of invoices to be approved.

On the motion of Mr. Hassinger,  
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 April 16, 2015”, have been reviewed and approved by the appropriate levee district Executive Director, the SLFPA-E Regional Director and the SLFPA-E Executive Counsel, and provided to members of the Legal Committee.

**BE IT HEREBY RESOLVED**, that the legal invoices listed on the spreadsheet entitled “Legal Invoices Approved on April 16, 2015”, as revised, are hereby approved.

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

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

NAYS: None

ABSENT: Mr. Angers and Mr. McHugh

**RESOLUTION NO. 04-16-15-03 –  
AMENDMENT OF AGREEMENT WITH THE ESTOPINAL GROUP**

Wilma Heaton, SLFPA-E Director of Governmental Affairs, explained that the original agreement was for a not-to-exceed contract value of \$20,000 and that the contract was amended to increase the value to \$40,000. The agreement is for services for the SLFPA-E and the levee districts under its jurisdiction. To-date approximately \$41,000 of the agreement’s not-to-exceed value capacity has been used. The SLFPA-E is requesting that the not-to-exceed value of the agreement be increased to \$95,000 in order to include services in connection with the Hurricane Katrina 10<sup>th</sup> Anniversary and other anticipated and unanticipated services for a period of just over one year.

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

**WHEREAS**, the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) and the Estopinal Group entered into an Agreement for Professional Services for Media Relations and Coordination and Dissemination of Public Information dated October 21, 2014, with a not-to-exceed amended contract value of \$40,000; and

**WHEREAS**, the SLFPA-E and levee districts under its jurisdiction are provided professional services under the agreement in the fields of strategic communications, media relations and dissemination of information to the public; and

**WHEREAS**, the Estopinal Group is experienced and knowledgeable about the business of the SLFPA-E and the levee districts under its jurisdiction having been selected through competitive processes to provide strategic communications services for the SLFPA-E in connection with the Fifth Anniversary of Hurricane Katrina and the Community Outreach and Education Program for the Lake Borgne Basin Levee District and St. Bernard Parish; and

**WHEREAS**, the SLFPA-E and levee districts under its jurisdiction are in need of the aforementioned professional services on an as needed basis in connection with a number of events and activities, such as millage elections, the Tenth Anniversary of Hurricane Katrina, the upcoming hurricane season and other communications/public relations issues; and

**WHEREAS**, there is a need to extend the expiration date of the aforementioned agreement to December 31, 2015.

**BE IT RESOLVED**, that the SLFPA-E approves the amendment of the Agreement for Professional Services for Media Relations and Coordination and Dissemination of Public Information with the Estopinal Group to increase the not-to-exceed contract value in the amount of \$50,000, thereby providing a total not-to-exceed contract value of \$95,000, and to extend the expiration date of the agreement to December 31, 2015.

**BE IT FURTHER RESOLVED**, that the SLFPA-E Regional Director is authorized to execute the aforementioned amendment and any and all documents required to accomplish the above.

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

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

NAYS: None

ABSENT: Mr. Angers and Mr. McHugh

**RESOLUTION NO. 04-16-15-04 – SELECTION OF FIRM TO PROVIDE RISK ASSESSMENT ENGINEERING SERVICES**

Mr. Turner advised that one firm that submitted a proposal was disqualified based upon Federal/CDBG requirements. The normal grading process was used to grade the remaining proposals. The three member panel individually graded the proposals based upon the information provided by the proposers to determine the qualifications of the firm and the individuals that worked for the firm, the capacity of the firm and the adequacy of the team put together to do the proposed work. A meeting was then held to compare results. The top three firms were interviewed. The interviews were scored based upon the criteria included in the proposal. Representatives of the State were visiting the SLFPA-E offices during the week to perform a pre-audit of the SLFPA-E's grant files. The representatives looked at the procedure and a question came up about the selection process; i.e., whether the interview scores should be added to the proposal scores and a numerical score used to determine the successful firm. The Grant Administrator in Baton Rouge decided that based upon the way the proposal was written, the first phase would be used to produce the short list of the three top firms and the interview phase would be used to arrive at the selection. The scores were calculated for the interviews and the highest rated firm was Tetra Tech, Inc. The scores were extremely close and any of the three firms interviewed could have performed the work. The recommendation of the panel is that the SLFPA-E enter into negotiations with Tetra Tech, Inc. for an agreement that would include a not-to-exceed fee and scope of work.

Mr. Hassinger asked did the SLFPA-E have a written policy outlining the selection process and the scoring method used. Mr. Turner replied that this information is included in the Request for Proposals. In general, the SLFPA-E follows the criteria set up by the American Society of Civil Engineering (ASCE). It is a subjective process

since members of the selection team individually review qualification statements and score the firms' qualifications. The SLFPA-E adopted a Qualification Based Selection Process for Professional Services that outlines basic criteria. He added that he recently spoke with Nyka Scott, SLFPA-E Executive Counsel, concerning the drafting of detailed written procedures in order to become more transparent.

Mr. Estopinal asked did the SLFPA-E have a grading process to evaluate the performance of the consultants that are selected in order to compare their performance with the SLFPA-E's expectations. Mr. Turner replied, no; however, the SLFPA-E could develop such a procedure.

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

**WHEREAS**, the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) has received funding through a Community Development Block Grant (CDBG) to address ongoing planning issues resulting from the impact of Hurricanes Katrina and Rita; and

**WHEREAS**, the SLFPA-E is in need of a Probabilistic Performance Analysis for the Lake Borgne Surge Barrier, Seabrook Complex and Gates, Bayou St. John Sector Gate, Bayou Bienvenue Sector Gate, Bayou Dupre Sector Gate and the Caenarvon Sector Gate, which can be funded through the aforementioned CDBG.

**WHEREAS**, the Board by Resolution No. 02-20-14-05 approved the advertisement of a Request for Proposals (RFP) for Risk Assessment Engineering Services to perform the aforementioned analysis; and

**WHEREAS**, the Proposals submitted in response to the RFP were reviewed and competitively rated by a selection team comprised of Louis Wittie, SLFPA-E Operations Chair, Robert Turner, SLFPA-E Regional Director, and Stevan Spencer, SLFPA-E Regional Chief Engineer, and a short list of three qualified firms was developed, consisting of Evans-Graves, Inc., COWI North America, Inc. and Tetra Tech, Inc.

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

**WHEREAS**, the selection team has recommended the selection of Tetra Tech, Inc. to provide the Risk Assessment Engineering Services to perform the aforementioned analysis.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) approves the selection of Tetra Tech, Inc. to provide the Risk Assessment Engineering Services to perform Probabilistic Performance Analysis for the Lake Borgne Surge Barrier, Seabrook Complex and Gates, Bayou St. John Sector Gate, Bayou Bienvenue Sector Gate, Bayou Dupre Sector Gate and the Caenarvon Sector Gate.

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

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

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

NAYS: None

ABSENT: Mr. Angers and Mr. McHugh

**Discussion of recommendations for raising certain levee segments prior to armoring.**

Mr. Estopinal advised that this discussion took place as part of the Regional Director's Report.

**RESOLUTION NO. 04-16-15-05 – EJLD ADJUSTED MILLAGE RATE**

Mr. Estopinal read aloud the resolution in its entirety. Mr. Wittie conducted a roll call vote on the adoption of the resolution.

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

**RESOLUTION NO. 04-16-15-05**

BE IT RESOLVED, by the Southeast Louisiana Flood Protection Authority – East on behalf of the East Jefferson Levee District of the Parish of Jefferson, Louisiana, in a public meeting held on April 16, 2015, which meeting was conducted in accordance with the Open Meetings Law and the additional requirements of Article VII, Section 23(C) of the Louisiana Constitution and R.S. 47:1705(B), that the following **adjusted** millage rate be and it is hereby levied upon the dollar of the assessed valuation of all property subject to ad valorem taxation within said Parish for the year 2015, for the purpose of raising revenue:

**MILLAGE**

East Jefferson Levee District    3.91 mills

BE IT FURTHER RESOLVED that the Assessor of the Parish of Jefferson, shall extend upon the assessment roll for the year 2015 the taxes herein levied, and the tax collector of said Parish shall collect and remit the same to said taxing authority in accordance with law.

The foregoing resolution was read in full, the roll was called on the adoption thereof, and the resolution was adopted by the following votes:

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

Mr. Tilly and Mr. Wittie  
NAYS: None  
ABSTAINED: None  
ABSENT: Mr. Angers and Mr. McHugh

**RESOLUTION NO. 04-16-15-06 – LEVY OF 2015 EJLD MILLAGE RATE**

Mr. Estopinal read aloud the resolution in its entirety. It was noted that the prior year referenced in the resolution is 2011, which is the year prior to the last reassessment. Mr. Wittie conducted a roll call vote on the adoption of the resolution.

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

**RESOLUTION NO. 04-16-15-06**

BE IT RESOLVED, by the Southeast Louisiana Flood Protection Authority – East, on behalf of the East Jefferson Levee District of the Parish of Jefferson, Louisiana, in a public meeting held on April 16, 2015, which meeting was conducted in accordance with the Open Meetings Law and the additional requirements of Article VII, Section 23(C) of the Louisiana Constitution and R.S. 47:1705(B), that the taxing district voted to increase the millage rate, but not in excess of the prior year’s maximum rate (2011), on all taxable property shown on the official assessment roll for the year 2015, and when collected, the revenues from said taxes shall be used only for the specific purposes for which said taxes have been levied. Said millage rate(s) are:

<u>2015 Levy</u>		<u>Adjusted Rate</u>
4.01 mills	East Jefferson Levee District	3.91 mills

BE IT FURTHER RESOLVED that the Assessor of the Parish of Jefferson, shall extend upon the assessment roll for the year 2015 the taxes herein levied, and the tax collector of said Parish shall collect and remit the same to said taxing authority in accordance with law.

The foregoing resolution was read in full, the roll was called on the adoption thereof, and the resolution was adopted by no less than two-thirds of the total membership of the taxing authority voting in favor as required by Article VII, Section 23(C) of the Louisiana Constitution and R.S. 47:1705(B). The votes were:

YEAS: Mr. Ben, Mr. Estopinal, Mr. Hassinger, Mr. Kemp, Mr. Luettich,  
Mr. Tilly and Mr. Wittie  
NAYS: None  
ABSTAINED: None  
ABSENT: Mr. Angers and Mr. McHugh

**RESOLUTION NO. 04-16-15-07 –  
RENEWAL OF EJLD FLOOD INSURANCE COVERAGE**

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

**WHEREAS**, the East Jefferson Levee District (EJLD) flood insurance coverage for the EJLD Administration Building is due to expire on May 19, 2015 and a quotation was received for renewal through Arthur Gallagher Risk Management Services; and

**WHEREAS**, coverage for the EJLD Administration Building (203 Plauche) can be renewed under National Flood Insurance Program at an annual premium of \$3,395 with coverage of \$320,000 on the building and \$80,000 on contents, each with a \$1,250 deductible.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority-East authorizes the renewal of Flood Insurance Coverage as stated above under the National Flood Insurance Program through Arthur Gallagher Risk Management Services, for a one year period commencing on May 19, 2015, and authorizes the SLFPA-E Regional Director or EJLD Executive Director to sign any and all documents necessary to carry out the above.

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

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

NAYS: None

ABSENT: Mr. Angers and Mr. McHugh

**RESOLUTION NO. 04-16-15-08 – THIRD PARTY LIMITED ATTACHMENT  
AGREEMENT WITH ENTERGY, LOUISIANA, INC.**

Ms. Scott advised that the limited agreement with Entergy, Louisiana, Inc. for the installation of six surveillance cameras on utility poles along the Mississippi River Levee was discussed in the Operations Committee meeting. Port Security Grant Program funding will be used to pay the installation costs of the cameras. Agreements will also be needed with the City of Kenner and Jefferson Parish.

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

**WHEREAS**, the East Jefferson Levee District (EJLD) has applied for Port Security Grant Program funding to secure surveillance cameras for placement along the Mississippi River Levee; and

**WHEREAS**, the cameras will be attached to utility poles belonging to Entergy Louisiana, Inc., which will require the execution of a Third Party Limited Attachment Agreement with Entergy Louisiana, Inc.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority approves the Third Party Limited Attachment Agreement with Entergy

Louisiana, Inc., subject to review and approval by SLFPA-E Executive Counsel, and authorizes the SLFPA-E Regional Director to execute said agreement on behalf of the EJLD.

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

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

NAYS: None

ABSENT: Mr. Angers and Mr. McHugh

**RESOLUTION NO. 04-16-15-09 –  
EJLD – FIRST NBC BANK ACCOUNT SIGNATORIES**

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

**WHEREAS**, the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) adopted Resolution No. 03-21-13-10, which authorized the East Jefferson Levee District to utilize the banking services of First NBC Bank and to open accounts as provided in the resolution for the transaction of business and set forth designated agents and signatories for all transactions on the accounts.

**WHEREAS**, there is a need to change the designated agents and signatories for all transactions for the aforementioned accounts to delete Frances L. Campbell, Executive Director, and to add Robert A. Turner, Jr., SLFPA-E Regional Director.

**BE IT HEREBY RESOLVED**, that Resolution No. 03-21-13-10 is amended to provide the following individuals as designated agents and signatories for all transactions on all accounts of the East Jefferson Levee District at the First NBC Bank:

Robert A. Turner, Jr., SLFPA-E Regional Director  
Jonell C. Blowers, Special Assistant  
Paula Y. Doucet, HR Analyst C

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

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

NAYS: None

ABSENT: Mr. Angers and Mr. McHugh

**RESOLUTION NO. 04-16-15-10 – INCREASE OF BUDGET FOR ROADWAY  
REPAIRS AT FLOODGATES W-30 AND W-31**

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

**WHEREAS**, the asphalt surface of France Road Parkway on the flood side of Floodgates W-30 and W-31 has deteriorated to the point that trucks using the floodgate are damaging the seal plate and possibly the floodgate foundation; and

**WHEREAS**, the Board by Resolution No. 12-18-14-13 authorized the award of a contract in the amount of \$82,900 to Cycle Construction, LLC, and the establishment of a construction budget in the amount of \$90,000 to include contingencies, for the roadway repairs at Floodgates W-30 and W-31.

**WHEREAS**, unforeseen underground conditions led to an increase in construction cost of the project in the amount of \$11,069.96; and

**WHEREAS**, the total construction cost, including the aforementioned increase, is \$93,969.96, which exceeds the construction budget of \$90,000; and

**WHEREAS**, funds for the project are available in the approved FY 2015 Special Levee Improvement Fund Budget.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority – East authorizes an increase of \$5,000 to the construction budget for a total construction budget of \$95,000 for the Roadway Repairs at Floodgates W-30 and W-31, and authorizes the O.L.D. Executive Director to sign any and all documents necessary to carry out the above.

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

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

NAYS: None

ABSENT: Mr. Angers and Mr. McHugh

**RESOLUTION NO. 04-16-15-11 – LAKE PONTCHARTRAIN SEAWALL EROSION CONTROL ENGINEERING CONTRACT**

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

**WHEREAS**, a Request for Qualifications was issued by the Orleans Levee District for the Lake Pontchartrain Seawall Erosion Control Engineering Contract; and

**WHEREAS**, Resolution No. 04-17-14-06 authorized the selection of Design Engineering (DEI) as the Engineering Consultant for the aforementioned project; and

**WHEREAS**, the Southeast Louisiana Flood Protection Authority – East approved the Scope of Work divided into four phases including alternate engineering suggestions, a Fee Rate Schedule for all positions, a Schedule for the four phases and the not-to-exceed limit fee of \$5,335,362.87; and

**WHEREAS**, the Professional Services Agreement between DEI and the Orleans Levee District was executed on September 7, 2014.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority – East authorizes the Orleans Levee District Executive Director to execute Task Order No. 2 with DEI to provide engineering services, construction administration services and resident inspection services for Phases 2 and 3 of the

Lake Pontchartrain Seawall Erosion Control Engineering Contract in the amount of \$712,611.66 broken out as follows:

Phase 2 Engineering -	\$701,339.71
Less Phase 2 Services Done in TO #2	\$ 50,861.42
Phase 3 Surveying -	\$ 27,007.88
Phase 3 Geotechnical -	\$ 29,477.00
Subconsultant Management Fee (10%)	\$ 5,648.49

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

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

NAYS: None

ABSTAINED: Mr. Hassinger

ABSENT: Mr. Angers and Mr. McHugh

**RESOLUTION NO. 04-16-15-12 – DRAIN REPAIRS UNDER NSRR TRACKS – LAKEFRONT LEVEE FROM LAKEFRONT AIRPORT TO SOUTHPPOINT**

Gerry Gillen, O.L.D. Executive Director, explained that the proposed resolution would increase the not-to-exceed value of the Indefinite Delivery-Indefinite Quantity (ID-IQ) contract with Burk-Kleinpeter, Inc. from \$1 million to \$1.5 million. The resolution would also approve the proposed task order for the repair of the drain lines under the Norfolk Southern Railroad tracks. The lines drain runoff from the Citrus Lakefront Levee under the tracks and into Lake Pontchartrain. The O.L.D. is required under an agreement with Norfolk Southern Railroad to investigate the condition of the drains and perform the repairs. The proposed task order is for the design of the project.

On the motion of Mr. Wittie,

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

**WHEREAS**, the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) and Burk-Kleinpeter, Inc. entered into an Agreement for Professional Services dated December 12, 2012, for Professional Engineering Services on an Indefinite Delivery-Indefinite Quantity (ID-IQ) basis with a not-to-exceed contract value of \$1 million; and

**WHEREAS**, the Agreement dated May 1, 1974 between The Norfolk Southern Railroad (The Alabama Great Southern Railroad Company) and the Orleans Levee District (O.L.D.), provides that the O.L.D. is responsible for repairs to the drains under the Norfolk Southern tracks on the flood side of the Lakefront Levee from Lakefront Airport to Southpoint; and

**WHEREAS**, the existing drains under the railroad tracks require repairs; and

**WHEREAS**, the O.L.D. negotiated a task order with Burk-Kleinpeter, Inc. for the preparation of Plans and Specifications for the repairs to the drains under the Norfolk Southern tracks on the flood side of the Lakefront Levee from Lakefront Airport to Southpoint for an amount of \$270,107.20; and

**WHEREAS**, there is a need to amend the Agreement for Profession Services in order to provide sufficient funding for construction administration and inspection services for the project, which will be addressed in a future task order, and for engineering services for additional projects as may be required by the levee districts.

**BE IT HEREBY RESOLVED**, that the SLFPA-E approves the amendment of the Agreement for Professional Services with Burk Kleinpeter, Inc. to increase the not-to-exceed value of the agreement to \$1.5 million and authorizes the SLFPA-E Regional Director to execute said amendment.

**BE IT FURTHER RESOLVED**, that the SLFPA-E approves the issuance of a task order to Burk-Kleinpeter, Inc. in the amount of \$270,107.20 for the preparation of plans and specifications for the repairs to the drains under the Norfolk Southern tracks on the flood side of the Lakefront Levee from Lakefront Airport to Southpoint and authorizes the O.L.D. Executive Director to execute said task order.

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

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

NAYS: None

ABSENT: Mr. Angers and Mr. McHugh

**RESOLUTION NO. 04-16-15-13 - LAKEFRONT LEVEE GRADING FRANKLIN AVENUE TO CAMP LEROY JOHNSON**

Mr. Gillen advised that the project was advertised and bids were publicly opened. Eight bids were received. The lowest bid was submitted by Cycle Construction, LLC. in the amount of \$572,495. The project is for the improvements required to eliminate the standing water along the levee toe on both sides of the Lakefront Levee between Franklin Avenue and Camp Leroy Johnson. The USACE has brought up remarks concerning this issue during annual and quarterly inspections of the levee.

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

**WHEREAS**, numerous areas on both sides of the Lakefront Levee between Franklin Avenue and Camp Leroy Johnson are holding water next to the levee; and

**WHEREAS**, the Lakefront Levee Grading Franklin Avenue to Camp Leroy Johnson Project was advertised and eight bids were received, as follows:

<b>Bidding Contractors</b>	<b>Total Base Bid Price</b>
Cycle Construction, LLC	\$572,495.00
TKTMJ, Inc.	\$677,000.00
Hard Rock Construction, LLC	\$685,500.00
Beverly Construction Co, LLC	\$708,245.00
Durr Heavy Construction, LLC	\$835,736.31
Wallace C. Drennan, Inc.	\$929,625.00

Holliday Construction, LLC	\$956,474.75
Hamp's Construction LLC	\$1,189,111.00

**WHEREAS**, funds for the project are available in the approved FY 2015 Special Levee Improvement Fund Budget.

**BE IT HEREBY RESOLVED**, that the Southeast Louisiana Flood Protection Authority–East authorizes the award of a contract in the amount of \$572,495.00 to Cycle Construction, LLC., and the establishment of a construction budget in the amount of \$660,000 to include contingencies, for the Lakefront Levee Grading Franklin Avenue to Camp Leroy Johnson Project.

**BE IT FURTHER RESOLVED**, that the Orleans Levee District Executive Director is hereby authorized to execute a contract in the amount of \$572,495.00 with Cycle Construction, LLC., and 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. Ben, Mr. Estopinal, Mr. Hassinger, Mr. Kemp,

Mr. Luettich, Mr. Tilly and Mr. Wittie

NAYS: None

ABSENT: Mr. Angers and Mr. McHugh

**EXECUTIVE SESSION:**

- A. 17<sup>th</sup> Street Canal Coalition, et al vs. Orleans Levee District and Southeast Louisiana Flood Protection Authority-East, Civil District Court for the Parish of Orleans, No. 2008-06979, Division L-6, consolidated with Terry and Nina Lonatro, et al vs. Orleans Levee District and Southeast Louisiana Flood Protection Authority-East, No. 2011-0097, Section N-8.

A motion was offered by Mr. Hassinger, seconded by Mr. Kemp and unanimously adopted, for the Board to convene in Executive Session to discuss the item listed on the agenda. The Board convened in Executive Session at 11:55 a.m.

A motion was offered by Mr. Luettich, seconded by Mr. Wittie and unanimously adopted, for the Board to reconvene in regular session at 12:30 p.m.

**RESOLUTION NO. 04-16-15-14 – 17<sup>TH</sup> STREET CANAL LITIGATION**

On the motion of Mr. Luettich,

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

**BE IT RESOLVED**, that the Southeast Louisiana Flood Protection Authority-East (SLFPA-E) authorizes the SLFPA-E Executive Counsel to proceed as directed in Executive Session in the litigation entitled, “17<sup>th</sup> Street Canal Coalition, et al vs. Orleans Levee District and Southeast Louisiana Flood Protection Authority-East, Civil District Court for the Parish of Orleans, No. 2008-06979, Division L-6,

consolidated with Terry and Nina Lonatro, et al vs. Orleans Levee District and Southeast Louisiana Flood Protection Authority-East, No. 2011-0097, Section N-8”.

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

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

NAYS: None

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

The next regular monthly meeting of the Board will be held on May 21, 2015 and hosted by the Orleans Levee District.

There was no further business; therefore, the meeting was adjourned at 12:35 p.m.

# SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY – EAST

## REGIONAL DIRECTOR’S REPORT

April 16, 2015

### HSDRRS Project Status Update

**Warranty Paint Repairs** In response to our concerns about peeling paint on newly-built complex structures, the U.S. Army Engineering Research and Development Center (ERDC) determined that the Corps of Engineers (Corps) will totally repaint the vertical lift gates (VLGs) and make spot repairs on the gate leafs at the Seabrook Structure and repaint gate leafs at the Caernarvon Structure; no additional painting is required at the GIWW Sector Gate. All painting will be done after the 2015 hurricane season.

**HNC-02 – Lake Borgne Surge Barrier** The Corps has repaired the three damaged current velocity meters at the Sector Gate. The Corps will reinstall them by the end of the month.

Corps Hired Labor forces will install tripping dolphins on both sides of the Surge Barriers Sector Gate on the GIWW. The piling is at the Corps and expected to go to the GIWW at the end of April for installation.

**LPV-03.2b.1- Landside Runoff** Final site grading and construction of a lip levee adjacent to the swale is complete, but turf still needs to be established. We received the NCC on April 9, 2015. There are areas of the swale north of Vintage that are holding water. These will be addressed by USACE.

**LPV-111 – CSX RR to Michoud Canal** The Notification of Contract Completion (NCC) was issued in November, but the Corps must still establish turf on the recently raised sections and will reseed this month.

**LPV-144 – Bayou Dupre** Despite investigation by the bearing manufacturer, no conclusive cause of vibrations in the hinge assembly of the gate leafs has been determined. The path forward includes shaving the plates that hold the top bearing in order to increase clearances and changing over to greased bearings for the hinge assemblies. Work began replacing the top bearings on April 10, 2015, and all work is expected to be completed within 4 weeks.

**LPV-145,146 & 148.02** The NCCs for 146 and 148.02 were received in September, but the need for additional hog damage repairs has delayed the NCC on LPV-145. We received the NCC on April 9, 2015 for LPV-145.

**LPV-145A – Bayou Bienvenue Bridge** The periodic closures of Bayou Bienvenue that began in November to facilitate pile driving near the channel will continue through April. All of the bridge deck panels have been placed on the

east approach ramp, and the contractor is now placing panels on the west side of the channel. The bridge project is scheduled for completion in late 2015.

**LPV 148.02A Safe Room at St. Mary's Pump Station** All piles have been driven, and the prefabricated building should be delivered to the site shortly. Project completion is currently scheduled in mid-2015.

**LPV-149 – Caernarvon Structure** The Corps will issue a contract to repaint Sector Gate leafs to address peeling paint problems discovered after the NCC was issued. In order to repaint, the structure must be dewatered, and that will temporarily impact navigation. The Corps has denied our request that they replace machinery pit hatch covers. Hydradyne is modifying the hydraulic system to correct a water-in-oil problem. The work should be finished by month's end. We have asked the Corps for a debriefing to find out the contractor's concerns and recommendations on what they found.

**LPV-150 Utility Crossings/Jib Crane Pad/Bypass Ramp Repair** The Corps has replaced all utility crossing pads with gravel along the Access Road. They are reviewing submittals for the Emergency Bypass Road at Highway 46 and are finalizing plans for replacing jib cranes and building parking pads at Bayou Dupre.

**LPV-153 Bayou Dupre & Caernarvon Sector Gate Needles** The dewatering needles for Bayou Dupre and Caernarvon are scheduled for delivery at the end of the month.

**OFC-07 London Avenue and 17<sup>th</sup> Street Remediation** Work along the London Avenue Canal is finished, and a pre-final inspection was held March 5. The portion of the project located within the East Jefferson Levee District's jurisdiction has several depressions in the levee slopes that may need re-grading. The as-built surveys are being reviewed to determine the accuracy of levee slope angles and the need for additional grading. The NCC was scheduled for June 2015 to allow for adequate turf establishment this spring, but we received the NCC dated March 31, 2015. The contractor is still responsible for establishing turf.

**OFC-08 17<sup>th</sup> Street Canal Bank Stabilization** The contractor has completed placing stone for this project, and a pre-final inspection was held March 5. The pre-final inspection for the staging area on Harrison was held on April 1, 2015; turf still needs to be established.

**Permanent Canal Closures and Pumps (PCCP)** Outstanding issues on this project include:

- Reaching agreement on the appropriate number of bypass closure gates to maintain maximum velocities through the permanent floodgates in the 17<sup>th</sup> Street Canal; and

- Reviewing settlement calculations based on new borings and updated consolidation values in the 17<sup>th</sup> Street, Orleans and London Avenue canals.

Commissioning of the new structures is still scheduled for May 2017, with decommissioning of the temporary structures possible within the following two years. Please check the New Orleans District web site at [www.mvn.usace.army.mil/missions/hsdrss/pccp.aspx](http://www.mvn.usace.army.mil/missions/hsdrss/pccp.aspx) for details and regular updates on this last, major HSDRRS perimeter project.

Monthly CPRA project update reports are sent to all SLFPA-E Commissioners as they become available. The April report is expected shortly.

**Armoring** Work on the first system-wide armoring installation contracts is underway on levees in St. Charles Parish, and the Corps has submitted two right-of-entry requests to the Orleans Levee District (OLD) in preparation for armoring some lakefront levees and one right-of-entry request to the East Jefferson Levee District (EJLD). It may be necessary to acquire temporary construction rights-of-way along some sections of the Orleans lakefront where there is insufficient land on the protected side of the levee to accommodate the armoring work without the temporary use of additional land. The exact locations and extent of needed property is being finalized.

Meanwhile, the SLFPA-E, Southeast Louisiana Flood Protection Authority-West and the Coastal Protection and Restoration Authority continue planning to try and raise some levees at local cost before armoring. The intent is to save millions of dollars in future armoring replacement costs by extending the life of armored levees. The SLFPA-E has awarded a contract for preliminary land survey work in both levee districts. Evans and Graves, under a task order last December for program management work in support of pre-armoring lift construction, has prepared an aggressive preliminary schedule and drafted a Request For Qualifications for design services on future levee lifts.

**SBPS-07 – Repairs to LBBLD Pump Stations #2 and # 3** Work is progressing at Pump Station #3, where the contractor has completed T-walls to the east of the station. The T-walls that are penetrated by the discharge pipes are also complete, and the contractor is driving H-piles to the west of station. There is currently no major work being done at Pump Station # 2.

## Mississippi River Projects

**Jefferson Heights** A Corps contractor continues to raise East Jefferson river levees between the Orleans-Jefferson and Jefferson-St. Charles parish lines. Work began at the Orleans Parish end and is moving toward Kenner. The first 10,000 feet of newly surfaced bike path between the Orleans line, upriver to about the Jefferson Playground, has been reopened to the public. Another

stretch of path from that point to the Huey P Long Bridge was to have been opened by the end of March, but the Corps has not confirmed whether that goal was met. The entire first phase of this project, about 4.2 miles, is to be complete by the end of April, although the contractor warns that inclement weather or high-river delays could slow the schedule.

Once Phase 1 is complete, the second phase of construction will begin along 4.5 miles of levee from about Orchard Road in River Ridge to the Jefferson-St. Charles line in Kenner. That second segment of work is scheduled for completion in December of this year.

Additionally, to keep the public informed of schedule, Corps representatives have said they will issue one or more press releases that provide project updates. They also say the Corps has communicated, via phone calls and pamphlets, with the owners of property adjacent to any tree that will be removed.

**Carrollton Project** All levee enlargement work in Orleans Parish is complete, and the OLD has received a draft response from the Corps to several issues OLD officials voiced during a final inspection last summer. The OLD sent its response to the Corps' comments and a meeting is being scheduled to discuss the responses with the Corps.

## Internal Affairs

**Surge Analysis Update** We continue to discuss internally and with others in the flood defense community the best path forward to accomplish a Hurricane Surge Analysis update over the next several years. With help from Commissioners Rick Luettich and Paul Kemp and other specialists in the field, we fashioned a Draft Scope of Work for a Phase 1 Planning Study. The draft is being further reviewed and evaluated by the Coastal Advisory Committee, which includes Commissioners Paul Kemp (chair), Rick Luettich and Jeff Angers, as well as well coastal scientists in the community.

**Non-Federal Levee Certification** Our certification report for the Maxent Levee was resubmitted to FEMA on Feb. 6, 2015. The levee was accredited by FEMA in a letter dated April 6, 2015.

The results of geotechnical investigations of the Forty Arpent Levee indicate that no substantial levee stability issues remain. Our consultant is preparing plans and specifications for a new levee near the Violet Canal and working on real estate takings and appraisals for the new levee footprint. The soap factory's levee P&S is at 65% and the shrimp factories will be at 65% in May. Meetings have been held with both Orleans and St. Bernard government officials to explain the urgency of this project. The soap factory coastal permit was approved by the Parish on April 7, 2015. The shrimp factories permit will go through the same process and should be approved in 30 to 45 days.

**IHNC-01 – Seabrook Complex** In response to a distress report filed by OLD in early December, the Corps conducted a structural analysis of the damaged bearing pad beneath the eastern Vertical Lift Gate. The analysis showed that the damage is causing no problem; however, the Corps provided a repair method if the Non-Federal Sponsor wants to replace it.

Shortly thereafter, vibrations of the same VLG began, and the OLD is now preparing to monitor the vibrations, just as the Corps did at Bayou Dupre.

**Training** In their report on automated asset management software alternatives, one of the recommendations from Moffat & Nichols was to develop reporting forms utilizing software currently used by OLD. In response, a modeling exercise was held this month and a list of possible program upgrades prepared and submitted to the software firm. M&N submitted a draft final report on their investigation on the use of the OLD's current software and it is in review.

**Emergency Preparedness** The Mississippi River is now around elevation 12.0 and had reached a broad crest of 14.3 from April 3, 2015 to April 7, 2015. The National Weather Service predicts it to drop slowly in the upcoming week, with a bump back up to 12.5' near the end of the month.

**Complex Structures** Electrical shorts at the Bayou Bienvenue VLG are being investigated, but generators at the site still allow both gates operation. The OLD had a platform fabricated that could hang over the side railing at BB so they could access the conduit and junction boxes that bring secondary power from the sector gate.

The conduit and junction boxes are at least 5' back under the roadway. Weather permitting, they should know this week what the problem is. This is a problem that occurred prior to the NCC being issued, but was not corrected.

All other navigation gates are in working order, and maintenance is up-to-date.

**Tidal Gage Network** The Corps has submitted to SLFPA-E three right-of-entry requests for hardened tide gage station sites at Delacroix, Breakwater Park and Chef Menteur, one in each of our Levee Districts. The CPRA is preparing the AFE's and checking property ownerships. We are still waiting for the P&S for the project.

**Periodic Inspection Reports** Representatives of SLFPA-E and its three Levee Districts met with the Corps in December to review the previous Periodic Inspections (PI). The purpose of a PI is to verify continued and appropriate operation and maintenance and to evaluate the stability of structures and compare constructed criteria to current criteria. The first PIs were conducted between February 2010 and January 2014 on all MR&T and HSDRRS projects. The Executive Directors of our Levee Districts are now reviewing their

individual portions of the overall PI, and each is preparing a list of items that need to be addressed. A follow up meeting was held with the Corps and CPRA in February to review responses to the PI, and the resolution process continues.

All unacceptable PI items have been visited in field, verified and pictures taken. A list and course of action for all unacceptable items is being prepared. This will be accomplished after SAR and quarterly reports completed.

**Risk Assessment** SLFPA-E has received several responses to its Request for Proposals to provide risk engineering services in the performance of a Probabilistic Performance Analysis for the Lake Borgne Surge Barrier, the Seabrook Complex and gates, and Sector Gates at Bayou St. John, Bayou Bienvenue, Bayou Dupre and Caernarvon. The proposed analysis will identify and address the possible risk of failure or breakdown of any mechanical system within these structures that could cause flooding in parts of Orleans, Jefferson and St. Bernard parishes. The results of this work will help to inform Operation and Maintenance Plans for the structures. A short list of three firms were selected from the submittals and were interviewed on April 10, 2015. The recommended firm for the services will be discussed at the Board meeting today.

**SAR** The first Semi Annual Report of 2015 is being finalized for submittal to the CPRA this week. In turn, CPRA will submit to Corps on or around April 30, 2015. Several clarifications and updates have been addressed since the first SAR was conducted last fall. Part of the SAR process requires that the S&WB in New Orleans and the Jefferson Drainage Department submit their reports on frontal protection directly to the CPRA.

#### **Meetings and Items of Note:**

The Coastal Protection and Restoration Authority Board will meet May 20, 2015 at 9:30 a.m. in the LaSalle Building (LaBelle Room) in Baton Rouge.

The Governor's Advisory Commission will meet June 3, 2015 at 10:00 a.m. in the Galvez Building in Baton Rouge.

#### **New Contracts:**

VCI, LLC – completion of crediting packages - contract period 3/2/15 to 12/31/15  
- not to exceed \$49,000

## Levee District Construction Projects:

Project	District	Status	Comments
Floodgate & Floodwall Repairs	OLD	99% complete	Contractor to schedule remaining work with CSX RR.
MRT and IHNC Vegetation Removal	OLD	Complete	Final quantities to be verified
Seawall Steps Erosion Phase 4&5	OLD	87% complete	
Seawall Steps Erosion Phase 2B	OLD	3% complete	Contractor mobilizing
Floodgate EB-15	OLD	Complete	

## Levee District Project Designs and Studies

Project	District	Comments
Outfall Canals Erosion	OLD	Study complete; design 87% complete
Lakefront Seawall Area Reach , 4&5	OLD	Design complete; construction administration 87%
Lakefront Seawall Area Reach 2B	OLD	Design complete; construction administration 12% complete
Floodgate Seal Repairs	OLD	Design complete; construction administration 99% complete
IHNC St. Claude Bridge Drainage	OLD	Design complete
Lakefront Levee Slope Drainage Reach 4	OLD	Survey complete; design complete
Citrus Lakefront Levee Slope Paving at Intersections	OLD	Survey complete; design complete
Bayou St. John Adaptive Water Management Plan	OLD	Plan 38% complete
Citrus Lakefront Levee Railroad Drainage Study	OLD	Investigation complete; design proposal to be approved by Board
Lakefront Seawall Area Reach 1A-4C	OLD	Design 30% complete
MRT Aluminum Stop Logs	OLD	Complete
Bayou Bienvenue/Bayou St. John O&M Manuals	OLD	Complete
Police Administration Building	OLD	Site Study complete
MRT Floodgate Painting	OLD	Design 0% complete
Phase 1 for engine upgrades at Pump Stations	LBBLD	95% designs received; comment resolution ongoing
Phase 1 for Safe Room Design HMGP approved by FEMA	LBBLD	Phase 2 funding received from FEMA Region 6 & GOHSEP; Preparing to advertise through SBPG
Pump Station #6 pump repair and hangers at P.S. #7	LBBLD	P&S complete; advertise by the end of April

<b>Pump Station #6 Erosion Repair</b>	LBBLD	P&S complete; advertise by month's end
<b>Safe house &amp; Consolidated Facility</b>	EJLD	Waggoner & Ball are working on the construction documents and expect to have them completed in June.