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U.S. ARMY CORPS OF ENGINEERS

EASTERN TIE-IN PUBLIC MEETING

THURSDAY, NOVEMBER 5, 2009

HELD AT BELLE CHASSE HIGH SCHOOL

MODERATOR:
NANCY ALLEN

PANELISTS:
GIB OWEN
JULIE VIGNES
JULIE LEBLANC
BRUCE EBERSOLE
KEVIN LOVETRO

REPORTED BY:
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Certified Court Reporter

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MS. NANCY ALLEN:
Ready to get started? Good evening, ladies and gentlemen. We want to welcome you and thank you for being here tonight. My name is Nancy Allen, public affairs staff for the Corps of Engineers, and I will be facilitating this evening's meeting. We really want to thank you for coming out and attending this meeting regarding the Eastern Tie-In Individual Environmental Report, IER 13. Today we have more than 30 meetings regarding this project.
Just a couple of housekeeping duties. I would ask that you set your

Blackberries and cellphones and pagers to vibrate, please.

The purpose of tonight's meeting is to elicit feedback from the recently published amended IER 13. We have a very simple format tonight. We have some opening comments from Plaquemines Parish and then from our Commander Colonel Lee, and then we will open up the floor for your questions and

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comments. We do have some elected officials with us this evening from the Plaquemines Parish council. We have Keith Hinkley, Anthony Buras, and Jay Friedman. Do we have any other elected officials or staff elected officials that we may have missed?

Thank you. We welcome you here.

Also, tonight representing FEMA we have Joe Sloan and representing the Louisiana Insurance Commission we have Ed O'Brien.

I'm going to ask you to do a couple of things. Please let us finish our very brief remarks before you ask questions and make comments. We do have project managers and subject matter experts here with us to answer your questions, and we will do so after the remarks.

At the end of the presentation, everyone will have no more than five minutes to make your comments or ask questions. There are speaker request cards that you were given when you came

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in. We will be calling out names off of those cards to speak in the in order in which they were given to us. There are also at the back mail-in comment cards. If you want to simply write down your comment, you can do so and mail it in.

We only have one microphone out in the audience. So when I call your name, I'm going to ask you to line up at this microphone. We do have a court reporter here with us to make the official transcript. She needs to be able to see you speaking which was why we are working from one microphone. So, again, I'll give you a couple of names and ask you to line up at that microphone.

It's going to be most effective if everybody speaks one at a time and uses the mike so that we can get all of the comments down.

With that, I'm going to ask President Nungesser to make a few remarks on behalf of Plaquemines Parish.

PRESIDENT NUNGESSER:

Thank you. Let me first start out

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by clarifying a few things. There's a rumor that seems to run rampant. First of all, the position that the administration took for the invisible wall was not an endorsement of not a hundred-year protection for Reach One.

Realizing that this group was tasked with completing the project -- not that we're happy about it -- but they were tasked by Congress to complete, if we didn't make a recommendation, they would select the cheapest option which is the sealed floodgate which is what they selected. The council did not endorse a proposal. Many of you who were there felt they shouldn't.

My position was they would have the engineer design an invisible flood wall while we were working as quickly as possible to get the numbers from the Corps for the 25 percent design bill, while we were working with the state to raise the highway -- (inaudible) --

24 which is further down, and while we gave
25 all the information we need to try to
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1 fund the addition of the hundred-year
2 protection. We still feel that we can
3 make the same deadline if the Corps
4 gives the information they promised us
5 in a reasonable time which we're hoping
6 to get in the next couple of weeks. We
7 can still make that deadline.
8 We have several options for funding
9 that betterment -- I'll be glad to talk
10 to you about those individually --
11 ranging from local to state to federal
12 funding. Locally all of them have to be
13 approved by the parish council. But the
14 endorsement of the invisible wall was
15 not giving in to not doing a
16 hundred-year protection for Reach One.
17 Further south we will be following
18 the -- (inaudible) -- coastal plan
19 starting north storm surge 5 feet which
20 when that is in place, all the federal
21 levees that are in place south of --
22 (inaudible) -- most of them will achieve
23 hundred-year protection with our coastal
24 plan. Building the levees for
25 hundred-year protection south of there
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1 the cost of the wave action is not cost
2 beneficial right now. So we want 74
3 percent of the population on the West
4 Bank is inside what we're trying to
5 achieve on the hundred-year protection.
6 It's not that we're leaving anybody
7 out. We've got -- (inaudible) --
8 working on the final plans of the
9 coastal plan to make sure the Corps is
10 happy with all the elevations and all
11 the data that we have been working on.
12 So we're not leaving anybody out.
13 But if we didn't take a stand and we
14 didn't as a government, other than my

letter and the letter that I got from Coastal Zoning which they were sending and the government didn't support, one of the options, the Corps is going to go and choose its option -- (inaudible) -- It's the worst option. It's going to happen quicker, and it's the most dangerous. People are going to plow into that steel wall with their vehicles.

So I'm not supporting it. I'm not

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in support of it. And I'm open to any suggestion what we can do to ask them to hold off until we get the hundred-year protection for Reach One. Thank you.

MS. JULIE VIGNES:

Thank you. Next I'm going to ask Colonel Lee to please come up front and make his remarks.

COLONEL LEE:

Good evening, everyone. And, again, thank you for coming out, and I know that many of you I've seen you here before, and I really appreciate your ongoing interest in the Eastern Tie-In proposed action that was identified in both IER 13 and the IER 13 addendum.

And so I stand before you tonight to fulfill another commitment that I made back in May at one such meeting, and that's based on the request that you gave us and your comments. I extended the Eastern Tie-In project comment period and listened to everything you had to say. We looked very closely at many substantial comments that you

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brought up that we took into account. We did the analysis on those, and I'm pretty confident that our team answered those comments.

As you are well aware, we held

6 multiple public meetings throughout the
7 parish. You've heard how many of those
8 meetings we've held, and the reason we
9 held them is because this is a complex
10 project. It's not a simple project.
11 It's not like many of the projects in
12 other parts of the system that are
13 already in place. This is a new area
14 that we're trying to close off. And so
15 throughout the NEPA process, that's part
16 of what -- the reason you're here
17 tonight, is that it just reinforces the
18 fact that there's still public
19 engagement in this process.
20 We have listened to the people that
21 live north of Oakville, we've listened
22 to the people that live in Oakville, and
23 we have also listened to the people that
24 live south of Oakville. And we've had
25 continuous meetings with public
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1 officials with -- from the local, the
2 state levels, and the federal level, and
3 we've also had meetings with private
4 citizen groups to try to understand your
5 perspective on this project, how we can
6 minimize impacts, how we can make this a
7 workable solution.
8 We extended that public comment
9 period to provide you that opportunity
10 to provide those additional comments.
11 And we assessed and satisfactorily
12 addressed the standard comments that
13 were brought up in the public meetings.
14 Those comments, just to give you a
15 little feedback from that, influenced
16 how we went back and reassessed
17 alternatives, how we influenced
18 additional modeling that was done by our
19 research lab in Vicksburg and our
20 hydraulics folks that are here in the
21 New Orleans District.
22 We reconfigured a

23 150-cubic-feet-per-second pump station
24 that originally diverted flow into the
25 Ollie Canal. We changed that whole
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1 alternative now so that it diverts flows
2 during a tropical event into a marsh
3 outside the nonfederal levee system and
4 does not even go into Ollie Canal.
5 We also developed and assessed two
6 other alternatives for potential closure
7 of Highway 23 south of Oakville. That
8 included a ramp that was recommended by
9 the Louisiana Department of
10 Transportation and also the invisible
11 flood wall alternative that was
12 supported by President Nungesser.
13 We also modified the two floodgate
14 alternatives. They originally were
15 about 40 feet each. We expanded the
16 width of those gates because there were
17 concerns about the clear zone as far as
18 highway safety about traversing through
19 those areas when they were open and also
20 when they are closed. So some of the
21 things that we did to both the roller
22 gate and swing gate alternatives when we
23 were going through this evaluation
24 process was to maximum safety along
25 Highway 23 and also to minimize the
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1 visual impacts.
2 We also held a workshop on the 19th
3 of September, and I know many of you
4 were at that workshop, and that was just
5 really another opportunity for us to
6 engage you. We brought in a lot of our
7 subject matter experts to help explain
8 one-on-one to you in our resource room
9 and also in here during the public
10 comment period what we were attempting
11 to do as we work through the NEPA
12 process and also to clearly address your
13 substantive comments and concerns about

this proposed action.
And I can tell you that our team carefully considered the four alternatives that would connect the risk-reduction features on the west side of Highway 23 to the east side of Highway 23 and tie into the Mississippi River levee. The alternatives considered were a ramp with a stop lock gate, a swing floodgate, a roller floodgate, and an invisible flood wall. Those were the four alternatives we

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looked at. And we've assessed each of these alternatives for the following criteria. This is kind of how we graded them -- risk and liability, impacts to human and natural environment, time and constructibility, cost and operations and maintenance. So that's how we assessed the alternatives and developed the proposed action.
So the proposed action for the IER 13 is the swing floodgate. It is a proven, reliable system, and from a risk and liability standpoint and operations and maintenance standpoint, this alternative is clearly superior to the roller gate, the ramp with the stop lock gate, and the invisible flood wall.
The swing gate requires minimal training and advanced preparation, and it can be also closed in approximately four hours. Also it has traverse lanes that can be open and closed as needed to provide emergency evacuation for people that weren't able to evacuate prior to the gate being closed and also for

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emergency responders to get to the north and south parts of the parish during an actual tropical event, immediately before, during, and after a tropical

event.
I clearly understand that the people south of Oakville want 100-year risk reduction. That's been very clear in the conversations with me, that you gave to us in your public comments, that have been given to us here in the public meetings, and your e-mails that you have sent us. In the one-on-one dialogue that I have had with you, we do understand that, but what I have to tell you again is that we do not have the authorization and funding from Congress to provide that one-hundred-year level of risk reduction as part of the West Bank and Vicinity project.
But one of the things I've told you in every meeting is that we do have the authorization and the funding, about $670 million worth of funding, to proceed on the nonfederal levees for

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Jesuit Bend and areas south of Oakville to St. Jude, and we're continuing to do that. We're working daily. We're doing work out in the field. We're doing site investigation and borings so that we can prepare the designs so that we can get the environmental impact statement out to the public for public review so we can continue to move that project forward.
Your local government has a plan to improve the levees that reduce risk for the areas from Jesuit Bend, Myrtle Grove, Port Celeste, and St. Jude and are actively working to address that issue. President Nungesser is working now with the state's Office of Coastal Protection and Restoration to develop a plan to raise the nonfederal leaves below Oakville, Louisiana to one-hundred year levels of risk reduction, and we're

22 working closely with President Nungesser
23 to assist in finalizing those plans so
24 we can submit it through our
25 headquarters for approval.
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1 I want you to understand, as I said
2 in the 19 September meeting, the most
3 important thing that we want you to take
4 away is that we will raise the height of
5 the nonfederal levee design that we are
6 building south of Oakville to account
7 for any increases in storm surge from
8 the Gulf intercoastal waterway and
9 Western closure complex and also the
10 project that we're talking about right
11 here, the proposed Eastern Tie-In
12 project.
13 Also, we know that one major concern
14 to the residents south of Oakville is
15 how the Eastern Tie-In project will
16 affect your property values in those
17 areas, and our economists have reviewed
18 those issues, and our evaluation is that
19 there's no evidence that the proposed
20 action would adversely impact your
21 property values.
22 Having said that, once complete, the
23 Plaquemines Parish nonfederal levees
24 will significantly reduce your risk from
25 hurricane storm surge. And many of you
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1 came by and visited our economists
2 during the 19 September meeting that we
3 held here, and I understand the concerns
4 of the community regarding the property
5 values, and I understand that you don't
6 necessarily agree with this decision.
7 But one of my very serious
8 responsibilities is to get this Eastern
9 Tie-In project built by 1 June 2011.
10 This project is absolutely critical
11 to the entire West Bank, and without it
12 the area remains vulnerable. It remains

13 a gap in the system, and it remains
14 vulnerable to storm surge. Delaying
15 this project any longer places hundreds
16 of thousands of people at risk, and that
17 is something that I'm not willing to do.
18 And, you know, tonight I do really
19 appreciate you coming back out and being
20 part of this public meeting, and I look
21 forward to your comments and any
22 questions that you have. We have
23 several of our subject matter experts
24 here that are on the panel. I will also
25 be here to answer any of your questions,
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1 and we'll be here until we've answered
2 your questions tonight. So thank you
3 very much.
4 MS. NANCY ALLEN:
5 Thank you, Colonel Lee.
6 All right. Now we're going to open
7 up the floor for questions and comments.
8 Let me go over the ground rules.
9 Speaker request cards and also
10 postage-paid comment cards are available
11 at the sign-in tables in the back. If
12 you have a speaker request card and
13 would like to speak, you can just hold
14 your hand up in the air and somebody
15 will come around and get it. Speakers
16 will be called in the order that your
17 request was received. And I already
18 have a stack of cards up here that are
19 numbered.
20 You will have a maximum of five
21 minutes to speak. We have a light
22 system here. When it starts blinking,
23 you have a minute left, and then you'll
24 see a red light and you'll hear a sound
25 to indicate that you need to wrap it up.
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1 You may not yield unused portions of
2 your time for another speaker.
3 All questions and comments, whether

they are given verbally or written, will be become part of the official record for IER 13. All comments will be considered equally. The written comments may be submitted through November 25th, 2009.

Again, I ask that you use the mikes. We have one mike over here.

And I'm going to introduce our panel members up here. They represent some of our subject matters as well as project managers. We have Julie Vignes, the senior project manager for the West Bank. Julie LeBlanc, senior project manager for Plaquemines. Gib Owen, environmental manager. Bruce Ebersole, hydraulics and hydrology. And Kevin Lovetro, economics. We also, as I mentioned earlier, have representatives from FEMA and the Department of Insurance.

All right. My first speaker is

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Christie Lauff followed by Frank Ranatza and Wendy Keating. And I'm very sorry if I'm butchering anybody's name. Christie Lauff.

MS. CHRISTIE LAUFF:

The addendum states that this project is absolutely critical to the entire West Bank and without it the area is vulnerable to storm surge. Delaying this project any longer places hundreds of thousands of people at risk.

From this statement, I would have to conclude that the area adjacent to and south of this system will then be left vulnerable to storm surge since we are closed on the outside of this system. Also, from what I understand, the 7-mile stretch from Jesuit Bend down to La Reussite includes hundreds of thousands of people as well.

21 It is also written in the addendum
22 that the West Bank and Vicinity project
23 may slightly increase the 1 percent
24 annual chance of occurrence storm surge
25 level south of Oakville. The general
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1 trend is for the West Bank and vicinity
2 storm surge increase to decrease the
3 further distance south of the West Bank
4 project one is. The difference in peak
5 surge diminishes to 0 to 0.1 feet
6 approximately 8 miles south of Oakville.
7 With this being said, that the
8 effects will be out to 8 miles below the
9 proposed project, why isn't the affected
10 8 miles mentioned in the draft? Why is
11 it only 1 mile out? Shouldn't all the
12 areas that will be affected by the
13 project be addressed in the report?
14 MS. JULIE VIGNES:
15 Okay. (Inaudible) -- can answer the
16 question about storm surge, if that's
17 your specific question. But is the
18 question, why we described the area as 1
19 mile of the floodgates?
20 MS. CHRISTIE LAUFF:
21 That's more of the question.
22 MS. JULIE VIGNES:
23 The original addendum just described
24 the project as immediately affected by
25 the floodgates, but what we have done in
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1 the addendum is answer the question as
2 to how storm surge would affect the
3 system below, as far below as 8 miles.
4 So I think the answer to that question,
5 the addendum, the specifics on the storm
6 surge, if you need more details, I can
7 have Bruce address that.
8 MS. CHRISTIE LAUFF:
9 The addendum also states that the
10 draft IER 13 did not contain a detailed
11 description or socioeconomic analysis of

the area further than 1 mile south because those areas are outside of the authorized West Bank and vicinity project area.

I understand that Congress did not provide funding or authorization for an update or reevaluation of the authorized project boundaries and that Congress -- that specific Congressional authorization and appropriations would be required for a reevaluation of the West Bank and Vicinity project boundaries.

By addressing our comments in the

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addendum and redefining some of the affected areas, shouldn't Congress be informed of the changes and how it relates to the entire project? Who was and is supposed to let Congress know that we weren't here when the project was originally put out, we are here now, and that we will be affected?

MS. JULIE VIGNES:

I mean, the reports are made available to the entire public. As currently mentioned, we've had a lot of engagement at all levels of government. Local, state, and federal government has been engaged in the process of going through the Eastern Tie-In.

MS. NANCY ALLEN:

Thank you. Frank Ranatza. Wendy Keating.

MR. FRANK RANATZA:

I'm Frank Ranatza. I live at 161 Ranatza Road, and I'm going to be under the side of the wall that's not going to be covered -- okay -- here, in the lower part. And, you know, it's kind of like

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a family, and we all in this Belle Chasse area here. And I got a family of

3 12 people, but something serious come
4 along, and it gets to a point where
5 we're going make a sacrifice so the
6 other part of the family can survive.
7 We'll just sacrifice these three
8 over here. So the other groups of my
9 family won't survive.
10 I feel like we're being sacrificed
11 so that the masses can survive the
12 storms that come along, and I can't see
13 it. It's not right -- okay -- what you
14 guys are proposing. I feel just as
15 important as everyone else does and all
16 of my neighbors that live around me --
17 okay -- close friends of mine, and I
18 can't just see closing us off where
19 we're going to be outside the wall of
20 protection.
21 And I know you guys are thinking
22 that later on you're going to put a
23 levee up that can protect everyone. But
24 when is that going to come? Next year
25 we get a serious storm come along.
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1 We're below the wall. We get flooded
2 out. The masses here survive, but the
3 few perish. So here we are looking at
4 just a few people that will lose.
5 That's just like a part of my family
6 that I lose. Okay?
7 And the other comment I have,
8 nothing has been said about the federal
9 levee out by the Mississippi River.
10 We've got families that have been here
11 and flooded by Betsy. The waters came
12 over the Mississippi River. The last
13 storm we had, Katrina, I cleared debris
14 from out of my yard out there that came
15 from the river. It did not come from
16 the marsh. It took me three weeks to
17 clean my yard enough with the debris
18 that came over the levee. What are
19 you-all going to do about the

20 federalized levee that we got the flood
21 waters from? How are you going to build
22 it up? When are you going to build it
23 up?
24 MS. JULIE LEBLANC:
25 In the areas north of Oakville and
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1 Belle Chasse, we will be raising the
2 Mississippi River levees for
3 approximately 14 miles on the West Bank.
4 MR. FRANK RANATZA:
5 Here we go again. Okay? I'm sorry
6 to cut you off. Here we go again.
7 Above Oakville. What are you going to
8 do below Oakville?
9 MS. JULIE LEBLANC:
10 Below Oakville we do not --
11 MR. FRANK RANATZA:
12 Now, the federalized levee by the
13 river now. Okay?
14 MS. JULIE LEBLANC:
15 We do not have authority to do any
16 hurricane protection work on the
17 Mississippi River levee. Do you have
18 the map?
19 We have authority to construct the
20 area shown. The blue is the existing
21 nonfederal levee alignment, and the
22 yellow is our tentatively selected plan
23 for Plaquemines Parish nonfederal
24 levees, and that's going to be
25 incorporated into the existing New
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1 Orleans to Venice project.
2 MR. FRANK RANATZA:
3 When is your project going to be
4 completed do you estimate?
5 MS. JULIE LEBLANC:
6 Next slide. This is our schedule.
7 We have a draft supplemental EIS coming
8 out in December. We will have a public
9 meeting to talk about that
10 approximately 30, 45 days after that,

and we would sign the decision in July 2010. Plans and specs would be completed -- This is our current schedule right now. We are working with the parish to try to expedite this schedule because we know the project is important to the people in the area. Plans and specs currently October 2010, with advertising the first contract in March 2011, with awarding the contract in June.

MR. FRANK RANATZA:

And that's going to be at the 100-year protection height?

MS. JULIE LEBLANC:

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That is the interim authorized height which is approximately a 50-year storm.

MR. FRANK RANATZA:

Okay. Thank you anyhow.

MS. NANCY ALLEN:

Thank you, sir. Wendy Keating, and then the next person is Pat McCabe.

MS. PAT MCCABE:

I'm Pat McCabe, and I live in the Jesuit Bend section. I came down here over 35 years ago because this was the place to live. But what you people are going to do to the area where I am is a same. You're going to take away everything that people have worked for and have enjoyed. We had a good parish before you-all decided to start messing things up with all these plans you're going to do.

Why don't you rebuild the marsh land behind Barataria and get the oil companies which were allowed to divide all that area back up in there and make all those little canals that are causing

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all this erosion -- Why don't you take

2 action and bring it up from Barataria,
3 fill it in? Then we would have
4 protection.
5 As far as the river, I know it was a
6 freaky thing when it came over when we
7 had the last hurricane, but that's --
8 I've been there 35 years. That's the
9 first time that levee has ever topped.
10 But the water comes from the back,
11 and what happens is, you-all just close
12 your eyes. I see them riding down the
13 levee just chatting and carrying on,
14 having a good time, looking straight
15 ahead. They don't look to the left.
16 They don't look to the right. I've seen
17 your cars because I live on the highway.
18 Then all they look to do is get
19 this ride over so they can go hit a
20 restaurant.
21 I'm tired of people saying that
22 you-all are really doing a job. This is
23 ridiculous. Get in an airplane. Fly
24 around and see what's happening, that
25 Barataria Bay is now in my backyard.
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1 When I moved here, you couldn't even see
2 the water. Now I can walk into it. And
3 you can't tell me that this is something
4 that happened overnight, that you people
5 aren't aware of. Where have you been
6 for 30 years? Don't you ever come out?
7 I'm no geologist and I'm no genius,
8 but I know very well that you can walk
9 and you can see water, and you should
10 know where it stops and where it's
11 coming from. You-all have not bothered
12 to fool with this stuff. If you had,
13 you've closed your eyes to it. All you
14 have done is worry about hitting that
15 highway and getting back up line. You
16 have not spent any time. No one has
17 ever come to talk to us. We live there.
18 It's our livelihood to a lot of people.

The orange industry is going to go under. You're going to lose all the seafood industry. You're going to wipe Plaquemines Parish off the map. Why? Because you don't care. It is about time somebody does something.

We're the richest parish per capita

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in the entire Louisiana. You cut us off, you're going to lose seafood, you're going to lose citrus, you're going to lose cattle, you're going to lose oil, you're going to lose sulfur. You're going to lose so much because you close your eyes and you're not worried about us because we're this little thing that sticks out into the Gulf.

Well, let me tell you something, baby. When they cut off Plaquemines Parish, Louisiana is going to lose 90 percent of its income. And then what you going to do? Sit back and say, Oh, well, that just happens because we -- not because we didn't know, but we didn't care.

MS. NANCY ALLEN:

Wendy Keating.

MS. WENDY KEATING:

Good evening. My name is Wendy Keating, and this is my son, Spencer.

Colonel Lee, a main concern that I have had as a homeowner is the affordability and the availability of

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homeowner insurance in Southeast Louisiana, specifically Plaquemines Parish. Since Hurricane Katrina, homeowner insurance has become a major issue. Ask any realtor who has sold property in the metropolitan area since Katrina, and they will confirm that homeowner insurance availability and affordability has been a key component

to close the deal.
With that said, could the construction of this flood gate negatively impact the problem that already exists with respect to availability or affordability? Colonel Lee, did the Corps research this? Your addendum to IER 13 specifically addresses flood insurance. However, I have posed the question regarding homeowner insurance at the May meeting and again at the September meeting and still have yet to get a response from you. Did any of your staff consult with the private insurance companies or the Louisiana Department of Insurance to get

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their take on this adverse risk?
MS. JULIE VIGNES:
Kevin?
MR. KEVIN LOVETRO:
The subject of IER 13 was to investigate the impact of the swing gate on the area in the vicinity of Oakville. The investigation focused on whether or not the swing gate would contribute to an increase in stages on the unprotected side of the floodgate. Hydraulic analysis showed that there were changes made to the nonfederal levee that increase in flood risk to that area.
Now, I understand that you are concerned about the affordability of homeowners insurance. Homeowners insurance includes coverage for fire and wind, theft, vandalism, and all kinds of hazards, exclusive of flood. It is only the federal government that provides insurance for the population of the United States for flood risk for the Flood Insurance Administration and the National Flood Insurance Program. The

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Plaquemines Parish government entered the Flood Insurance Program I believe in 1985, and as long as the parish maintains cooperation with the flood plain management regulations, everyone will be able to --

MS. WENDY KEATING:

Sir, with all due respect, I didn't ask about flood insurance. I asked about homeowners insurance, and I still do not have an answer to that question.

MS. NANCY ALLEN:

Okay. I'm going to ask Mr. O'Brien from the Louisiana Department of Insurance to answer the question.

MR. ED O'BRIEN:

My name is Ed O'Brien, deputy commissioner of the Office of Property and Casualty. Regarding homeowners insurance, as most of you know -- and actually I live in Jefferson Parish -- I think we all know, flood does not come under the standard homeowners policy. Therefore, any flood protection theoretically doesn't work truly this

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way. It has no effect on homeowners insurance premiums. Your premiums in Plaquemines Parish are driven by wind speed and the proximity to the Gulf of Mexico.

Now, your additional living expenses, as a business owner your business income portion -- (inaudible) impacted by flood protection because of the availability to get back in the parish and resume normal life. They can cut down on the additional living expenses, if there is any on the homeowner, but the flood protection should have no negative effect on your homeowner premiums per se. I can't speak for flood.

MS. WENDY KEATING:
Okay. When that wall goes up, who's going to guarantee that my insurance carrier is not going to pull out of the state or pull out of that side of the wall? Can you give that to me in writing?
MR. ED O'BRIEN:

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No, I can't guarantee any company won't pull out of the state of Louisiana. I will tell you this. After Hurricane Katrina, one company withdrew from the state one year ago. No companies immediately after Katrina pulled out of the state. I can't guarantee what private industry will or will not do. Can you guarantee me the refinery is going to be open in ten years?
MS. WENDY KEATING:
I don't work for the refinery. I can't answer that question.
MR. ED O'BRIEN:
I don't work for insurance companies.
MS. WENDY KEATING:
You represent insurance companies.
MR. ED O'BRIEN:
I represent the department of insurance.
MS. WENDY KEATING:
And you are the voice of the insurance commissioner.

0037

MR. ED O'BRIEN:
I cannot guarantee that companies will or will not write insurance in Louisiana.
UNIDENTIFIED SPEAKER:
That's how we're adversely affected.
MS. WENDY KEATING:
Right. Obviously I'm not going to

9 get this question answered, but I would
10 like to be put on record.
11 MR. ED O'BRIEN:
12 The answer to your question is, my
13 rates in Jefferson Parish before Katrina
14 went from $3,200 to 9,200. You care?
15 No. What is -- I can't guarantee a
16 company is going to stay in the state.
17 I can't guarantee -- (inaudible) --
18 MS. NANCY ALLEN:
19 I have to remind you. We can't get
20 your comments on the record if you're
21 not speaking in a microphone. If you
22 have follow-up questions, put your
23 name --
24 MR. ED O'BRIEN:
25 Right there. Let's go.
0038
1 MS. WENDY KEATING:
2 I'm not finished.
3 MR. KEVIN LOVETRO:
4 The point I was getting to, private
5 insurance companies are for homeowner
6 insurance and do not cover the flood
7 risk. There's no basis for them to
8 change their rates given whether or not
9 flood risk goes up or not.
10 MS. JULIE VIGNES:
11 We're going to move on.
12 MS. WENDY KEATING:
13 Colonel Lee, in your September 2009
14 report, you stated it was your
15 commitment to provide the most accurate
16 and up-to-date information so that each
17 resident had the necessary resources to
18 make good risk informed decisions.
19 However, in 1997 when I purchased my
20 land in Jesuit Bend, I wasn't given
21 accurate nor up-to-date information
22 regarding this project. Had I been
23 given this information back in '97 I
24 would have not taken the risk.
25 My hope in the future is that

0039

government at all levels -- local, state, and federal -- will fully disclose projects like this. Unfortunately, now I will be on the wrong side of the wall, and this will adversely affect my property value. Once that wall goes up, my property value will go down, and I don't care what you-all say in the report.

I wish I had the opportunity back in '97 to make a risk-informed decision, but, unfortunately, my local, state, and federal government dropped the ball, and now my family will have to suffer the aftermath. It is your duty to provide a hundred-year protection to all. Equal rights and equal protection for all. Thank you.

MS. NANCY ALLEN:

Thank you. Brook Ton and Matt Zuvich. Brook is first.

MS. BROOK TON:

Pretty much I think you know how everyone feels here, and I can sit here and tell you about how much the lower

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end of the parish has to offer because I think you already know and I think you already know how everyone feels here. And from looking at all of you, I can tell you've probably already made up your mind and that you really don't care.

What I want to know, is there really anything -- You know, all of us are fighting for one cause, and can you really give us a straight answer? Is there anything that we can do to maybe change this project, or have you -- is this set dead, you know, 2011 this wall is going up? What are we all here for? I know we're all fighting for the levees

too, but is this all that's going to happen? I mean, is this pretty much done or, you know, us fighting for, sacrificing?

COLONEL LEE:

That's a good question. I think the slide up here is very important for everybody south of Oakville, and that's the Plaquemines Parish nonfederal

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levees. Those levees, that schedule, is what will be built, and there's plan now that Plaquemines Parish government President Nungesser is working with the state of Louisiana to try to get a proposal to us to recommend taking Section 1 to 100-year level risk reduction.

So that is the plan that is under analysis by the state. We are going to submit it up to our headquarters for their review and approval. So I think there is movement going on. And I understand your concern because you are in a risk position, but this is the delivery of the project that our team is right now working on, working in the future, has been working on this, and we plan to get it in place.

MS. BROOK TON:

But the wall is going to -- Like you said, are we working on another alternative? I mean, we are working on building up other parts of the levees, but that wall will also be included in

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that like no matter what pretty much --

COLONEL LEE:

After this public comment period, then I'll make a final decision on how we are going to proceed with the Eastern Tie-In project.

MS. NANCY ALLEN:

Thank you. Matt Zuvich and then Benny Rousselle.

MR. MATT ZUVICH:

My name is Matt Zuvich. I live at 865 Jason Drive. I will be in the affected area.

First of all, I would like to recognize the councilmen that were here tonight because they stood for what we voted for right off the bat was, no wall no way. Billy got up and said that we should have went with the invisible flood wall which is BS. These guys supported us from day one that we didn't want a flood wall and that's the way it should be.

What I want to ask you guys is, the 14 miles that you're going to be working

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on the river levee, was that part of the IER 13 funding, or is that something you guys got money for all of a sudden because you realize now that it's an issue?

MS. JULIE LEBLANC:

The 14 miles of the Mississippi River levee?

MR. MATT ZUVICH:

Yes.

MS. JULIE LEBLANC:

That is something that has been recently determined by looking at river flows, and the river flow studies that had been done previously were low river. We're looking at the river as inspected during hurricane season, and when that was remodeled, it was determined that the Mississippi River levees needed to be raised.

MR. MATT ZUVICH:

So you got funding for that, but you can't get additional funding from Congress to go 7 miles down on this side

and get Jesuit Bend all the way down to

0044

Reach 1 protected?

MS. JULIE LEBLANC:

That funding is part of the West Bank and Vicinity project, and then the Jesuit Bend area is part of the incorporation of the Plaquemines Parish nonfederal levees into the NOV project, New Orleans to Venice project. So it's two separate pots of funds, and we do have the $671 billion for just the 34 miles of nonfederal levees to incorporate those into the New Orleans to Venice project, and we are working closely with the parish developing --

MR. MATT ZUVICH:

Let me ask you this. We have that much money for the nonfederal levees, and our parish already commented that they would like to get Reach 1, the hundred-year protection. Why don't you take the 680 billion, get Reach 1 to a hundred-year protection, do away with the flood wall, put the road across La Reussite, then take the rest of that money and start going toward St. Jude?

0045

MS. JULIE LEBLANC:

That does not follow the direction we were given by Congress.

MR. MATT ZUVICH:

Why don't you-all go back to Congress and do what's right? That's all we're asking.

MS. JULIE LEBLANC:

Congress has to give us that authority and local --

MR. MATT ZUVICH:

You have to ask Congress for the authority. They're not going to know about it unless Colonel Lee and the rest of you guys get up there and talk --

MS. JULIE LEBLANC:
The Corps cannot lobby Congress. The local government has to go to Congress and tell them what they want us to be authorized to do. We cannot lobby Congress.
COLONEL LEE:
Let me answer your question. You asked if there was funding for the 14 miles of MRL, and there is none. That

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is a future request budget item that will have to be funded at a later date.
MR. MATT ZUVICH:
But it's going to be done before June 2011 to complete you-all hundred-year --
COLONEL LEE:
Just the interim protection, not the permanent solution. The permanent solution has to get additional funding.
MS. NANCY ALLEN:
Thank you, sir. Benny Rousselle and then Wayne Alvins, Sr.
MR. MATT ZUVICH:
Just to follow up on that, when is the next opportunity to go before Congress to get the language for hundred-year protection for this reach of nonfederal levee?
COLONEL LEE:
I think the answer to the question is, you're talking about Section 1 of the -- (inaudible) -- the parish is moving forward right now with the state of Louisiana to get their endorsement

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and request what we call a -- to bring the level above what is funded here with the 671 million to 100-year level for Section 1. So that is under way right now between the parish and the state. They will submit that to the Corps,

7 submit it up to our headquarters and get
8 the approval, and if it gets approved,
9 then it will be -- Section 1 will be the
10 100-year level risk reduction for the
11 area from Oakville to -- on the
12 nonfederal levee side.
13 MR. MATT ZUVICH:
14 My question is, when is the next
15 opportunity for Congress to approve
16 this? Is that --
17 COLONEL LEE:
18 When you say --
19 MR. MATT ZUVICH:
20 The land --
21 COLONEL LEE:
22 I don't think there's any land to
23 require to provide 100-year level of
24 risk reduction for Section 1 between
25 Oakville and (inaudible) -- That's the
0048
1 whole purpose of the process that we are
2 moving forward.
3 MR. MATT ZUVICH:
4 Let me ask again. You provide to
5 the local government language that you
6 will follow to give hundred-year
7 protection for the levee as for
8 recommendations and figures to do
9 projects, you provide language that you
10 will follow. So my question is, again,
11 will you provide the language to the
12 local government so they can submit the
13 language to their Congressional
14 delegation that you will follow to give
15 hundred-year protection for the --
16 COLONEL LEE:
17 The way the process works is the
18 local government makes a request to
19 Congress. Congress requests us to draft
20 language that would meet that intent.
21 And if we get request from Congress, we
22 will draft language that will meet the
23 intent of what you ask. But we have

to --
MR. MATT ZUVICH:

You don't provide language for any other agency, no local government, no state government? It has to come through the Congressional office. So, then, the local government has not asked you for that language yet?
COLONEL LEE:
I have no idea. That's a question you would have to ask the local government.
MR. MATT ZUVICH:
So the way I see this process, the gate seems to be a done deal. The next step is to try to get a hundred-year protection authorized by Congress in language that you will follow to build that. It has to be clear language that the legal department did not pick out and say it means something else. So the process, from what I'm understanding, request the Congressional delegation to ask you to provide the language to go up to Congress to be included. And my first question is, when is the next opportunity for that to happen?

COLONEL LEE:
The next process 2010. So I'm not sure of the date, but the Congress -- that's their next opportunity.
MR. MATT ZUVICH:
Thank you for -- The next question I have is, the betterment and the cost of the betterment, has that been determined yet?
MS. JULIE LEBLANC:
(Inaudible) -- Plaquemines Parish and we have provided them a rough estimate on the 8th of October and for to provide 100-year level risk reduction

for Section 1, the 8 miles of back levee. It's going to range between 65 to 120 million. That is the incremental cost to raise from an NOV authorized grade to the 1 percent or the hundred-year.

MR. MATT ZUVICH:

And who will pay for that?

MS. JULIE LEBLANC:

That has to be a hundred percent nonfederal sponsor share.

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MR. MATT ZUVICH:

So that means the local government or the state?

MS. JULIE LEBLANC:

Correct, correct.

MR. MATT ZUVICH:

Now, I heard a comment a few minutes ago that -- Let me refresh you people's minds, that prior to Hurricane Katrina, the Corps had written letters stating that they were close to approving 205 -- for this area. Are you aware of that?

MS. JULIE LEBLANC:

A 204?

MR. MATT ZUVICH:

205.

MS. JULIE LEBLANC:

205. Yes, I am aware of that. I don't know if it was completed.

MR. MATT ZUVICH:

Are you aware of the correspondence that was from the colonel at the time that said that we were almost completed with the study and that it was very favorable and that this levee was going

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to be built with hundred-year protection? Are you familiar with that?

MS. JULIE LEBLANC:

No, I am not.

MR. MATT ZUVICH:

Would you like it?
MS. JULIE LEBLANC:
Sure. My understanding is that --
MR. MATT ZUVICH:
Let me go a little further. If we are under the impression that we were close to the hundred-year protection and that the Corps admits that they were going to go with the hundred-year protection, would that make any difference in your process at this point?
MS. JULIE LEBLANC:
I do not believe so because this is a different project. The project we're talking about today is the West Bank and Vicinity project. Section 205 it's for smaller projects. And my understanding was that a hundred-year was not authorized as part of that study. It

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was more like a 50-year that was. So if you have something different than that, I would love to see it.
MR. MATT ZUVICH:
Moving forward with the process that keep hearing talk about the coastal restoration plan gives benefit. Going to that process, naturally we have a state plan. The state plan would have to be amended to be able to do that through -- (inaudible) -- and does the Corps feel comfortable in the issue of certifying the levees with the plan that is being discussed now.
And I'm talking about the conversations that I keep hearing and I heard Colonel Lee refer to a little while ago about the parish is working on a coastal plan that is going to be able to provide protection. Do you feel comfortable that that program will give us a hundred-year protection?

23 MR. GIB OWEN:
24 You are talking about the plan that
25 Plaquemines Parish has put out and is
0054
1 currently working through the regulatory
2 permitting process on, right?
3 MR. MATT ZUVICH:
4 I'm talking about currently referred
5 to earlier about working towards that
6 end. I assume he's talking about the
7 same plan.
8 MR. GIB OWEN:
9 The Corps has two right now. It has
10 the West Bank vicinity and then it has
11 the Plaquemines -- two. It also -- The
12 parish is pursuing a coastal restoration
13 plan, and they have applied for permits
14 through the regulatory division for
15 that. That's a separate action being --
16 It's not part of the federal action.
17 MR. MATT ZUVICH:
18 I know, but earlier in his
19 presentation, I heard the comment that
20 Plaquemines was working on that which
21 will help give hundred-year protection.
22 So my question again is that, does the
23 Corps feel comfortable with the plan
24 that is being proposed enough to give
25 hundred-year protection within reach?
0055
1 MS. NANCY ALLEN:
2 I think it's a local parish plan to
3 do coastal restoration. It would be a
4 locally preferred plan to bring Section
5 1 to the hundred-year. Therefore, the
6 certification would be outside of the
7 Corps of Engineers' responsibility.
8 MR. MATT ZUVICH:
9 So who would certify that to be able
10 to give the hundred-year protection?
11 MS. JULIE VIGNES:
12 Right. FEMA is the agency, I
13 believe, that actually certifies it, and

the parish would work through that certification process with FEMA.

MR. MATT ZUVICH:

And is it not true information for FEMA to evaluate and certify?

MS. JULIE VIGNES:

On the federal system, yes. The Corps works hand in hand with FEMA on compliance and elevations to award that certification on the federal levee system.

MR. MATT ZUVICH:

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So, then, my question comes back, do you feel comfortable with the project that is being proposed that it will give us a hundred-year protection, either you are going to warrant it and evaluate it and give it to FEMA for certification?

MS. NANCY ALLEN:

We need to wrap this up. Julie, go ahead.

MS. JULIE LEBLANC:

(Inaudible)

MR. MATT ZUVICH:

My comment is this, that prior to Katrina, we were just close to getting hundred-year protection -- letters and documents saying such. I would hope that we would look at this area and do whatever we can to make sure that the local government has the right language to forward to the Congressional delegation to be able to get hundred-year protection if that's the next opportunity. Thank you.

MS. JULIE LEBLANC:

Thank you.

0057

MS. NANCY ALLEN:

And Monica Senner and then Pete Stavros. Is Wayne here? Is Monica here?

MS. MONICA SENNER:
In the spring of 2009 reports released by a committee of the National Academy of Engineering and the National Research Council emphasizing the need for reconsidering what people can do safely. The chairman of the Peer Review Committee, -- I don't know how to pronounce it -- stated that as long as people can get insurance, they will rebuild. As university committee professor who heads the IPET task force said that recommendation has already been adopted by the Corps as witnessed in the decision not to rebuild levees in lower Plaquemines Parish to the new hundred-year requirements developed using the IPET report findings. Is that true?
MS. NANCY ALLEN:
Someone want to speak to IPET?

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MS. MONICA SENNER:
Instrumental in developing new flood elevations.
MS. NANCY ALLEN:
We don't have anybody that was affiliated with IPET.
MS. JULIE VIGNES:
I don't think we have the IPET report. Maybe we can follow-up after the meeting.
MS. NANCY ALLEN:
We can take information.
MR. BRUCE EBERSOLE:
I will say this. The methods and modeling technologies they are being used as IPET projects.
MS. MONICA SENNER:
Was that part of the decision process to not include the lower part of Plaquemines in the hundred-year protection? It had nothing to do with

insurance.
MR. BRUCE EBERSOLE:
The IPET Involved the forensic study of what happened with Katrina and why we

0059

had do we are per se the development process.
MS. MONICA SENNER:
Well, that's not true because they were part of developing the new hundred-year level. That was along with you-all, the Corps, IPET, the National Geographic Institute, NAAA, there was another. Is that not true?
MS. JULIE VIGNES:
I would say -- the results of the IPET report the design criteria that may not modeled to determine the hundred-year elevations. I just can't speak specific to that statement that you said about the Corps' position on lower Plaquemines Parish. Congress is the entity that made the decision authorizing the different portions of Plaquemines Parish.
MS. MONICA SENNER:
When did new hundred-year levees become adopted that you are using now? When was that?
MS. JULIE VIGNES:

0060

The hundred-year protection was authorized in the fourth supplemental in 2006. Subsequent to that we did all that analysis. So our design process since 2006, we arrived at those numbers.
MS. MONICA SENNER:
So you knew at the fourth supplement that the levels were already determined during the fourth supplement when you got the funding for that you knew.
MS. JULIE VIGNES:
The authorization gives us a level

of protection. We have to get with engineering and hydraulic modeling to establish what the height or the elevation of the levees are to provide that level of risk reduction.

MS. MONICA SENNER:

So how do you know what to ask for to appropriate the funds? I mean, you need to know what the funds should have been. So you didn't know really the monies that were needed; is that correct?

MS. JULIE VIGNES:

0061

There's often estimates that are done, but it's always true that final designs are not finished when Congress authorizes a project for construction.

MS. MONICA SENNER:

Thank you.

MS. NANCY ALLEN:

Thank you, ma'am. Pete Stavros and then followed by Doug LeBlanc.

MR. PETE STAVROS:

(Inaudible) -- just so we keep the paradigm in what we're doing. We do not want to include this reach -- (inaudible) -- from the district, the then district commander come to headquarters. There was a mention by Oakville -- (inaudible) -- as a result of the Section 205 visibility study this recommendation on the hurricane protection with a hundred-year level of protection be constructed about half mile from parallel to the Mississippi River.

That's important because at the time -- This is important for the

0062

economics. At the time that we all developed our purchase, we had a reasonable expectation that better

levees were coming, and that's important when we look at the economics of it.

I know we had a discussion at the 19 September meeting, Kevin, but I would like you to explain what methodology was used to make the statement that we will not be negatively affected south of Oakville. It was stated in the addendum that our property values were not going to go down as a result of this project. Is there a methodology you used?

MR. KEVIN LOVETRO:

-- Section 205?

MR. PETE STAVROS:

No. I just wanted to know what methodology you used to state to the Colonel that we were not going to have negative pressure on the prices of our homes.

MR. KEVIN LOVETRO:

-- (inaudible) to the same conclusion and in other areas we do not.

0063

We do have the same conclusions when we say that there is -- (inaudible) -- for unprotected areas. Whenever we construct a hurricane-protection project in an area, the area that's protected will have lower flood risks, lower damages, and property values will tend to increase and a competitive advantage over those areas that are not protected. Where we disagree is the source of that effect. Our conclusion is that it's the entire West Bank and Vicinity project that creates that disparity, that competitive advantage of protected area over the nonprotected area.

What we are here talking about tonight is the gated structure that's planned for Highway 23. By itself the gated structure does not contribute to that effect, but the gated structure

21 when added to the rest of the alignment
22 does have that effect. That was what
23 the source of our --
24 MR. PETE STAVROS:
25 A substantive comment that I made
0064
1 was that there were haves and have nots;
2 that if you develop a man-made structure
3 at Oakville and say people north of here
4 will have hundred-year protection and
5 those south of this, whether there's a
6 structure there or not, that will change
7 the economy in either location. I
8 understand this is the analysis that
9 should happen is the without and with
10 the project. Without the project the
11 property values on either side of
12 Oakville will tend to rise at an equal
13 rate and proportionately given the
14 regional or the national economy.
15 Once you build a man-made structure,
16 this tends to happen (indicating)
17 because, as you admit, people will pay a
18 premium to be protected, and they will
19 pay a discount to not be protected. The
20 fact that we have a visible flood gate
21 only acts to exacerbate the problem when
22 a prospective purchaser in that
23 arrangement drives through the
24 floodgate.
25 Well, I know there was a little bit
0065
1 of research done. There was one done in
2 Florida. It was an award-winning
3 report, a paper that was done for the
4 real estate appraisers. It was done in
5 '01, and it was the winner in that year.
6 It was a very comprehensive study,
7 probably the largest of its kind, and it
8 was titled Environmental Determinatives
9 of Housing Prices, the Impact On Flood
10 Zone Status. It looked at a 17-year
11 period of purchase prices both within

12 and without the 100-year protection.
13 Guess what they found as a result of
14 that study. That somebody was willing
15 to pay a discount if they were within a
16 flood plain, a special flood plain
17 hazard, and they were willing to pay a
18 premium if they were inside that
19 protection. There's a disparity --
20 (inaudible) -- What we are doing is
21 changing the plain of the economic
22 environment here. We are changing that.
23 It will be -- In those studies, it was a
24 difference of 6 to 12 percent depending
25 on the time frame during that 17-year
0066
1 study.
2 We are going to experience a violent
3 change and a much more visible change
4 because we are supposed to and because
5 we are post-Katrina and because we are
6 putting up -- it's all in the news --
7 about the levee protection and 100-year
8 and how much that's going to affect
9 insurance.
10 Even further the study -- what was
11 interesting was, if a home was priced
12 greater than $250,000, then that
13 economic impact was even greater because
14 of the uninsurability of anything above
15 two fifty. So we're not talking 6 to 12
16 percent. We're talking in those areas
17 more like 20 to 25 percent. And when we
18 talk about change in the economy that we
19 are experiencing here, not over 17
20 years, but here, we're looking at
21 probably more like 45 to 50 percent in a
22 loss of property values in our area.
23 This is not insignificant that you are
24 waving off on this, Kevin.
25 MR. KEVIN LOVETRO:
0067
1 I'm actually trying to --
2 (inaudible) -- where we disagree on the

fundamental that we're talking about. There is a premium that people will pay to be in a zone that is more protected than one that is not. What we disagree on is what accounts for that, and that is absent of the gated structure is a component that is added to the fundamental project that was authorized back in 1996. That is the project that is fundamentally flood protection for the West Bank, and the gated structure across Highway 23 is a modification to that project.

So we agree that the project as a whole creates the effect you are describing, as an example. Where we disagree is whether that gated structure adds materially to that.

MR. PETE STAVROS:

How much do you feel in your studies properties will increase north of Oakville?

MR. KEVIN LOVETRO:

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That is something we can actually calculate for you and develop given enough time. That is something that we can do.

MR. PETE STAVROS:

My issue is, we've had six months to wait for your answer. I thought that that would have been plenty of time to hear your studying. You made a statement that, I don't have any numbers to say what is the relative change. Remember when we were at the 19th of September, we were talking about our ability to lobby Congress.

MR. KEVIN LOVETRO:

That is appropriate to the original study that was done in 1996. That was disparity -- (inaudible) one area or the other -- effect that calculation, then

there's nothing to measure.
MR. PETE STAVROS:
Okay. One last thing. And, again, I've got other issues, but I will talk to Bruce probably after. Are you aware of the land use plan that was developed

0069

by the parish in 1994?
MR. KEVIN LOVETRO:
I am not aware.
MR. PETE STAVROS:
If we were talking economics in this particular area, I would think that this would be a pretty important document, that we're talking about the before -- the with and without project. In '94 before most of these people settled, they had a reasonable expectation based on the expected residential growth. At that time there were 1,339 people that lived within that region. Now there are over 3,000.
In '94 it was estimated between zoning restrictions -- And this is recommendations to the Council to make their zoning recommendations. Considerably between thirteen and forty thousand people settled in that 7-mile reach. That is an exponential growth. We're expecting exponential growth. We have a reasonable expectation when we moved or build that we have growth, and

0070

now we do not. This affects our economy.
That's why we're saying it is so important to realign this and get us included in WBV. It can be done. We went to D.C. personally in July to talk to the Congressional delegation. At that time they were going to your Corps headquarters people to get the wording. So somebody somewhere has delivered the

wording.
MS. NANCY ALLEN:
We need to ask you to wrap up.
MR. PETE STAVROS:
I don't think that this adequately addresses the economics of what's going to happen to this area.
MS. NANCY ALLEN:
Doug LeBlanc and Butch Kelly.
MR. DOUG LEBLANC:
My name is Doug LeBlanc. I have a question for you before you have to make a decision about whether or not to build a wall or whether or not what type of gates you're going to put there or --

0071

What's that decision supposed to be?
COLONEL LEE:
As part of the NEPA process, I do not make the final decision on the -- This is a proposed decision right now. So when we complete the public comment period on the 25th of November, all the public comments will be evaluated. Then my staff will provide the final recommendation to make a decision. Right now the proposal is a swing gate to close Highway 23.
MR. DOUG LEBLANC:
There's no proposal to -- no alternative to that, either/or or --
COLONEL LEE:
Well, the four alternatives were looked at. The alternative that we are proposing right now for final public comment is a swing gate.
MR. DOUG LEBLANC:
So, in other words, it's already decided that they're going to put a wall right there, right?
COLONEL LEE:

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No, it's not decided until after we

2 complete the 25th of November, we
3 evaluate the --
4 MR. DOUG LEBLANC:
5 Well, who's going to make the
6 decision?
7 COLONEL LEE:
8 I make the decision.
9 MR. DOUG LEBLANC:
10 Whether or not you're going to put
11 the wall there?
12 COLONEL LEE:
13 Absolutely.
14 MR. DOUG LEBLANC:
15 In view of the fact of what your
16 commander said about south Louisiana not
17 too long ago, he said it couldn't be
18 protected, so I pretty much think that
19 the view of the Corps is, it's not worth
20 protecting us anyhow or not worth the
21 effort. You're not aware of the comment
22 that he just made?
23 COLONEL LEE:
24 Oh, absolutely. And I make the same
25 comments. Everybody that lives close --
0073
1 Everybody that live in the vicinity of
2 the Gulf of Mexico too. And I have
3 flood insurance because I know that's
4 where I live. If you live in the
5 vicinity of the Gulf of Mexico, there is
6 a residual risk. It doesn't matter if
7 you live within a hundred-year system or
8 outside a hundred-year system. The
9 people that live within a hundred-year
10 system are not going to be protected.
11 The risks are going to be reduced. They
12 are not going to be protected from every
13 storm.
14 MR. DOUG LEBLANC:
15 It may have been a poor choice of
16 words on his part, but, you know, it
17 would seem to me that, you know, since
18 the Netherlands can protect themselves

from the North Sea, why can't we protect ourself from the Gulf of Mexico?

COLONEL LEE:

Well, I think -- (inaudible) -- the Netherlands in the spring, and one of the first things I noticed when I was in the Netherlands was glass screen houses

0074

all over the landscape. I mean, could you imagine that in Plaquemines Parish or anywhere in the wind zones that we have in the Gulf of Mexico? Florida, Georgia, South Carolina around the coastal area.

They don't have the conditions that we have in the Gulf of Mexico. So their storm surge, their maximum storm surge that's ever occurred is about 16 feet. We had over 21 feet during Katrina, 30 feet in Mississippi. So the intensity of the storms here in the Gulf of Mexico compared to the Netherlands is tremendously different, but they do have a world-class flood risk reduction system. They spend a lot of their national economy on it. It's a big commendment of their government to do that.

MR. DOUG LEBLANC:

That's a point well taken, but I still feel like that, you know, in actuality what the governor has decided to do right now is just to cut us off

0075

from the rest of the country. I feel like we are we are being sold out, by the government, by the parish government, by the federal government, everybody. I mean, why should a certain part of this country be cut off from the rest of the country and not be protected? I can't understand that. I can't justify that in my head.

Another thing I can't understand. Oakville is supposed to be protected. Oakville ends in Jesuit Bend. How come the wall doesn't go down there?

COLONEL LEE:

Well, it was specifically authorized by Congress in 1996 that our team talked about earlier is the Congressional authorization for the West Bank and Vicinity project, included Oakville in that authorization, 100-year level of risk reduction. That was specific land which 1996 from Congress to the Corps of Engineers.

MR. DOUG LEBLANC:

Well, prior to that it was

0076

authorized that right before the Hero Canal it went to the levee, to the Mississippi River levee. That was the original plan. Is that correct?

COLONEL LEE:

I don't know that answer.

MR. DOUG LEBLANC:

I think when it was first authorized by Congress back in 1985 somewhere in that neighborhood, --

MS. JULIE VIGNES:

Slide 10 please.

MR. DOUG LEBLANC:

-- the original plan was to go --

MS. JULIE VIGNES:

The original authorization included an alignment that went around the Hero Canal. I will show you here.

MR. DOUG LEBLANC:

That's not the original one.

MS. JULIE VIGNES:

It basically follows the alignment that was followed here in the yellow. It did terminate at Highway 23 because at that point, the information on the

0077

storm surge, we thought that the highway itself would provide enough protection against the hundred-year level.

So the original authorization in 1996 was the yellow line alignment. The only difference was, it terminated at Highway 23. So the change has been to extend that protection to tie into the Mississippi River levee system.

MR. DOUG LEBLANC:

-- (inaudible) -- to make changes there and we can't get it changed, I mean? Congress had to change it while we've been trying, through our representatives and everybody else, to have something be done about it, and it don't seem like anybody listens to us. Why can they get a change to where on the opposite side of Oakville instead of the Belle Chasse side of Oakville to have the wall built and we can't have that done?

I mean, you know, you say authorization. Well, I understand that. The Corps is only authorized to spend so

0078

much money on this thing. But I don't understand why we can't get it done like it was done back in 1996 changed? Why can't we get that done?

MS. JULIE VIGNES:

The authority we have from Congress now, we can't include the area -- the nonfederal levee and the locally preferred plan --

MR. DOUG LEBLANC:

Why was it changed?

MS. JULIE VIGNES:

Why was it changed across Highway 23?

MR. DOUG LEBLANC:

Yes. Why was -- No. The original thing was -- It wasn't what you have

there. It was -- The original thing
was, the Hero Canal -- come straight out
the Hero Canal to the Mississippi river
levee.
MS. JULIE VIGNES:
You are correct. The original
alignment -- It was a conceptual plan.
It was an alignment. It did go all the

0079

way to the Hero Canal around the
canal --
MR. DOUG LEBLANC:
No. That's not the original. The
original land was going straight
across --
MS. NANCY ALLEN:
Excuse me, sir. We can't hear when
everybody else is talking. Did you just
ask a question?
MR. DOUG LEBLANC:
I asked the question, What was the
original line? She's answered me wrong,
because that's not the original line.
MS. JULIE VIGNES:
Sir, --
MR. DOUG LEBLANC:
I'm going by you-all's maps. You
ought to go on the website and it shows
where it was before.
MS. JULIE VIGNES:
We would be happy to provide you
with a copy of the original
authorization documents from 1996 --
(inaudible) -- may be considering is

0080

when we did the original alignment or
alternative analysis for the Eastern
Tie-In, we considered an alignment that
would have run straight across the Hero
Canal. We did not collect that
alternative because it did not meet the
project provided protection to the
communities that were afforded the

9 protection and the authorization.
10 MR. DOUG LEBLANC:
11 I mean, we don't get the same
12 consideration?
13 MS. JULIE VIGNES:
14 Based on the authority the --
15 MR. DOUG LEBLANC:
16 Based on what?
17 MS. JULIE VIGNES:
18 Based on the Congressional
19 authorization in 1996.
20 MR. DOUG LEBLANC:
21 Why can't we get it changed?
22 MS. JULIE VIGNES:
23 There is a process. A local
24 community or local parish can lobby
25 Congress, and Congress can change that
0081
1 authorization.
2 MR. DOUG LEBLANC:
3 Well, you know, this man is standing
4 here telling me he's got to make a
5 decision on it, you know. Well, if he
6 decides, well, it's not fair to do what
7 they're planning on doing, then what
8 happens? If you decide no. Can you
9 decide no?
10 COLONEL LEE:
11 My decision is to ensure that we
12 have taken into account all the comments
13 the public has given us based on the
14 proposal alternative that we've got so
15 that I can make a decision to move this
16 project forward. So right now the
17 proposal is the swing gate across
18 Highway 23. At the end of this night, I
19 will be reviewing the comments that you
20 provided to make a decision.
21 MR. DOUG LEBLANC:
22 You making the decision? Who's
23 making the decision?
24 COLONEL LEE:
25 I will make the decision.

0082

MR. DOUG LEBLANC:
You're the one that makes the decision, the final decision on whether or not -- And if you decide no, then what happens?
COLONEL LEE:
What do you mean --
MR. DOUG LEBLANC:
If you decide that you're not going to do this.
COLONEL LEE:
One of the alternatives, the four alternatives, we put in the IER addendum will be selected to close the system from the West Bank and Vicinity project. The proposed alternative currently is the swing gate.
MR. DOUG LEBLANC:
It's still going to be a gate, a wall, whatever you want to say. It's cutting us off from the rest of the country. Thank you.
MS. NANCY ALLEN:
Thank you, sir. Butch Kelly and Rose Jackson. Is Butch Kelly here? Is

0083

Rose Jackson here? After Rose Jackson is Lee Perez.
MS. ROSE JACKSON:
Good evening. My name is Rose Jackson. I'm the vice president of the Oakville Community Action Group. I am also on the board of directors for the Louisiana Environmental Action Network in Baton Rouge.
In 2006, Congress had a delegation of members that came to New Orleans, and there was a meeting, and everyone who -- All the local government officials knew about this meeting, and none of the residents knew about the meeting. I was invited to the meeting through one of

17 the Senators, and I felt that the whole
18 entire communities surrounding New
19 Orleans should have been notified about
20 this meeting through their local
21 government.
22 The decisions were made at that
23 meeting, after that meeting. We had at
24 least 26 Congressmen, Senators, and
25 House of Representative members that was
0084
1 at that meeting that toured Plaquemines
2 Parish, St. Bernard Parish, Jefferson,
3 and Orleans Parish. Our government
4 officials knew about this, and they
5 should have let the residents know so
6 that the residents could put in their
7 input of what type of hurricane
8 protection that they wanted and that
9 they saw fit that they needed because
10 they are tax-paying people. What we
11 have to do as residents is be careful
12 who we vote for for the next election.
13 I heard one of the residents made a
14 comment about the insurance and about
15 the homeowners insurance and flood
16 insurance going up. Your flood
17 insurance is controlled by the Federal
18 government, and what we need to do is
19 write Congress and let us them know, Do
20 not raise our insurance rates anymore
21 than what they are already. We also
22 need to let our local government, the
23 officials in Baton Rouge, know. You-all
24 need to go up there sometime when they
25 are in session and see how they lobby
0085
1 with these big insurance people about
2 your dimes and dollars, and that's what
3 we need to start doing. I do it.
4 So I feel like this. All the women
5 in here, set aside a day next time that
6 they lobby in Baton Rouge to get in your
7 cars and let's go out there --

(inaudible) We have several women that lobby on those floors in Baton Rouge to see what bills are being passed and what bills that are our representatives and Senators up there are shifting around that floor. And when they come back to do it, come back to invite every single last one of us because those decisions are made there, and then they go to Washington, DC and Washington is still -- (inaudible) -- deeper.

But we got these people out there working for us. They're not working for themselves. They are working for us. We put them in office. We tell them what to do, what we want and what we don't want. It's also our local government officials.

0086

This 1996 bill, this have been passed. I knew about it because Senator Bennett Johnson came here in Plaquemines Parish to have a public meeting about the coastal erosion problem, and they had 11 people at that meeting and not one Plaquemines Parish representative, not one. And this should have been -- Everybody should have known about it. Every single last one of us.

So what's going on now? We hurt ourself by putting people in office that do not -- once they get in there, they do not think about our livelihood. They don't think about our economy. They don't think about our children. They think about a paycheck and what -- (inaudible) --

MS. NANCY ALLEN:

Thank you. Butch Kelly and Zeke Austin. Butch Kelly or Zeke Austin here?

MR. ZEKE AUSTIN:

My name is Zeke Austin. I don't do

25 a mike very often. You-all can hear me?
0087
1 I'm one of the folks that, like
2 Mr. Ranatza commented on earlier, I live
3 below the floodgate. So you-all think
4 I'm less important than the people that
5 live above the floodgate. That doesn't
6 sit real well with me.
7 I guess Billy made some opening
8 comments earlier, and he said -- I
9 didn't remember the whole thing, but he
10 made the comment that he was waiting on
11 the Corps for information. For the last
12 six months, we've been told by Colonel
13 Lee, we've been told by Billy that
14 they're working on the nonfederal levee
15 project. We've got to get the gate
16 done. We'll work on that on the side.
17 Billy made the comment he's waiting on
18 the Corps. I think, Colonel Lee, you
19 made the comment, when you responded to
20 some of these questions, that you're
21 waiting on the parish. Who's waiting on
22 who, and what's going on?
23 We've been told from day one that
24 you-all are going to expedite the NFL,
25 to get it going. We don't see it.
0088
1 We've asked repeatedly. What's going
2 on?
3 MS. NANCY ALLEN:
4 Julie?
5 MS. JULIE LEBLANC:
6 We have -- that President Nungesser
7 requested --
8 MR. ZEKE AUSTIN:
9 I acknowledge before that --
10 (inaudible) -- We appreciate that. That
11 is one piece of information that we
12 desperately need.
13 MS. JULIE LEBLANC:
14 That is the only information that
15 they are waiting for on us.

MR. ZEKE AUSTIN:
So what are you waiting on from the parish?
MS. JULIE LEBLANC:
From the standpoint of us giving them information, that's all they're waiting on. We are waiting for the official request to raise the 8 miles of back levee in Section 1 from the NOV, New Orleans to Venice, to the 1 percent,

0089

and when we receive that request, we will move forward with it. We are still working in parallel with the parish to move forward on that with it not in hand. We need it officially in hand to be able to send it to our headquarter office for approval and then move forward with it.
MR. ZEKE AUSTIN:
Is that something on your agenda? I hate to bother you. I know you're -- Is that something that Billy has you working on?
(Inaudible)
MS. NANCY ALLEN:
Okay. Let me recap. The parish the state's hands for their approval -- (inaudible) --the state is co-sponsor. I wanted to make sure everybody could hear your answer.
MS. JULIE LEBLANC:
We are in daily contact with Plaquemines on this issue. I talk to --
MR. ZEKE AUSTIN:
Great. Talk to them multiple times

0090

a day because we really need it.
I guess -- I read the original addendum front to back several times. I read the revised addendum front to back several times. I don't know about you-all, but in my job, it's my

7 responsibility, I have to do a lot of
8 writing, I have to do a lot of reports.
9 And I can tell you when I send a report
10 in to my boss that's got typos,
11 misspelled words, sentences that are
12 incomplete, he's not a real happy
13 camper.
14 The only comment I would like to
15 that on that is, I hope you build a
16 better gate than you do a report because
17 -- (inaudible) -- I think I've been to
18 all the meetings that the Corps
19 arranged. Early on I didn't hear from
20 the Corps. I heard from the neighbors.
21 I heard from second and third hand. It
22 wasn't direct communication, and it was
23 awkward. I got the notice usually very
24 late.
25 I would acknowledge that you-all
0091
1 have done a much better job getting the
2 message out. However, the message, it's
3 still -- There's a problem with that
4 whole process. Colonel Lee, you sat at
5 every one of these meetings, and you
6 said, "I've listened. We've listened.
7 We've listened," and I got -- There
8 isn't anything that we said that you've
9 listened to. Our message has not
10 changed. From day one, the first
11 meeting, we said, "No wall no way." We
12 did not ask for this floodgate. We did
13 not ask for a swing gate. No wall no
14 way. Don't sit there and tell me and
15 everybody in this auditorium that you've
16 listened because you didn't.
17 I've just got one final comment, and
18 it probably won't be very well received,
19 but it's just a fact of where we are
20 today. If the 1,400 people -- 1,400
21 homes, 3,000 people that live in Jesuit
22 Bend were African American on welfare
23 and living in mobile homes, we wouldn't

24 be talking about a swing gate at
25 Oakville. We would be talking about
0092
1 the NFL reach and building the road --
2 (inaudible) --
3 MS. NANCY ALLEN:
4 Jamie. Following Jamie will be Mike
5 Ford. You can't yield your time to
6 somebody else. You cannot yield your
7 time to someone else. Mike Ford.
8 (Inaudible) -- after everybody has
9 spoken once, we will call on him. We
10 clearly said you cannot yield your time
11 to someone else. There are other people
12 whose names have not been called yet.
13 Mr. Ford.
14 MR. MIKE FORD:
15 My name is Mike Ford. I'm one of
16 the owners, along with my partner, we're
17 here representing Riverbend Nursing and
18 Rehab Center, a 120-bed skilled nursing
19 facility located in Jesuit Bend. We
20 built Riverbend in 1999. I heard a
21 great number of comments, a lot of
22 passion. Colonel Lee, I want to give
23 you one more thing to think about.
24 Back in 1999 we jumped through
25 numerous hoops to get permission from
0093
1 numerous federal agencies to build River
2 Bend Nursing and Rehab Center. We went
3 to the state. We went to the local
4 governments. We went to a lot of
5 federal agencies. Even the Corps had to
6 have some input because we drove pilings
7 close to the levee. No one said you-all
8 were building such a project.
9 So I agree with a lot of the
10 comments that people have made that
11 there's -- When we bought the land and
12 decided to build a nursing home and you
13 handed us a document that said they're
14 build this, we might have considered

15 something different.
16 But the point that I want you to
17 think about, when we evacuated River
18 Bend -- and we are going to evacuate
19 River Bend. We have in the past. We
20 will in the future. That's a fact. And
21 you're absolutely right. We live close
22 to the Gulf of Mexico. I want to talk
23 to you about the 120 of the residents of
24 Jesuit Bend, those 3,000 residents that
25 these folks have been talking about. I
0094
1 want to talk to you about 120 of us, and
2 they're frail, elderly, our seniors, the
3 people that were established in what we
4 all know today as Plaquemines Parish.
5 When I evacuate those people, it is
6 very traumatic. Most of the time they
7 are scared, they don't know. It has a
8 warm, wonderful welcome when they come
9 home. We're usually greeted by members
10 of the fire department, civic
11 association, all kinds of folks helping
12 us to put our folks back to bed, get
13 them back to their homes.
14 The part that I want you to consider
15 is, if this wall or this project is
16 going to at all increase the possibility
17 that our building will flood, it is
18 going to keep us from bringing those
19 folks home. It is going to keep us from
20 bringing them back and calming them
21 down. It is going to keep them in a
22 state of turmoil, unfortunately, like I
23 had to do with Katrina.
24 And I only ask you, I invite you,
25 any day, anytime, I invite you to come
0095
1 drink a coffee with me at River Bend.
2 Come consider the elderly when you
3 decide where to put this project.
4 Consider all the things these wonderful
5 people have said, but just to add

6 something that not many of them can say,
7 consider what happens to those 120 frail
8 residents when they can't come back home
9 because the building flooded, the wall
10 just increased our flooding.
11 The other part that I just want to
12 echo is, it just seems so simple to me.
13 A gentleman earlier mentioned
14 visibility. I want to -- We can do all
15 the studies. We can do all the
16 scientific and wonderful things that we
17 can do today, but we can't be beat the
18 good old human eye. And when someone
19 drives pasts these multitudes of wall,
20 if they're deciding where and what to do
21 and where to build, where to put a
22 business, that visibility automatically
23 decreases property value. Automatically
24 it hurts our economy.
25 I ask you, if you've got to put it
0096
1 there, consider one of the other
2 alternatives, maybe the invisible wall.
3 Maybe it will minimize the mental
4 impact. Thank you very much.
5 MS. NANCY ALLEN:
6 Thank you, sir.
7 MS. JAMIE STAVROS:
8 My name is Jamie Stavros and --
9 (inaudible) I hope I don't get too
10 emotional. I spent a lot of time
11 letting a lot of people know about this.
12 The past few days I've been walking
13 through fields, knocking on doors
14 because I feel like this is very
15 important for people to know that they
16 are only getting 50 years -- I think
17 it's the 50-year retention thing that
18 did it.
19 Anyway, I think it's just real
20 important that everybody know that
21 what's happening to this area, the fact
22 that insurance is all through the Corps

23 documents, insurance issues because the
24 Army Corps of Engineers is going to be
25 referring to in your documents. I think
0097
1 you should just be honest and tell
2 people what's happening. I think it's a
3 change coming to Louisiana, and I think
4 you should truly address it instead of
5 trying to confuse everybody.
6 I have right here -- I got this from
7 the meeting at the high school. It's
8 about the FEMA flier, and I guess I'm
9 looking for a little bit of education
10 from you-all here right now. It says, A
11 Myth: You can't buy flood insurance if
12 you're located in a high flood risk
13 area. Fact: You can buy National Flood
14 Insurance no matter where you live if
15 your community participates in NFIP
16 accepted coastal barrier reinforcement
17 system area.
18 I guess my question is, who lives in
19 a coastal barrier reinforcement system?
20 Because I think these people who live in
21 this area are in trouble.
22 UNIDENTIFIED SPEAKER:
23 -- (inaudible) -- as long as your
24 community is participating in the
25 National Flood Insurance Program, then
0098
1 flood insurance is available to you.
2 Now, despite -- those are areas set up
3 by the National Wildlife Federation that
4 flood insurance is not available in
5 those areas -- building just flood
6 insurance is not available to you. If
7 you built in those areas prior to I
8 think the date was 1992, then it doesn't
9 apply to you -- new construction since
10 that time in those coastal zones that
11 you could -- (inaudible) -- National
12 Wildlife Federation and the Louisiana
13 Wildlife Federation and get the

locations of those zones. And I think -- I would have to check, but I think there may be some in the lower part of Plaquemines Parish, but I have to check to be sure --

MS. JAMIE STAVROS:

How does your area get designated as --

UNIDENTIFIED SPEAKER:

Well, it would be done by Wildlife Federation.

MS. JAMIE STAVROS:

0099

Is there a possibility that we could go to the Wildlife Federation to turn us into a coastal barrier reinforcement system?

UNIDENTIFIED SPEAKER:

I don't know that they are in the process of doing any new -- I don't know if the process -- I haven't heard of any. I don't have any reason to believe that they would have any reason to do that.

MS. JAMIE STAVROS:

Is there a possibility?

UNIDENTIFIED SPEAKER:

The possibility always exists.

MS. JAMIE STAVROS:

Well, that's not good, is it?

I also have a statement here. We talked earlier about the safety, how safety is really important, and I have here a letter to -- Colonel Lee, to you and it's from the OCPRA. And I will just quote straight from the letter. "The OCPRA in requesting the use that the USACE investigate the option of

0100

eliminating or reducing the need for ramps or other flood control structures across Louisiana 23 by raising the plan adjoining nonfederal levees to their

required elevation of 14 feet." That's from CPRA. Do you have any comment on that, Colonel Lee?

COLONEL LEE:

I think it's been pretty clear the authorization from Congress specifically focused on the West Bank and Vicinity. I think that's probably why CPRA has the locally preferred plan that Plaquemines Parish has requested 100-year level for the nonfederal level to the area south of Oakville because it's not up for authorization. The parish and the state recognizes that.

MS. JAMIE STAVROS:

I think that was my husband's question and I think he had something else to add to it. Will he be able to come up here and speak again if he fills out another card?

MS. NANCY ALLEN:

0101

I have his card

MS. JAMIE STAVROS:

Okay. Also, I want to say that I was at that council meeting and I know Jason McCrossen was there, and they did ask Jason -- The Council did ask Jason, "Do we need to vote on this, or is it something that Mr. Nungesser could suggest the invisible flood gate?" And the answer was that Mr. Nungesser could be the one to put the invisible floodgate on its own. So that's what we thought that he had done. We thought that was enough. So I just want to clear that up in the beginning of what happened at that council because I was there.

MS. NANCY ALLEN:

Thank you.

Boyd Parker. Boyd Parker. The next person Donald Landry.

22 MR. DONALD LANDRY:
23 My name is Donald Landry, a lifelong
24 resident of the Belle Chasse area for 55
25 years. My first issue is to address the
0102
1 property value issue. And I'm going to
2 use this scenario. I want everyone in
3 the auditorium to put yourself in this
4 scenario because I'm going to use the
5 addendum's own words and I'm going to
6 change the names to protect the
7 innocent.
8 Your area of town where you live is
9 starting to have a problem with gangs.
10 Gang symbols and graffiti are all around
11 your neighborhood, park benches, street
12 signs, overpasses. Although nothing
13 serious has happened, everyone knows
14 that the potential for crime and
15 violence in these types of areas. Other
16 than the graffiti crime has not risen.
17 The police department has not been able
18 to tie any crime to these gangs.
19 So the mayor and the local
20 government decided, and I quote, "More
21 than creating a negative esthetic
22 impact, the graffiti could indeed
23 heighten the awareness of both the buyer
24 and the seller of the fact that your
25 neighborhood is located in a potentially
0103
1 high-risk area of town. If the graffiti
2 serves to simply remind those who have
3 already -- who are already aware of the
4 different levels of risk on either side
5 of town, however troublesome that
6 reminder is, then there is little basis
7 to conclude that the willingness to buy
8 or sell property at a given price will
9 significantly change."
10 "However, if the graffiti serves to
11 inform those who are not at all aware
12 that there are or will be --" I'm sorry.

13 I lost my place. Reading glasses "--
14 those who are not at all aware that are
15 or will be different levels of risk on
16 either side of town."
17 In this case the visible symbol of
18 graffiti informs more participants in
19 the real estate market, and their
20 willingness to buy and sell at a premium
21 price adjust to reflect this
22 information. The degree to which
23 property values would change to account
24 for this effect depends upon the portion
25 of those future participants in the real
0104
1 estate market that are unaware of the
2 reality of the risk within your
3 neighborhood.
4 I would like to ask all of you. Do
5 you agree with the mayor and the local
6 government's reasoning for leaving the
7 graffiti up? That was given in this
8 draft as a reason as to why we should
9 select a physical floodgate, if I
10 interpreted the addendum correctly.
11 I don't think anyone would say that
12 our property values would not be
13 affected when we have a visible
14 floodgate that's put there to remind
15 those real estate prospective buyers and
16 sellers.
17 My second item. This is not an
18 attack on the Corps. Don't take it
19 personally. View this as a job
20 performance review by your local bosses,
21 that is the citizens in this area. I
22 express these as to critique on the
23 Corps' approach to resolving issues and
24 to clearly and concisely discuss the
25 issues.
0105
1 Number one, divide and conquer. The
2 Army Corps of Engineers uses this battle
3 strategy very effectively, community

against community, neighbor against neighbor, and neighborhood against neighborhood. I have seen this in this small quiet community on this issue. This tactic eliminates the united front very effectively against an enemy. I don't think for one minute you view us as an enemy, don't get me wrong, but it is your fundamental military training, and unconsciously you use this strategy in public hearings.

Example: Last meeting in this facility, September 19. We were divided into five separate groups, four workshops. One session stayed in here to discuss the issues. Another example: The parish government drafted a resolution to show the united front in support of an invisible wall, if and only if, we must choose one --

MS. NANCY ALLEN:

Sir, I'm going to ask you to please

0106

wrap it up --

MR. DONALD LANDRY:

Okay -- but decided to table the resolution because of the confusion on all of the different issues. One of them being the council's unanimous vote to request no flood wall be installed that would divide our community. That resolution still stands today. Thank you.

MS. NANCY ALLEN:

Thank you. Robin Zuvich.

MS. ROBIN ZUVICH:

My name is Robin Zuvich, and my question is to Colonel Lee. Colonel Lee, when we were here on September 19, I had asked you a question and I'm hoping you can answer for the people that are here today. Congressional authorization seems to be a problem,

21 don't you feel?
22 COLONEL LEE:
23 One of the things that we have tried
24 clearly to communicate is that we
25 operate in Congressional authority and
0107
1 appropriations in building any project
2 by the Corps of Engineers. So the
3 authorization from Congress is very
4 specific of what is included and what is
5 not included. So that's kind of the
6 hard guidelines of how we approach this
7 project.
8 MS. ROBIN ZUVICH:
9 Can I ask you a question, Colonel
10 Lee? I've asked it before and you've
11 answered it honestly, and I want you to
12 answer it for the people here. If you
13 can think outside the box, -- you are
14 the head man. You don't have to worry
15 about Congressional authorization. You
16 have the authorization to do the job --
17 can you tell me what you would do?
18 COLONEL LEE:
19 What we have done and tried to do
20 for the whole engagement this summer and
21 fall is based on the input from the
22 public, and everybody that lives south
23 of Oakville is very clear that people
24 want a hundred-year risk reduction, and
25 so what we have done is work with the
0108
1 parish to figure out within our
2 authorities what we can do to provide
3 100-year levels of risk reduction.
4 So the plan currently is that
5 Plaquemines Parish government is working
6 with the state of Louisiana to provide
7 hundred-year level of risk reduction for
8 the nonfederal back levee from the area
9 of Oakville to -- (inaudible) -- that's
10 what we have tried to do is to meet the
11 needs of the community south of Oakville

along with building the -- (inaudible) increasing the nonfederal levees, the 37 miles of nonfederal levees -- they're going to be upgraded to account for about a 50-year level of risk reduction.

MS. ROBIN ZUVICH:

I understand, but if you had the money, you had the authorization, what would you do, Colonel Lee?

COLONEL LEE:

It's hard to speculate, but, I mean, if we have authorization and funding, we would build a project. That's what we do --

0109

MS. ROBIN ZUVICH:

You would?

COLONEL LEE:

-- all over New Orleans.

MS. ROBIN ZUVICH:

Can you tell me where you would build it here? Would you go to La Reussite and raise the road, if you had the funding to do so for us?

COLONEL LEE:

It's not funding. It's authority. It's authority. It's both. You can't do one without the other.

MS. ROBIN ZUVICH:

I understand. And I know I'm asking you something, but I want you to think outside of the box. I don't want you to think there's authorization. You're the authority here. You have total control. It's hypothetical.

COLONEL LEE:

Trust me. I don't have total control.

MS. ROBIN ZUVICH:

I know you don't. But let's think

0110

on a hypothetical level. You have total control. What would you do to do the

3 right thing? That's all I'm asking.
4 COLONEL LEE:
5 We can do what's within our
6 authorization. I mean, that's all I can
7 do.
8 MS. ROBIN ZUVICH:
9 You can't answer me, can you? Is it
10 because Congress won't let you answer
11 that hypothetical question?
12 COLONEL LEE:
13 I mean, it's a hypothetical
14 question. I mean, if I told you --
15 MS. ROBIN ZUVICH:
16 I respect you, Colonel Lee. I'm not
17 trying to be --
18 COLONEL LEE:
19 If we have full authorization and
20 funding, we will build a project. So
21 that's -- I mean, I'm trying to answer
22 your question.
23 MS. ROBIN ZUVICH:
24 I know. I understand the position
25 you're in. I understand the position
0111
1 you're in.
2 So, with that being said, how are
3 you working with President Nungesser to
4 assist in finalizing the locally
5 preferred plan so that you can submit it
6 to your headquarters for approval?
7 COLONEL LEE:
8 Julie, can you answer the first
9 part, and I'll wrap it up?
10 MS. JULIE LEBLANC:
11 We have reviewed the draft that
12 Plaquemines Parish has put together
13 prior to sending it to the state. So we
14 have provided our input on that, and we
15 are working in parallel to move forward
16 and find out what's the best way for us
17 to get the design under way for the
18 locally preferred plan. We cannot
19 really start that effort until we have

the locally preferred plan officially
and have it approved, but we are working
on putting together the design effort on
that.
MS. ROBIN ZUVICH:
So the design efforts are in effect?

0112

MS. JULIE LEBLANC:
No. We are working on a scope of
work to get a contract to do the
design -- basically -- (inaudible) -- to
an engineering firm to do the design of
the locally preferred plan.
MS. ROBIN ZUVICH:
So, as far as the time line goes,
what's being done now? Do you have a
local firm working on it now?
MS. JULIE LEBLANC:
We cannot do that until we have the
locally preferred plan officially from
the state.
MS. ROBIN ZUVICH:
So how would you get that done?
Because we are asking questions daily,
and we're not getting any response from
our local government. We're begging for
help. How can we get this done?
MS. JULIE LEBLANC:
Our standing is that at --
(inaudible) -- the office of Coastal
Protection and Restoration.
MS. ROBIN ZUVICH:

0113

So who's head of the state that we
could go to --
MS. JULIE LEBLANC:
Garrett.
MS. ROBIN ZUVICH:
Garrett? So he's the person we need
to be contacting?
MS. JULIE LEBLANC:
He's the head of -- (inaudible)
MS. ROBIN ZUVICH:

Now, as far as the locally preferred option, how does that include the Mississippi River?
MS. JULIE LEBLANC:
Our understanding is that 8 miles of back levee as the locally preferred plan.
MS. ROBIN ZUVICH:
So how does that include the Mississippi River?
MS. JULIE LEBLANC:
Our understanding is this is probably a question that Plaquemines Parish should be answering.
MS. ROBIN ZUVICH:

0114

Where is Plaquemines Parish anyway?
MS. NANCY ALLEN:
Identify yourself.
MR. JAY FRIEDMAN:
My name is Jay Friedman, Plaquemines Parish Council District 7. I'm going to answer her question. The Plaquemines Parish preferred project they referring to is not a levee project. It's a coastal restoration project. The intent of the project, what it does is, decrease the storm surge. Therefore, by the decreasing storm surge, you decrease the elevation requirements of a hundred-year flood protection. Am I correct?
MS. JULIE LEBLANC:
I believe that's -- (inaudible) -- raising the 8 miles of back levee in Section 1 -- from the authorized grade to the 1 percent elevation.
MR. JAY FRIEDMAN:
You're talking Greek to me because I haven't been included in any of those discussions so that's above my head. So

0115

that goes to tell you how much

2 communication we had been administration
3 and the council or maybe some council
4 members are aware of this, but I'm
5 definitely not aware of this. I
6 thought -- Like I'm saying, I'm not
7 aware of that. So I can't answer that
8 question. I apologize.
9 MS. ROBIN ZUVICH:
10 I guess the question I want to know
11 is, now we're finding out the
12 Mississippi River is not adequate for a
13 hundred-year protection. So who do we
14 talk to for that? Who do we talk to?
15 MS. JULIE LEBLANC:
16 We currently don't have
17 authorization to do any work on the
18 Mississippi River levees.
19 MS. ROBIN ZUVICH:
20 President Nungesser, can you help
21 us? Who do we talk to concerning the
22 Mississippi River levee which is another
23 problem for hundred-year protection?
24 PRESIDENT NUNGESSER:
25 That's a federal levee, but the
0116
1 answer to your question about the local
2 preferred plan, that is the plan that
3 would be put together to include Reach 1
4 in hundred-year protection. We had to
5 have the state authority and support to
6 do that. It's been to Baton Rouge
7 through the legal -- the lawyers and all
8 up there. We expect to get that back.
9 And from then we will go -- We're
10 waiting for the -- (inaudible) -- give
11 us a plan when 25 percent design. So as
12 we got a commitment from Washington to
13 begin construction on 25 percent design.
14 We are also working on the cost
15 difference, whether we can 30 years,
16 whether we get help from the state, or
17 whether the parish is going to have to
18 put all that up.

We're working on all those issues. So when the Court does that date and Jason who is an ex-Corps guy working with the parish -- When we get that information and we've got the funds in place, we feel we can meet the same schedule that Congress to meet eliminate

0117

the end for any funding. That is the plan. We're going to keep on that plan.

MS. ROBIN ZUVICH:

We appreciate all you do --

PRESIDENT NUNGESSER:

When we first attempted this way back when Jesuit Bend first got involved, we said, "What about the Mississippi River levees?" And they don't have a plan. So when they came up with their plan for Belle Chasse, we'll have to mirror that plan, but in the meantime, if they're not going -- (inaudible) -- the Mississippi River, then I can't see making them do something in Jesuit Bend and still -- the same protection for Belle Chasse that Jesuit Bend have.

So we are working on everything. We have to fast track that. And we are hopping to get that plan from the Corps here soon so early next year we can go to the 25 percent design and start construction. And Jason still believes and I do too that we can meet that

0118

deadline if everything stays on track.

MS. ROBIN ZUVICH:

That's my concern. We have no time line.

PRESIDENT NUNGESSER:

We have to wait for that schedule from the Corps --

MS. ROBIN ZUVICH:

-- (inaudible) -- schedule.

MS. JULIE LEBLANC:
I'm not sure what schedule --
PRESIDENT NUNGESSER:
It's going -- (inaudible) -- to give us the time frame that -- how long it's going to take to get the 25 percent design, and then from that we will be able to -- we'll have that time frame to put the funding together. The money to pay for the additional engineering was introduced by Keith -- (inaudible) -- at the last meeting which I believe was Thursday. So we'll have that money to fund the extra $200,000 of -- costs that we have to be responsible for. So that's how it works. Then we will move

0119

on.
As soon as we get the numbers on the added cost, we're looking at several different ways. We've come up with 74 percent of the people live within that area would qualify for some money the state is going to have. Whereas -- Look at the data. So we're looking at all ways to fund this project for costs, and also we have asked that we over 30 years as a safe zone with the hundred-year protection elsewhere. So we're looking at all those options, but we still feel if we can get our 25 percent design construction started, that we can meet that deadline.
MS. ROBIN ZUVICH:
Colonel Lee, do you think that's possible?
COLONEL LEE:
The submission of the locally preferred plan is -- the clock is ticking right now.
MS. ROBIN ZUVICH:
And we know that, and nothing is

0120

being done. We're sick of it.
COLONEL LEE:
-- the parish submitted it to the state. The state has to go through -- and then it will come back to us so -- (inaudible) -- No, no. I mean, the Corps of Engineers when I say "us." I mean, Vicksburg works with us so. We all work together as a team.
MS. ROBIN ZUVICH:
So the clock is ticking.
COLONEL LEE:
Absolutely.
MS. ROBIN ZUVICH:
So how much tick do we have left?
COLONEL LEE:
This is -- What we're shooting for is that draft supplemental IER to the public in December of 2010.
MS. ROBIN ZUVICH:
So December of right now?
COLONEL LEE:
That's what it's going to go out on the street for public review. So that's what we are -- we need the --

0121

MS. ROBIN ZUVICH:
I'm confused. President Nungesser just walked out on us. So we have December 2009, did you say?
COLONEL LEE:
December 9 is when the supplemental IER will go out on the street.
MS. ROBIN ZUVICH:
So who are we waiting on?
COLONEL LEE:
The form is at the state for their approval and submission to the board.
MS. ROBIN ZUVICH:
So who do we talk to from the state to get the lead out and get some answers?
COLONEL LEE:

18 I think Julie mentioned earlier that
19 CPRA has the request, and they will
20 send --
21 MS. ROBIN ZUVICH:
22 Don't you-all work together?
23 COLONEL LEE:
24 We've already reviewed the request
25 with Plaquemines Parish. We made
0122
1 comments to the request. They
2 incorporated our comments and submitted
3 to the state --
4 MS. ROBIN ZUVICH:
5 But today is November the 5th.
6 COLONEL LEE:
7 I understand. We need that request.
8 MS. ROBIN ZUVICH:
9 So what do we do to get it? As
10 American citizens, what do we do from
11 the time we leave here to get that? Can
12 somebody answer me? I don't understand
13 this. How do we -- (inaudible)
14 Congressional authorization hasn't
15 gotten -- We're back to April 29th,
16 right where we started.
17 I'm very disappointed, and I'm sad
18 as an American citizen that I have to
19 stand before you like this and feel like
20 you've turned your back on us. And
21 there's nothing I can do. This is the
22 emotional part, but who cares about
23 that? The facts are the job has to be
24 done by 2011. Get it done so I can go
25 on to my next job. But we're left here
0123
1 with the aftereffects.
2 I'm so disappointed in this process.
3 With that being said, I want you to
4 know, as American citizens, we will tell
5 our story, and we will tell our story
6 and we will continue to tell our story,
7 and it will be heard. And it might not
8 be today, it might not be tomorrow, but

9 our story for will be heard. And,
10 unfortunately, all by the stroke of a
11 pen will determine my financial future.
12 MS. NANCY ALLEN:
13 Okay. We need to take a five-minute
14 break and then we'll come back to our --
15 Just give us five minutes. The court
16 reporter is getting very tired -- The
17 next two people are Scott Senner and
18 Lois Zuvich.
19 (Recess taken in the proceedings.)
20 MS. NANCY ALLEN:
21 We're trying to get the comments on
22 tape. It's very hard to hear.
23 MR. SCOTT SENNER:
24 Yes. I'm a little nervous so just
25 bear with me for a little bit. When all
0124
1 this started going on way back, back
2 when I first met, we were talking about
3 the levee behind us and being
4 hundred-year protection. Did you-all do
5 models and things like that to decide
6 how much flooding we were going to get?
7 You know, like, ten different hurricanes
8 or something that hit this area and what
9 would happen to us? Is that how you-all
10 do that, the hydrologists?
11 MR. BRUCE EBERSOLE:
12 Can you hear me?
13 MR. SCOTT SENNER:
14 Yes.
15 MR. BRUCE EBERSOLE:
16 We developed IPET --
17 MR. SCOTT SENNER:
18 IPET. We were just talking about
19 that. I didn't know much about that.
20 MR. BRUCE EBERSOLE:
21 We developed IPET the beginning of
22 the development of models to calculate
23 the surge of waves that occur with a
24 hurricane. So we looked at a range of
25 what was possible in the way of

0125

hurricanes that can strike this area, and we considered the scope of what's possible. So we apply that technology for a large number of hurricanes to look at the tidal surge and wave that develop in the entire perimeter of the levee system characterize what's possible. So we have done a lot of modeling.

MR. SCOTT SENNER:

How many models -- I don't know. I'm just asking. Is it a whole bunch of different hurricanes from like 1950 to Katrina? You know what I'm saying?

MR. BRUCE EBERSOLE:

In some cases we have run actual storm surge, but the large set of storms that we run they are all hypothetical, have different tracks, different central pressures, and intensity, different sizes. So we have covered the full gamut of what's possible. We decide the probabilities to each of the storms and then analyze the surge or wave conditions that are produced by each of the storms.

0126

MR. SCOTT SENNER:

And so you figured from that analysis that we would be used to a little more flooding than normal. I believe at first it was like minimal and then it went to -- or above. I believe that was said in September. Is that correct?

MR. BRUCE EBERSOLE:

Yes. I think there's a nice chart out in the display that shows the magnitudes of change that are associated with the West Bank and Vicinity project, and they're generally on the order of tenths of a foot. Those storms are pretty severe. We looked at a storm

17 approximately 6, approximately 8, and
18 approximately 12, all very severe storms
19 in this particular region.
20 MR. SCOTT SENNER:
21 Did you do one from Gustav --
22 MR. BRUCE EBERSOLE:
23 We ran a storm similar to Gustav,
24 not exactly Gustav.
25 MR. SCOTT SENNER:
0127
1 Gustav was it too late for you-all
2 to do that -- you're saying similar, but
3 no storms are really similar. Like
4 Katrina -- still had a high storm surge,
5 correct?
6 MR. BRUCE EBERSOLE:
7 When I say "similar," they picked a
8 storm from our set of a hundred fifty
9 plus storms that had a track most like
10 Gustav, had an intensity most like
11 Gustav, and a size most like Gustav.
12 MR. SCOTT SENNER:
13 Okay.
14 MR. BRUCE EBERSOLE:
15 And the surge that it produced was
16 similar to the surge that Gustav
17 produced.
18 MR. SCOTT SENNER:
19 That was with the new floodgates and
20 all that included in that scenario?
21 MR. BRUCE EBERSOLE:
22 Yes. We looked with and without the
23 project in place.
24 MR. SCOTT SENNER:
25 Okay. Without it in place what
0128
1 would it have been? Like it is now, we
2 would have been like we are so.
3 MR. BRUCE EBERSOLE:
4 Without it in place we know that in
5 this region there's about a 2 percent
6 chance each and every year that the
7 surge will exceed 60. There's about a 1

8 percent chance each and every year the
9 surge will exceed about 8 feet. There
10 is a .2 percent chance each and year
11 that it will -- So we ran those storms
12 that produced roughly the surge with and
13 without the project.
14 MR. SCOTT SENNER:
15 Okay. Now, what I'm concerned about
16 is, where are -- how many models have we
17 done on the river now that you've
18 picking up this 14 miles? How many
19 environmental impact studies did you
20 take, how many storms have you looked at
21 for when the river levee goes up, how is
22 that going to affect us?
23 MS. JULIE LEBLANC:
24 For the Mississippi River levees and
25 for West Bank project we will separate
0129
1 individual environmental report for
2 that. So the impact will be discussed
3 in that report.
4 MR. SCOTT SENNER:
5 Okay. So until those studies come
6 in, you really can't start doing
7 anything on those studies, correct?
8 MS. JULIE LEBLANC:
9 That's correct.
10 MR. SCOTT SENNER:
11 Okay. And there will be
12 commentaries and things like this --
13 MS. JULIE LEBLANC:
14 Yes. There will.
15 MR. SCOTT SENNER:
16 -- for that? Okay. Do you have to
17 get --
18 MR. GIB OWEN:
19 We will follow the process basically
20 what you have seen here -- public
21 meetings and come out and talk to you,
22 and then we will also have the 30-day
23 comment period when the draft document
24 is out.

25 MR. SCOTT SENNER:
0130
1 Got you. What kind of time frame
2 are you looking to do that, to get that
3 done?
4 MR. GIB OWEN:
5 I know right now they're working
6 with the -- we have been trying to get
7 the studies done in five to six months.
8 So a lot -- I don't know the exact date
9 right now. I don't know we are
10 expecting to get that --
11 MR. SCOTT SENNER:
12 -- (inaudible) -- have to go through
13 the same process that our levees are
14 going to have to go through. We don't
15 know what's going on with the state, who
16 we have to talk to, or is that going to
17 proceed carte blanche we are going to go
18 with it no studies without that 14 miles
19 protection of Belle Chasse and Algiers.
20 Am I correct?
21 MS. JULIE LEBLANC:
22 It is authorized.
23 MR. SCOTT SENNER:
24 When is it authorized?
25 MS. JULIE LEBLANC:
0131
1 It's authorized as part of the West
2 Bank and Vicinity project because --
3 MR. SCOTT SENNER:
4 You didn't know the first meeting
5 that that levee had to go up. You just
6 found that out a couple of months ago.
7 MS. JULIE LEBLANC:
8 My understanding is the authority
9 the provide 1 percent for the entire so
10 there is authority to do that work in
11 the 14 miles of Mississippi River levee.
12 MR. SCOTT SENNER:
13 Where are they going to get the
14 money?
15 MS. JULIE LEBLANC:

As Colonel Lee said earlier, we have the funding in hand to do interim protection, and we have to budget in the future for permanent

MR. SCOTT SENNER:

That's temporary levee up until you get the real money and then put the --

MS. JULIE LEBLANC:

No. We are working on the engineering for that. We don't know

0132

what the plan of action is going to be.

MR. SCOTT SENNER:

So before I heard maybe. Colonel Lee, somebody said, they have to go lobby for the money. Somebody said that.

MS. JULIE LEBLANC:

Since it is authorized and partially funded, we can budget for it. We would not have to lobby or the locals would not have to lobby Congress is the way I understand it.

MR. SCOTT SENNER:

Well, how much when you do this modeling you are going to do the hurricanes going up the river when you picked this levee up to see how the flood you are going to do have to do environmental impact studies for the wildlife and all that back there, or is it just carte blanche, have to find one of those -- Well, don't laugh. It happens every day. So what happens if you happen to come across something like that on our side?

0133

MR. GIB OWEN:

There are no threatened and endangered species in this area other than --

MR. SCOTT SENNER:

That's the river.

MR. GIB OWEN:
But the levee will have no effect with that. So we're --
MR. SCOTT SENNER:
Well, you're saying it's not going to have an impact.
MR. GIB OWEN:
-- part of the environmental --
MR. SCOTT SENNER:
Wait. This levee that's built up and just like we -- flooding 9 inches from this way -- we are going to be from that way. It just makes sense. The East Bank is going to get flooded too because of this. They're not -- I don't know but -- Let me finish. So this little surge what happens when the river comes up and it floods it over into the highway, and when the water goes away,

0134

they are flapping away with water?
MR. GIB OWEN:
That's what happens no action alternative some of the --
MR. SCOTT SENNER:
I'm not -- I'm being serious. You haven't looked at that yet. You're just boring holes in the levee -- What happens if you have -- you might have to knock that whole levee down because correct do that happen?
MR. GIB OWEN:
-- to Julie for engineering. We're going to do an environmental impact statement as individual environmental report, one for Belle Chasse and one for St. Bernard. They will look at the whole range. They will look at all the human impacts which will be flooding above, below, east, west, anywhere. It will look at the impacts on the natural environment, the bugs, bunnies, rabbits. It will all be in that report will

24 30-day public review.
25 MR. SCOTT SENNER:
0135
1 Well, I hope that this little snail,
2 whatever you call it, the sturgeon, that
3 Congress hears about this because they
4 stopping projects all over the place
5 because of extinct minnows. I don't
6 know if -- big fish or little fish, big
7 fish. I just think you-all didn't do
8 the whole scenario. You thought you had
9 it over here. Now you have another can
10 of worms over here. Not a shovel be dug
11 over there until that environmental
12 study is done and we go through the next
13 process that we're doing right now.
14 MS. NANCY ALLEN:
15 Thank you, sir. William Richard
16 Springfield.
17 MR. RICHARD SPRINGFIELD:
18 Hello. My name is Richard
19 Springfield. I like in Oakville, the
20 upper side of the community itself. My
21 concern about this floodgate is, we will
22 have a water event from the river again.
23 If it's going to take five more years to
24 get the levee raised, definitely, maybe
25 from just the river from the spring
0136
1 flooding, not so much from the other.
2 But if you-all put this gate in and
3 ther's a hurricane, the north wind is
4 going to be when the wind starts over
5 flowing. It's going to push all that
6 water into Oakville, and a hundred fifty
7 cubic feet per second takes two hours to
8 get 1 foot acre. So Oakville will end
9 up with 8 to 10 foot of water, and it
10 will take 8 and a half days to pump out.
11 That doesn't look good for us. That
12 will put 6 and a half foot in my house
13 before it starts to go down, and our
14 house -- The floor of my house is 7 and

a half feet above sea level. With Katrina we had water 6 inches higher than the floor outside the house before it started to come in. Luckily -- we had the doors we were stuffing stuff at the bottom of all our doors.

They told me I didn't need flood insurance for here. So we got flood insurance. Now but we don't have full because it's considered expensive. Now we will have to get full flood insurance

0137

because we will be destroyed on the first floor completely if this gate is in and we've got water in a hurricane. That's about all I want to let you-all know.

MS. NANCY ALLEN:

Thank you, sir. Lois Zuvich.

MS. LOIS ZUVICH:

I'm from the southern part of the parish, and I wanted to talk to the panel. Okay? We were told right after the hurricane that we were going to get a hundred-year protection. They even bought up land, tore down houses -- buras and some of the other places because they were going give us this hundred-year protection. The next thing we knew, they can't do that because of the base being too wide, too heavy, take too much land. Okay. I understood that. Then they talked about putting like setback levees which is to break the surge. So when the water comes in, it would be -- out and our levees would hold. That sounds good. I haven't

0138

heard another word about that. So I guess that's off the table, too.

We will never get a hundred-year protection is what I understand. The most we're going to get is 50 and

probably not even that because you're not talking anything that I have heard that says that we're going get any other protection than what we have got already.

My other thing was, I wanted to know when this come to the river that New Orleans is talking about, is that going to effect us down where we're at?

MS. JULIE VIGNES:

Gib --

MS. LOIS ZUVICH:

In other words if they're going to put -- If they're pumping the water to the river and we're down river, so water has got to come down, is that going affect our levees?

MR. GIB OWEN:

There is a proposal we have heard. If they're authorized to study it and do

0139

an environmental impact statement done on that. It's about -- I believe the proposal is about a 2,000 CFS pump station. That's fairly small when you look at the flow of the river.

MS. LOIS ZUVICH:

Okay. I didn't know. That was just what I was thinking about because I was thinking, well, we get everything goes high, water comes down from up north, and I'm just wondering what more water is going to have on us, you know, being, you know, because that's plenty more water. It's got to come down. It's got to come down.

I had one other question. I don't remember what it was. That was the main thing. I wanted to know if there's going to be any more thoughts about this setback levee to give us a hundred-year protection, or if that's just nonexistent anymore.

23 MS. JULIE LEBLANC:
24 Can you put up the nonfederal levee
25 map?
0140
1 MS. LOIS ZUVICH:
2 Can I ask you a question also? All
3 you talk about is nonfederal levees.
4 They used to say that we were on a
5 federal levee down there.
6 MS. JULIE LEBLANC:
7 I want to ask you if you're below
8 this area or within this area. Are you
9 below this area?
10 MS. LOIS ZUVICH:
11 I'm in Buras. I don't know what
12 that area is.
13 MS. JULIE LEBLANC:
14 That's the existing nonfederal levee
15 area -- I'm sorry.
16 MS. LOIS ZUVICH:
17 We were told -- We were always told
18 that we had federal levees on the river
19 bank, not nonfederal levee. The only
20 nonfederal levee that I thought that we
21 had was the citrus land levee, that they
22 had a nonfederal levee in the citrus
23 land. That was the only nonfederal
24 levee. Everything else was federal
25 levee, but all that I hear you talk
0141
1 about is nonfederal levee. Do we have
2 any federal levee in Plaquemines Parish?
3 MS. JULIE LEBLANC:
4 Yes. This map shows the red area.
5 It shows the nonfederal levee we have
6 been talking about. The reason we're --
7 the top is the West Bank and Vicinity
8 project ties into it. The projects in
9 green are the existing New Orleans to
10 Venice federal levee. And we have money
11 and authorization to raise that to the
12 authorized level which, as you know, is
13 approximately about a 50-year storm. We

are moving forward with that.
MS. LOIS ZUVICH:
Are we talking river or marsh?
MS. JULIE LEBLANC:
Everywhere you see on the West Bank, it is --
MS. LOIS ZUVICH:
I'm not worried about the West Bank.
MS. JULIE LEBLANC:
It's the back levee and the Mississippi River levee on the west, and on the East Bank it's only the back

0142

levee.
MS. LOIS ZUVICH:
We're talking about -- Excuse me. I'm sorry. I thought you were talking about Gretna, Marrero, and all of that. I realize that Plaquemines Parish is only here to protect New Orleans. So I just want to make sure that you -- I'm sorry. I didn't understand --
MS. JULIE LEBLANC:
Talking about the West Bank of the Mississippi River.
MS. LOIS ZUVICH:
Okay. I got you. I'm sorry. I'm talking about the Plaquemines Parish West Bank, yes.
MS. JULIE LEBLANC:
Correct. We have authority for the back levee and the Mississippi River levee in those regions shown on this map.
MS. LOIS ZUVICH:
Okay. I just wanted to know -- That was my question. Thank you very much.
MS. NANCY ALLEN:

0143

Thank you. I have two more people who haven't spoken. I just want to remind you of our five-minute time limit. Pete Stavros.

MR. PETE STAVROS:
-- (inaudible) -- hundred-year with and without project there were ten storms that were run?
MR. BRUCE EBERSOLE:
That's correct.
MR. PETE STAVROS:
From the graphics that were shown on the 19 September out here -- she said that there were as much as plus nine but as low as minus six on the storms.
MR. BRUCE EBERSOLE:
I believe that's correct.
MR. PETE STAVROS:
Okay. How -- you said there was a -- How were those ten storms chosen?
MR. BRUCE EBERSOLE:
Well, as I said there -- If you look at the surge level, we looked at the surge levels, 2, 1, and two-tenths of a percent chance annually, and those surge

0144

levels ended up being approximately 6, 8, and 12 feet. So we went back into the pool of 452 storm set and looked for three events that produced roughly 6-foot surge sea area. We selected three storms that approximately produced 8-foot surge and we selected three storms that produced approximately 12-foot of surge there in the same area.
MR. PETE STAVROS:
I guess there was -- it looks like there may have been a better selection of storms a better model used if we are seeing some of those storms that showed minus whatever storm produced that was one that you should have, I guess, thrown away and used a better set, but we can debate that later because I only have four minutes remaining.
I would like to talk about, Colonel Lee, every single slide we talked about

22 public engagement, and the alternative
23 talked about the requirement to have
24 public meetings, if you could show a
25 slide of that. Alternative arrangement
0145
1 Corps developments to provide after each
2 meeting. The meetings will be
3 advertised at least one week prior. The
4 locations will be selected to
5 accommodate public availability.
6 Since we were notified about April
7 14th, we had the one that was previously
8 scheduled on April 29th. You scheduled
9 another one because we -- and we waited
10 until the 19th of September to have the
11 open house. I'm looking backwards now
12 to August fourth or even as far as May
13 12th, and I certainly don't see a
14 monthly meeting.
15 MR. GIB OWEN:
16 What you see up here is a listing of
17 the meetings that we had were
18 specific -- where we specifically talked
19 about the Oakville project. We have had
20 to date, since this started back in
21 2007, this is Meeting 138. We had --
22 Maybe we didn't meet every single month.
23 Sometimes we had three, four, five a
24 month. It's just throughout the system,
25 not monthly specifically to this area.
0146
1 MR. PETE STAVROS:
2 I guess my point is, every time I
3 came to one of the other scheduled
4 meetings that the public relations
5 officer would stand up or the project
6 manager would stand up and say, "We are
7 only limiting comments to this phase.
8 We are not going to talk about the --
9 This is a problem because the public
10 engagement that's required by NEPA, the
11 alternative arrangement, it is NEPA.
12 MR. GIB OWEN:

13 Actually those were construction
14 meetings where they were meeting locally
15 with the people. They were not part of
16 the NEPA process. Those are actually
17 extra meetings, above and beyond what --
18 MR. PETE STAVROS:
19 Okay. I guess I didn't get the
20 notification, once I did register, that
21 there were any other monthly meetings
22 where I could have mentioned anything
23 about -- since April I have -- something
24 that's going to help us and there really
25 hasn't been any.
0147
1 I do want to say that part -- on the
2 11th of June, this is about a month
3 after we got the public meeting in May,
4 there was a meeting between Senator
5 Vitter and the Corps of Engineers. At
6 that meeting there were two alternatives
7 that were presented -- I did not make
8 this up. I just got a copy of the
9 slides -- that presented a tradition
10 levee from Oakville to alternative at
11 that time.
12 MR. GIB OWEN:
13 We did talk about that. We briefly
14 looked at it, engineering detail, to
15 determine if it was a reasonable and
16 feasible alternative.
17 MR. PETE STAVROS:
18 Okay. At that time and again on
19 June 26th, there was a site survey done
20 by individuals both at Oakville, the
21 neighborhood of Jesuit Bend -- That was
22 mentioned in the addendum under a
23 different heading, under the transition
24 levee alternative. So at some point we
25 found that it potentially could be on
0148
1 the table.
2 And when I was up in DC in July and
3 engaging with the -- they at that time

4 thought that it was a potential to be
5 included. Somewhere in the month of
6 July it fell off the table. I was --
7 other meetings because of the need to
8 have conversation between and the Corps.
9 My request for any information on the
10 decision-making here has been denied
11 because it's still decisional. So there
12 has been a lack of transparency on a
13 number of different areas. They're not
14 following the --
15 MR. GIB OWEN:
16 We disagree. I mean, we have -- We
17 did not release information on the
18 decision-making process. That's a
19 standard federal practice until the
20 decision is made.
21 MR. PETE STAVROS:
22 My request was to find out what the
23 legal determination is, why -- At some
24 point authorization include -- option
25 fell off of the table because of the
0149
1 legal interpretation. I need to go back
2 to the Congressman to tell them why, but
3 held off and I have been denied access
4 to any of this means that we were there
5 discussing. So because of that I have
6 got -- I can and I am not something that
7 I have no idea what I'm lobbying for.
8 MS. NANCY ALLEN:
9 Donald Landry.
10 MR. DONALD LANDRY:
11 On September 19th we had the
12 discussion -- well, actually you-all did
13 the presentation, and it was my
14 understanding and I think Colonel Lee
15 actually said this, but Billy had led
16 into it, that the Corps has verbally
17 agreed to fund and do the design for a
18 hundred-year protection for each one
19 under the locally preferred plan. Was
20 that my understanding or -- (inaudible)

MR. DONALD LANDRY:
The difference in the design? I apologize. That was my misunderstanding. I thought we had to come up with a different funding -- So

0150

the design hasn't even started?
MS. NANCY ALLEN:
President Nungesser, I need you to speak into a microphone or hold this off until after we are done.
PRESIDENT NUNGESSER:
When we were in Washington, the Corps agreed to do 25 percent design -- So we design project, do the 25 percent design, allow for bids, start construction so, hopefully, we can make the same time frame as Congressman Vitter. The council members 200,000 vote on it next Thursday to fund the extra environmental engineering loss -- to do that 25 percent design.
They have already been out and tested the footprint for the hundred-year and done all the data gathering -- the lawyers in Baton Rouge back to them, signed by Gary Graves, 200,000, and I'm guessing -- I'm still waiting on the tax schedule to put their data together. We need the design mid next year or whatever and go out to bid

0151

and start construction. As long as this is in the first part of next year, we feel we get that 25 percent -- and construction schedule.
MR. DONALD LANDRY:
So to reiterate, the Corps is currently working on that design -- or they are waiting for the state?
MS. JULIE LEBLANC:
We are working on the field investigations which could be considered

part of the design --
MR. DONALD LANDRY:
So progress is being made. She was under at the impression that the Corps was at a standstill until we got state funding. So I wanted to clarify that, that there are some tasks that are taking place that would enable the design to continue.
MS. JULIE LEBLANC:
Correct. We have to do surveys and borings anyway no matter what plan -- We have started that work. We have not awarded a contract to an engineering

0152

firm to start the design using those field investigations.
MR. DONALD LANDRY:
Okay. Another question I had was, I understand that the 2000 June date that was selected as a target in time for the WBV closure, that was selected by the Corps based on data when you were requested to provide Congress with an end date. Is that not correct?
MS. NANCY ALLEN:
The June 21 date?
MS. JULIE VIGNES:
Yes. It's a Corps goal --
THE WITNESS:
Congress mandated to you -- you thought you could achieve this date, and Congress said, I agree with you.
MS. JULIE VIGNES:
That's correct. It's established --
MR. DONALD LANDRY:
That was -- At what time frame did you-all set that date?
COLONEL LEE:
Spring of 2007.

0153

MS. JULIE VIGNES:
Colonel Lee answered it. It was the

spring of 2007.
MR. DONALD LANDRY:
About two and a half years ago.
Thank you.
MS. NANCY ALLEN:
Thank you.
All right. First of all, you were handed questionnaires when you came in -- we would appreciate it if you fill out and return to us there are two research -- Both of these websites have information about our projects. We will -- Thank you very much for coming. (Inaudible) -- November 25th.
MR. JOHN:
Just one quick question. I'm John -- (inaudible) -- and I live in Jesuit Bend. There's a certain portion of the project where the gate goes in, there's a certain time frame you got the project -- got to be a date when at that point we start -- and that's the day, I guess, we're trying to get this back

0154

levee approved and finished by. So what is that date?
MS. JULIE VIGNES:
Our current schedule is, we have to finish the environmental compliance process which will be the decision for IER 13. So we are scheduling approval of that in December of 2009. We have been doing concurrent designs on the features of the Eastern Tie-In. So we do have construction schedules that will award contracts in the February/March 2010 time frame.
MR. JOHN:
Projects -- You've got contracts. You can cancel a contract at some point --
MS. JULIE VIGNES:
We haven't awarded any construction

contacts at this point. We are
scheduled to do that -- 2010. We are in
the design phase concurrent --
MR. JOHN:
The gate and the levee to the -- is
kind of the last thing going in?

0155

MS. JULIE VIGNES:
We currently have -- (inaudible) --
award four contracts and that will be on
a closed construction contract award.
They will all be advertiser awards
between February and April of 2010, all
four contracts, which includes the gates
across the highway levees.
MR. JOHN:
2010 the whole project go in four
different parts. There's really no
stopping the gate at that point.
MS. JULIE VIGNES:
That's our schedule for awarding
construction contracts.
UNIDENTIFIED SPEAKER:
You-all might think this is a done
deal, but we are not going to stop, to
stop you-all from doing this, to do the
right thing and do it the right way.
I'm tired of hearing you-all the Corps
of Engineers so-called screwing up every
parish. You-all screwed up Chalmette.
You screwed up Lakeview. Now just
recently you-all need to take the time

0156

to test the mud when you-all put it down
there for Buras because the grass
doesn't grow on it. So you think we're
going to trust you-all with our lives
and everything to put up a floodgate?
It's the wrong thing to do. We're not
going to let it happen. We're going to
stand our ground and stop you-all from
doing it. Am I right, you-all? Who's
behind me? Thank you.

11 * * * *.
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0157
1 REPORTER'S CERTIFICATE
2
3
4
5 I, WILMA B. GERACI, Certified Court Reporter,
6 do hereby certify that the above-entitled
7 proceeding was reported by me in shorthand and
8 transcribed under my personal direction and
9 supervision, and is a true and correct transcript,
10 to the best of my ability and understanding;
11 That I am not of counsel, not related to
12 counsel or the parties hereto, and not in any way
13 interested in the outcome of this matter.
14
15
16
17
18
19
20
21 WILMA B. GERACI, CCR, RPR
22 CERTIFIED COURT REPORTER
23
24
25

Greater New Orleans Hurricane & Storm Damage Risk Reduction System

Eastern Tie-In

Individual Environmental Report 13
Addendum

Public Meeting
Nov. 5, 2009
Belle Chasse High School

US Army Corps of Engineers
BUILDING STRONG®

Agenda

- Remarks from Billy Nungesser, Parish President
- Remarks from Col. Alvin Lee, District Commander
- Discussion

Ground Rules

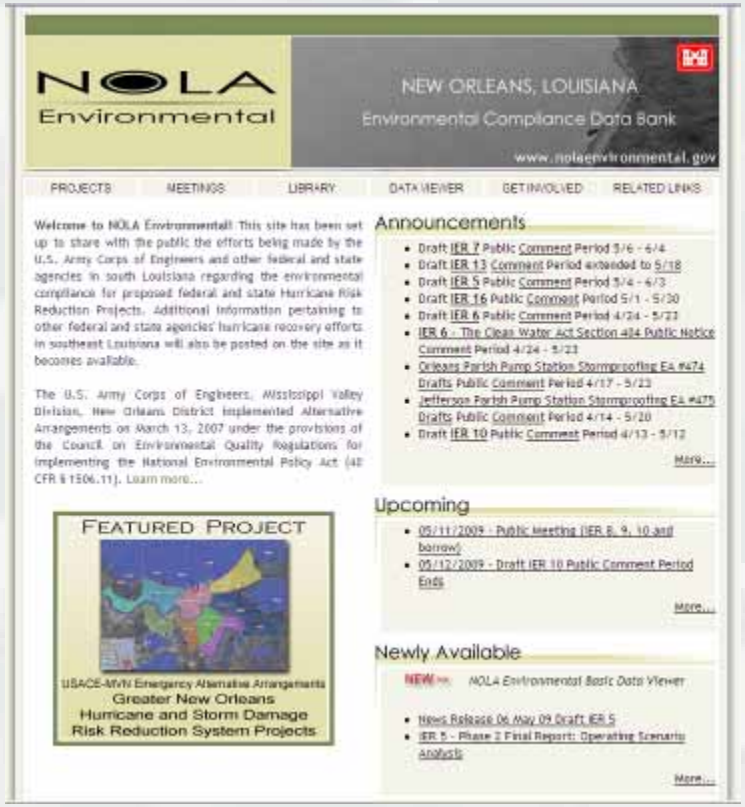
- Speaker Request Cards and postage-paid Comment Cards are available at the sign-in tables in the foyer
- Speakers will be called upon to speak in the order their request card is received
- Speakers will have a maximum of 5-minutes to speak
- Speakers may not yield unused portions of their time to another speaker
- All question/comments, verbal or written, will become part of the official record for Individual Environmental Report 13 Addendum
- All comments, verbal or written, will be considered equally
- Written comments may be submitted through Nov. 25, 2009

Subject Matter Experts

- Gib Owen, Environmental Manager
- Keven Lovetro, Economics
- Julie Vignes, Senior Project Manager
- Julie LeBlanc, Senior Project Manager
- Bruce Ebersole, Hydraulics & Hydrology

Resources

www.nolaenvironmental.gov



http://www.mvn.usace.army.mil

Opportunities for Public Input

- Regular public meetings throughout the Hurricane and Storm Damage Risk Reduction System (HSDRRS) Area
- Make sure to sign in tonight to get on our meeting notification mailing list
- Comments can be submitted at any time at
  www.nolaenvironmental.gov

Questions and comments may be submitted to
U.S. Army Corps of Engineers
ATTN: Joan Exnicios,
Chief of Environmental Compliance
P.O. Box 60267
New Orleans, LA 70160

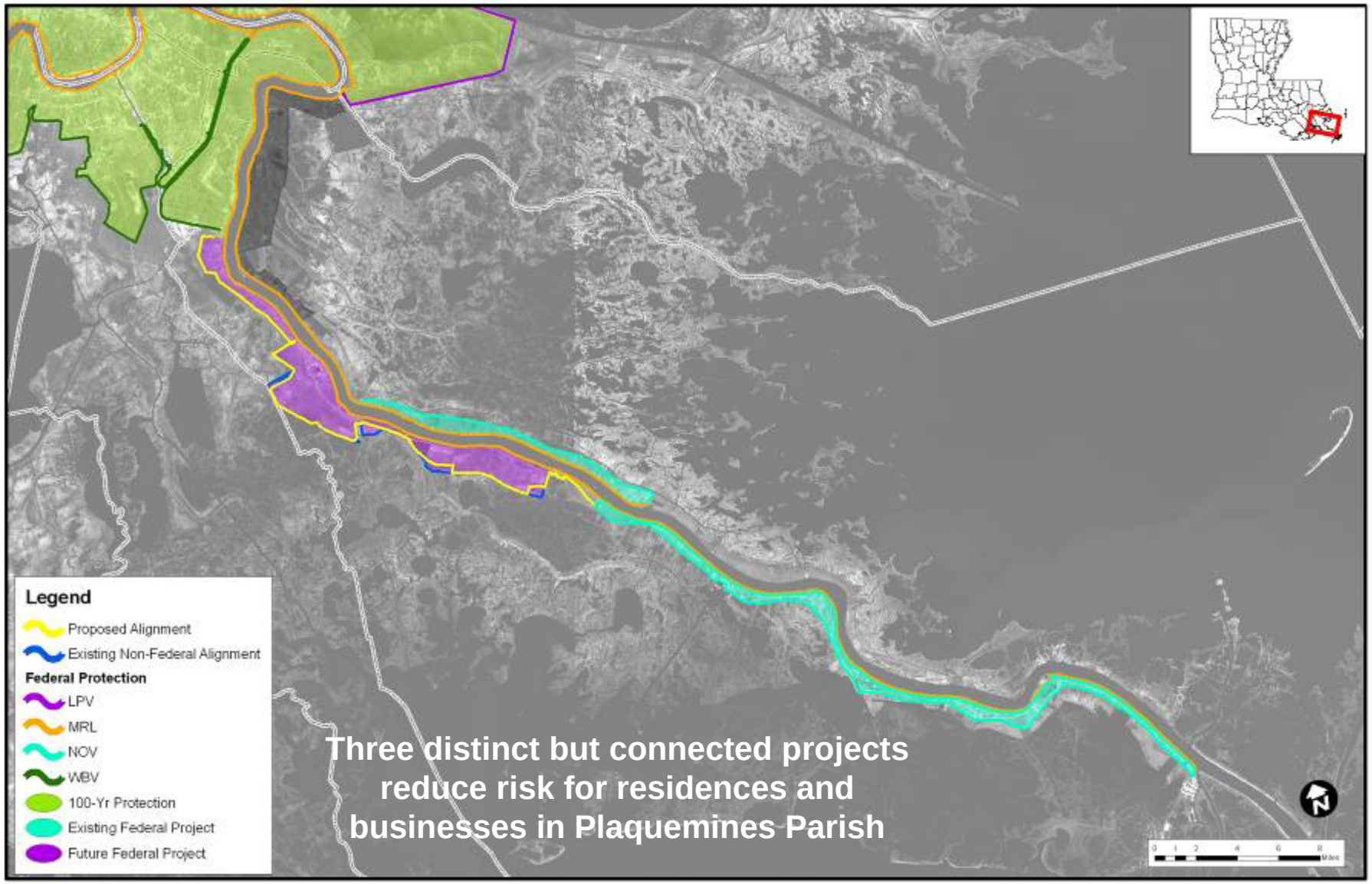
(504) 862-1760

E-mail: MVNenvironmental@usace.army.mil

Estimated Eastern Tie In Project Schedule

• Begin 30-Day Public Review	27 Oct 09
• Public Meeting	05 Nov 09
• 30-Day Comment Period Closes	25 Nov 09
• IER #13 Comments reconciled	Early Dec 09
• Col. Lee signs Decision Record	Early Dec 09
• Real Estate Acquisition Begins	Mid-Jan 10
• Construction Contract awards	Feb-Apr 10

Plaquemines Parish Risk Reduction



Previous Eastern Tie-In Public Meetings

DATE	VENUE
Feb.12, 2007	Alario Center (Alternative)
Feb. 12, 2007	UNO Lindy Boggs (Alternative Arrangements)
Feb. 13, 2007	Pontchartrain Center (Alternative Arrangements)
Mar. 27, 2007	Dougie V's Restaurant (scoping)
Mar. 27, 2007	Woodland Plantation
Mar. 28, 2007	Belle Chasse Middle School
Mar. 28, 2007	Westwego City Council (scoping)
Mar. 29, 2007	American Legion (scoping)
Apr. 3, 2007	Our Lady of Holy Cross College (scoping)
Apr. 4, 2007	Chalmette (scoping)
Apr. 5, 2007	Jefferson Parish Regional Library (scoping)
Apr. 10, 2007	Belle Chasse Auditorium (scoping)
Apr. 11, 2007	Avalon Hotel (scoping)
Apr. 12, 2007	National WWII Museum (scoping)
Jun. 5, 2007	Our Lady of Holy Cross
Jul. 17, 2007	Belle Chasse Auditorium
Oct. 23, 2007	Belle Chasse Auditorium

DATE	VENUE
Feb. 19, 2008	NP Trist Middle School
Nov. 1, 2007	Pontchartrain Center (NGO/public meeting)
Mar. 13, 2008	Our Lady of Holy Cross
Mar. 25, 2008	Ehret High School
Apr. 3, 2008	St. Paul's Benevolent Association Hall
May 22, 2008	Our Lady of Holy Cross
Aug.4, 2008	St. Paul's Benevolent Association Hall
Aug. 21, 2008	Our Lady of Holy Cross
Dec. 9, 2008	Harvey Fire Station
Jan. 8, 2009	St. Paul's Benevolent Association Hall
Jan. 28, 2009	Woodland Plantation
Apr. 29, 2009	St. Paul's Benevolent Association
May 4, 2009	Belle Chasse Auditorium
Sept. 19, 2009	Belle Chasse High School

Stored Swing Gate

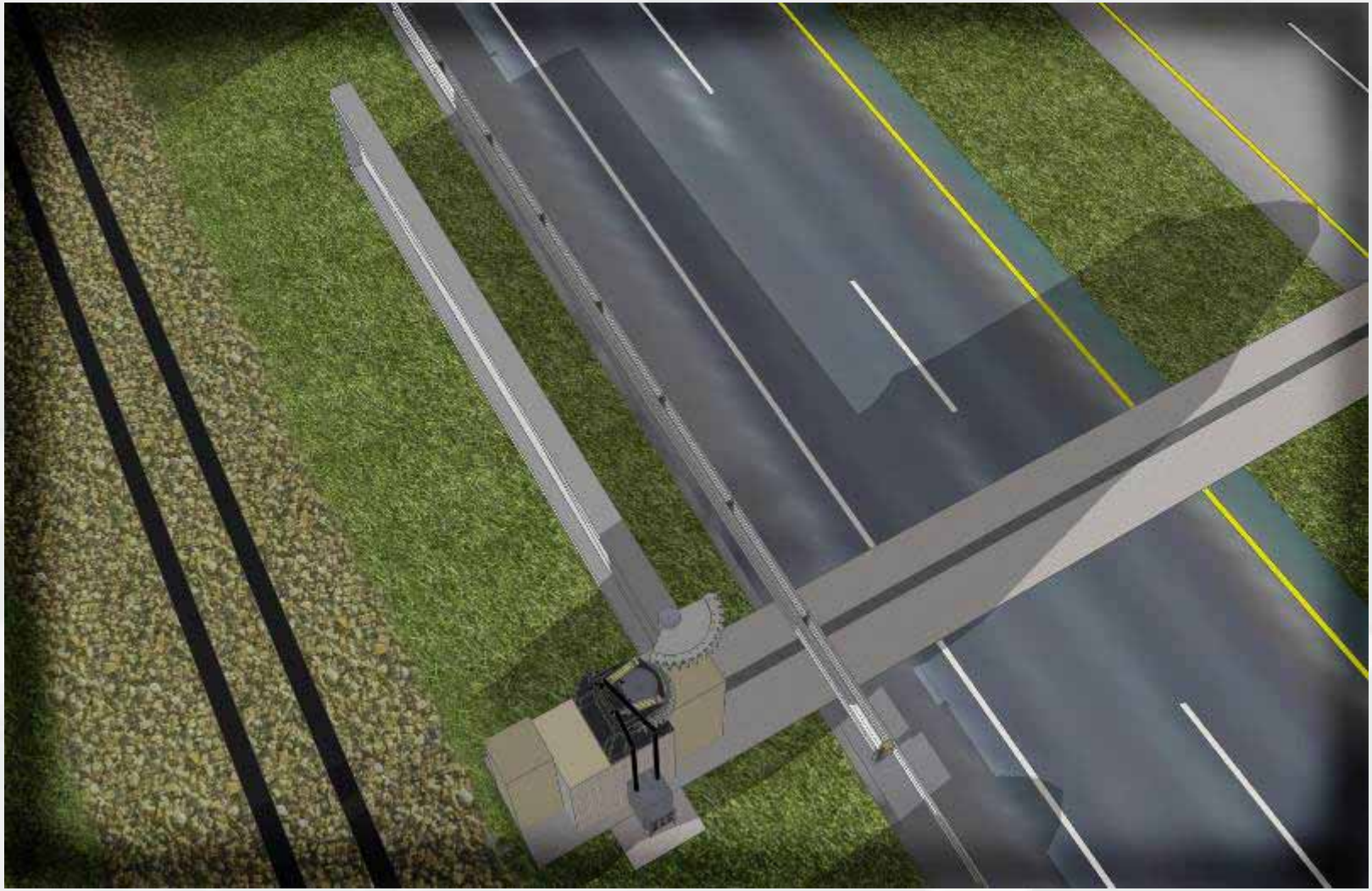
Swing gates would be stored both parallel and perpendicular to the road, minimizing the visual impacts to the community.

Closed Swing Gate

North bound View

The two swing gates would be about 55 ft wide and 8 ft tall. The steel gates would swing from both sides of the highway and meet in the middle of Hwy 23.

Aerial View of Swing Gate Machinery

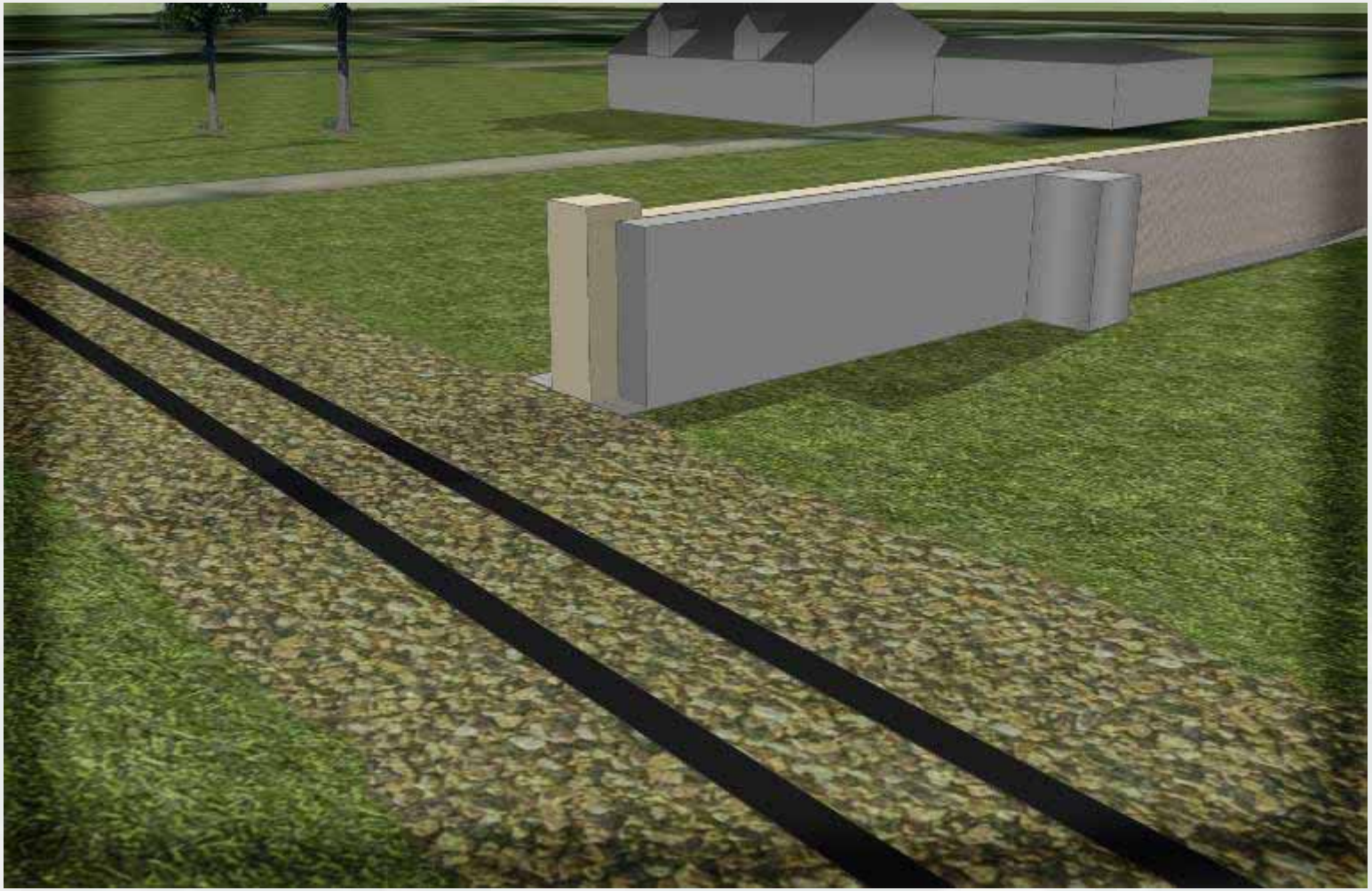


The northbound gate would be swung closed with a hydraulic motor.

Swing Gate Guard Rails

Guard rails on both sides of the highway would prevent motorists from hitting the swing gates or floodwall.

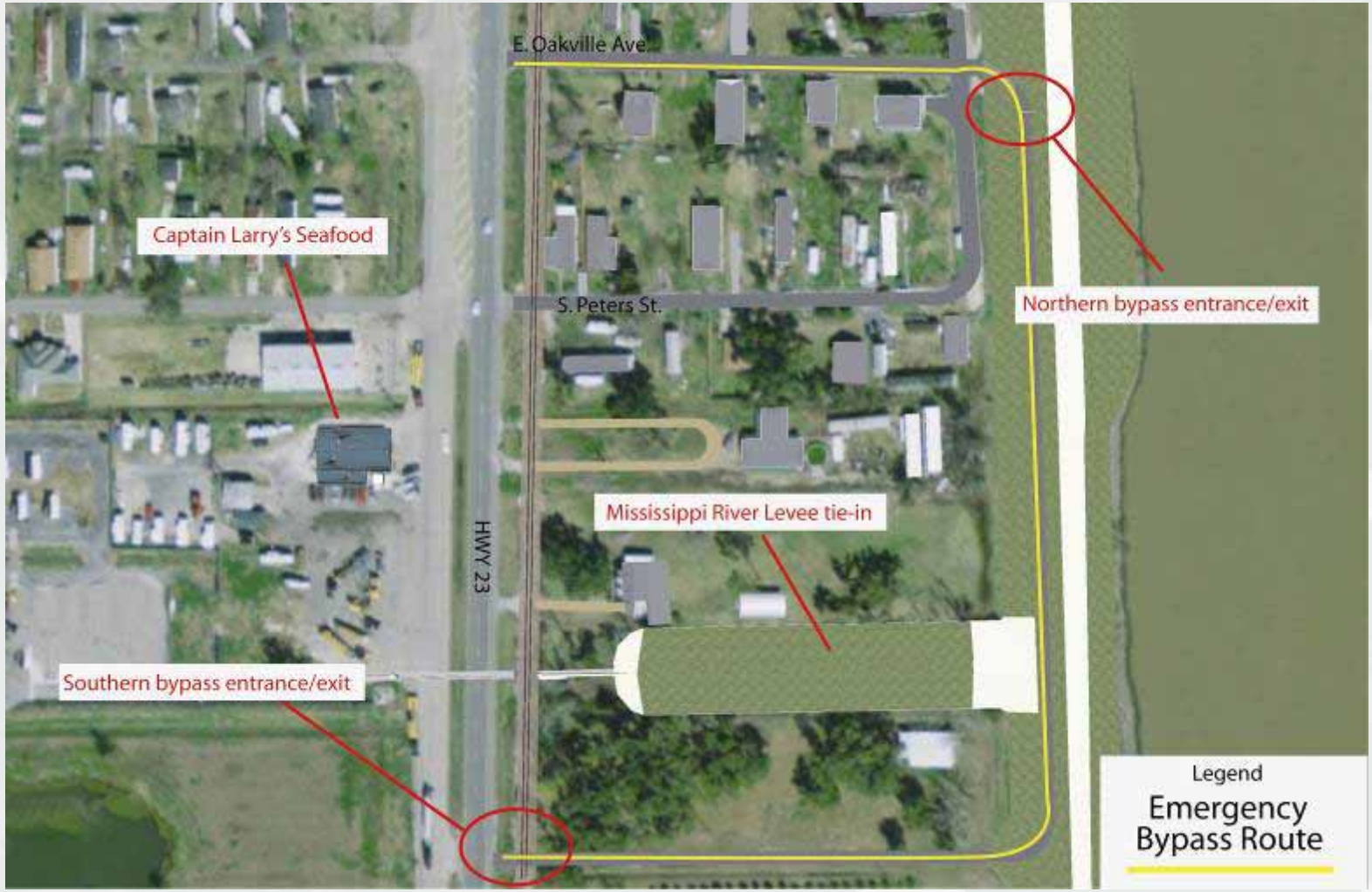
Railroad Swing Gate



The Swing Gate option to cross Highway 23 would include a third gate to block surge at the railroad tracks.

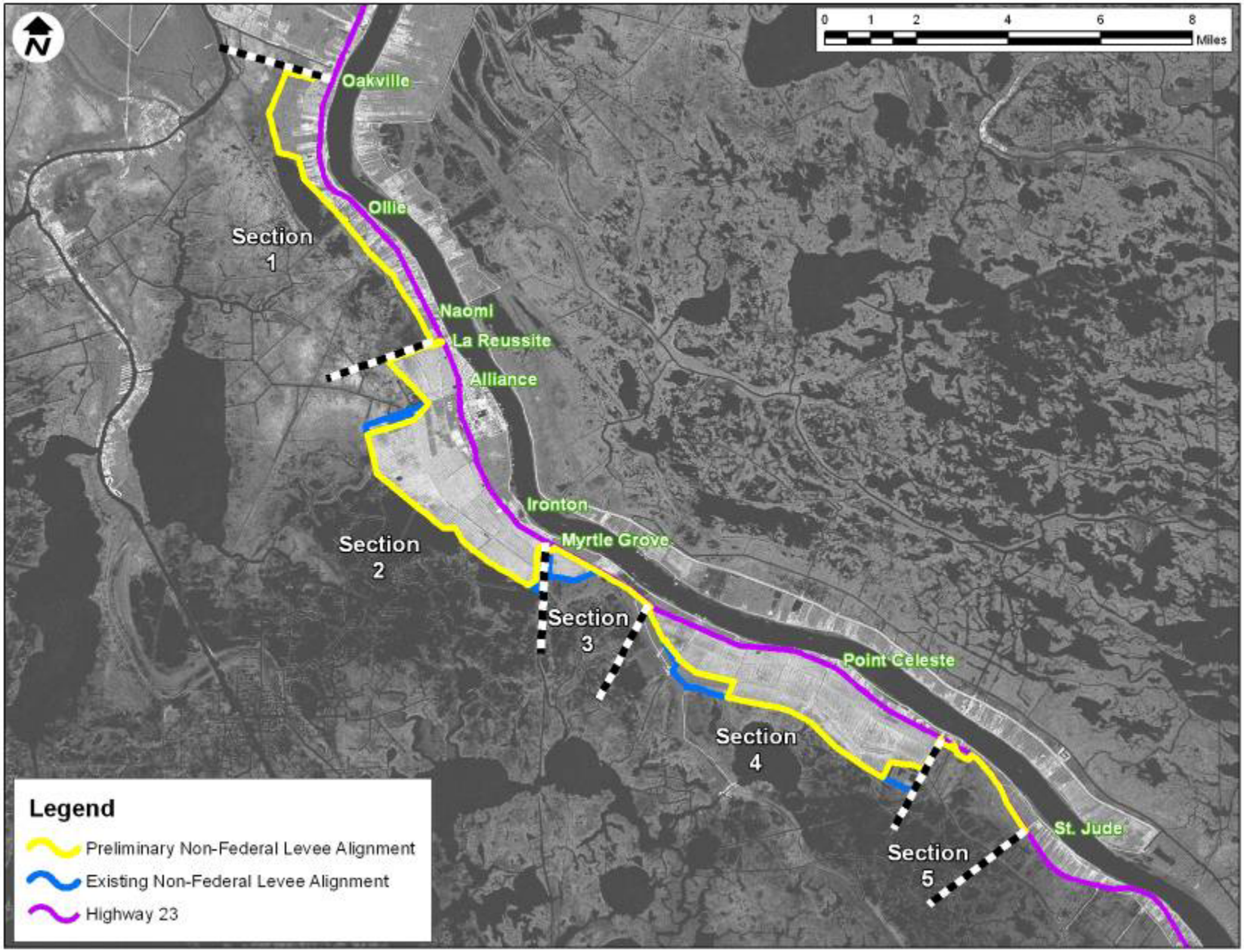
Swing Gate

Emergency Bypass



An Emergency Bypass road would be constructed at the project site no matter which option to cross highway 23 is selected.

Plaquemines Parish Non-Federal Levee



Estimated PPNFL Project Schedule

• Public Scoping Meetings	Mar 2007
• Public Meeting	Jan 2009
• Preliminary Levee Alignment	May 2009
• Hydraulic Modeling	Ongoing
• Geotechnical Analysis/Surveys	Ongoing
• Environmental Analysis	Ongoing
• Public Workshop	Sep 2009
• Draft SEIS to Public	Dec 2009
• Public Meeting	Feb 2010
• Sign Record of Decision	Jul 2010
• Plans and Specs Complete	Oct 2010
• Advertise First Contract	Mar 2011
• Construction Awarded (All Three Contracts)	Jun 2011
• Construction Complete (Last Contract)	Oct 2013