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1 U.S. ARMY CORPS OF ENGINEERS

2  
3 EASTERN TIE-IN PUBLIC MEETING

4  
5 THURSDAY, NOVEMBER 5, 2009

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7  
8  
9 HELD AT BELLE CHASSE HIGH SCHOOL

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11  
12  
13 MODERATOR:

14 NANCY ALLEN

15  
16 PANELISTS:

17 GIB OWEN

18 JULIE VIGNES

19 JULIE LEBLANC

20 BRUCE EBERSOLE

21 KEVIN LOVETRO

22  
23 REPORTED BY:

24 WILMA B. GERACI, CCR, RPR

25 Certified Court Reporter

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1 MS. NANCY ALLEN:

2 Ready to get started? Good evening,  
3 ladies and gentlemen. We want to  
4 welcome you and thank you for being here  
5 tonight. My name is Nancy Allen, public  
6 affairs staff for the Corps of  
7 Engineers, and I will be facilitating  
8 this evening's meeting. We really want  
9 to thank you for coming out and  
10 attending this meeting regarding the  
11 Eastern Tie-In Individual Environmental  
12 Report, IER 13. Today we have more than  
13 30 meetings regarding this project.

14 Just a couple of housekeeping  
15 duties. I would ask that you set your

16 Blackberries and cellphones and pagers  
17 to vibrate, please.

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

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

8 Thank you. We welcome you here.

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

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

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

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

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

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

21 With that, I'm going to ask  
22 President Nungesser to make a few  
23 remarks on behalf of Plaquemines Parish.  
24 **PRESIDENT NUNGESSER:**

25 Thank you. Let me first start out

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

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

17 My position was they would have the  
18 engineer design an invisible flood wall  
19 while we were working as quickly as  
20 possible to get the numbers from the  
21 Corps for the 25 percent design bill,  
22 while we were working with the state to  
23 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

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

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

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

5 MS. JULIE VIGNES:

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

9 COLONEL LEE:

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

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

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

5 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

14 this proposed action.

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

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1 looked at. And we've assessed each of  
2 these alternatives for the following  
3 criteria. This is kind of how we graded  
4 them -- risk and liability, impacts to  
5 human and natural environment, time and  
6 constructibility, cost and operations  
7 and maintenance. So that's how we  
8 assessed the alternatives and developed  
9 the proposed action.

10 So the proposed action for the IER  
11 13 is the swing floodgate. It is a  
12 proven, reliable system, and from a risk  
13 and liability standpoint and operations  
14 and maintenance standpoint, this  
15 alternative is clearly superior to the  
16 roller gate, the ramp with the stop lock  
17 gate, and the invisible flood wall.

18 The swing gate requires minimal  
19 training and advanced preparation, and  
20 it can be also closed in approximately  
21 four hours. Also it has traverse lanes  
22 that can be open and closed as needed to  
23 provide emergency evacuation for people  
24 that weren't able to evacuate prior to  
25 the gate being closed and also for

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

5 event.

6 I clearly understand that the people  
7 south of Oakville want 100-year risk  
8 reduction. That's been very clear in  
9 the conversations with me, that you gave  
10 to us in your public comments, that have  
11 been given to us here in the public  
12 meetings, and your e-mails that you have  
13 sent us. In the one-on-one dialogue  
14 that I have had with you, we do  
15 understand that, but what I have to tell  
16 you again is that we do not have the  
17 authorization and funding from Congress  
18 to provide that one-hundred-year level  
19 of risk reduction as part of the West  
20 Bank and Vicinity project.

21 But one of the things I've told you  
22 in every meeting is that we do have the  
23 authorization and the funding, about  
24 \$670 million worth of funding, to  
25 proceed on the nonfederal levees for

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1 Jesuit Bend and areas south of Oakville  
2 to St. Jude, and we're continuing to do  
3 that. We're working daily. We're doing  
4 work out in the field. We're doing site  
5 investigation and borings so that we can  
6 prepare the designs so that we can get  
7 the environmental impact statement out  
8 to the public for public review so we  
9 can continue to move that project  
10 forward.

11 Your local government has a plan to  
12 improve the levees that reduce risk for  
13 the areas from Jesuit Bend, Myrtle  
14 Grove, Port Celeste, and St. Jude and  
15 are actively working to address that  
16 issue. President Nungesser is working  
17 now with the state's Office of Coastal  
18 Protection and Restoration to develop a  
19 plan to raise the nonfederal levees  
20 below Oakville, Louisiana to one-hundred  
21 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

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

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

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

25 All right. My first speaker is

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

4 Christie Lauff.

5 MS. CHRISTIE LAUFF:

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

12 From this statement, I would have to  
13 conclude that the area adjacent to and  
14 south of this system will then be left  
15 vulnerable to storm surge since we  
16 are closed on the outside of this  
17 system. Also, from what I understand,  
18 the 7-mile stretch from Jesuit Bend down  
19 to La Reussite includes hundreds of  
20 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

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

16 I understand that Congress did not  
17 provide funding or authorization for an  
18 update or reevaluation of the authorized  
19 project boundaries and that Congress --  
20 that specific Congressional  
21 authorization and appropriations would  
22 be required for a reevaluation of the  
23 West Bank and Vicinity project  
24 boundaries.

25 By addressing our comments in the

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

9 MS. JULIE VIGNES:

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

17 MS. NANCY ALLEN:

18 Thank you. Frank Ranatza. Wendy  
19 Keating.

20 MR. FRANK RANATZA:

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

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1 a family, and we all in this Belle  
2 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,

11 and we would sign the decision in July  
12 2010. Plans and specs would be  
13 completed -- This is our current  
14 schedule right now. We are working with  
15 the parish to try to expedite this  
16 schedule because we know the project is  
17 important to the people in the area.  
18 Plans and specs currently October 2010,  
19 with advertising the first contract in  
20 March 2011, with awarding the contract  
21 in June.

22 MR. FRANK RANATZA:

23 And that's going to be at the  
24 100-year protection height?

25 MS. JULIE LEBLANC:

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

4 MR. FRANK RANATZA:

5 Okay. Thank you anyhow.

6 MS. NANCY ALLEN:

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

9 MS. PAT MCCABE:

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

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

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1 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.

0030

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.

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

25 We're the richest parish per capita

0031

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

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

18 MS. NANCY ALLEN:

19 Wendy Keating.

20 MS. WENDY KEATING:

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

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

0032

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

10 to close the deal.

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

0033  
1 their take on this adverse risk?

2 MS. JULIE VIGNES:

3 Kevin?

4 MR. KEVIN LOVETRO:

5 The subject of IER 13 was to  
6 investigate the impact of the swing gate  
7 on the area in the vicinity of Oakville.  
8 The investigation focused on whether or  
9 not the swing gate would contribute to  
10 an increase in stages on the unprotected  
11 side of the floodgate. Hydraulic  
12 analysis showed that there were changes  
13 made to the nonfederal levee that  
14 increase in flood risk to that area.

15 Now, I understand that you are  
16 concerned about the affordability of  
17 homeowners insurance. Homeowners  
18 insurance includes coverage for fire and  
19 wind, theft, vandalism, and all kinds of  
20 hazards, exclusive of flood. It is only  
21 the federal government that provides  
22 insurance for the population of the  
23 United States for flood risk for the  
24 Flood Insurance Administration and the  
25 National Flood Insurance Program. The

0034

1       Plaquemines Parish government entered  
2       the Flood Insurance Program I believe in  
3       1985, and as long as the parish  
4       maintains cooperation with the flood  
5       plain management regulations, everyone  
6       will be able to --

7       MS. WENDY KEATING:

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

12      MS. NANCY ALLEN:

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

16      MR. ED O'BRIEN:

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

0035  
1      way. It has no effect on homeowners  
2      insurance premiums. Your premiums in  
3      Plaquemines Parish are driven by wind  
4      speed and the proximity to the Gulf of  
5      Mexico.

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

18 MS. WENDY KEATING:

19 Okay. When that wall goes up, who's  
20 going to guarantee that my insurance  
21 carrier is not going to pull out of the  
22 state or pull out of that side of the  
23 wall? Can you give that to me in  
24 writing?

25 MR. ED O'BRIEN:

0036

1 No, I can't guarantee any company  
2 won't pull out of the state of  
3 Louisiana. I will tell you this. After  
4 Hurricane Katrina, one company withdrew  
5 from the state one year ago. No  
6 companies immediately after Katrina  
7 pulled out of the state. I can't  
8 guarantee what private industry will or  
9 will not do. Can you guarantee me the  
10 refinery is going to be open in ten  
11 years?

12 MS. WENDY KEATING:

13 I don't work for the refinery. I  
14 can't answer that question.

15 MR. ED O'BRIEN:

16 I don't work for insurance  
17 companies.

18 MS. WENDY KEATING:

19 You represent insurance companies.

20 MR. ED O'BRIEN:

21 I represent the department of  
22 insurance.

23 MS. WENDY KEATING:

24 And you are the voice of the  
25 insurance commissioner.

0037

1 MR. ED O'BRIEN:

2 I cannot guarantee that companies  
3 will or will not write insurance in  
4 Louisiana.

5 UNIDENTIFIED SPEAKER:

6 That's how we're adversely affected.

7 MS. WENDY KEATING:

8 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

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

10 I wish I had the opportunity back in  
11 '97 to make a risk-informed decision,  
12 but, unfortunately, my local, state, and  
13 federal government dropped the ball, and  
14 now my family will have to suffer the  
15 aftermath. It is your duty to provide a  
16 hundred-year protection to all. Equal  
17 rights and equal protection for all.

18 Thank you.

19 MS. NANCY ALLEN:

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

22 MS. BROOK TON:

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

0040

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

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

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

21 COLONEL LEE:

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

0041

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

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

20 MS. BROOK TON:

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

0042

1 that like no matter what pretty much --

2 COLONEL LEE:

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

7 MS. NANCY ALLEN:

8 Thank you. Matt Zuvich and then  
9 Benny Rousselle.

10 MR. MATT ZUVICH:

11 My name is Matt Zuvich. I live at  
12 865 Jason Drive. I will be in the  
13 affected area.

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

24 What I want to ask you guys is, the  
25 14 miles that you're going to be working

0043  
1 on the river levee, was that part of the  
2 IER 13 funding, or is that something you  
3 guys got money for all of a sudden  
4 because you realize now that it's an  
5 issue?

6 MS. JULIE LEBLANC:

7 The 14 miles of the Mississippi  
8 River levee?

9 MR. MATT ZUVICH:

10 Yes.

11 MS. JULIE LEBLANC:

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

21 MR. MATT ZUVICH:

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

25 and get Jesuit Bend all the way down to

0044

1 Reach 1 protected?

2 MS. JULIE LEBLANC:

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

15 MR. MATT ZUVICH:

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

0045

1 MS. JULIE LEBLANC:

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

4 MR. MATT ZUVICH:

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

8 MS. JULIE LEBLANC:

9 Congress has to give us that  
10 authority and local --

11 MR. MATT ZUVICH:

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

16 MS. JULIE LEBLANC:

17 The Corps cannot lobby Congress.

18 The local government has to go to

19 Congress and tell them what they want us

20 to be authorized to do. We cannot lobby

21 Congress.

22 COLONEL LEE:

23 Let me answer your question. You

24 asked if there was funding for the 14

25 miles of MRL, and there is none. That

0046

1 is a future request budget item that

2 will have to be funded at a later date.

3 MR. MATT ZUVICH:

4 But it's going to be done before

5 June 2011 to complete you-all

6 hundred-year --

7 COLONEL LEE:

8 Just the interim protection, not the

9 permanent solution. The permanent

10 solution has to get additional funding.

11 MS. NANCY ALLEN:

12 Thank you, sir. Benny Rousselle and

13 then Wayne Alvins, Sr.

14 MR. MATT ZUVICH:

15 Just to follow up on that, when is

16 the next opportunity to go before

17 Congress to get the language for

18 hundred-year protection for this reach

19 of nonfederal levee?

20 COLONEL LEE:

21 I think the answer to the question

22 is, you're talking about Section 1 of

23 the -- (inaudible) -- the parish is

24 moving forward right now with the state

25 of Louisiana to get their endorsement

0047

1 and request what we call a -- to bring

2 the level above what is funded here with

3 the 671 million to 100-year level for

4 Section 1. So that is under way right

5 now between the parish and the state.

6 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

24 to --

25 MR. MATT ZUVICH:

0049

1 You don't provide language for any  
2 other agency, no local government, no  
3 state government? It has to come  
4 through the Congressional office. So,  
5 then, the local government has not asked  
6 you for that language yet?

7 COLONEL LEE:

8 I have no idea. That's a question  
9 you would have to ask the local  
10 government.

11 MR. MATT ZUVICH:

12 So the way I see this process, the  
13 gate seems to be a done deal. The next  
14 step is to try to get a hundred-year  
15 protection authorized by Congress in  
16 language that you will follow to build  
17 that. It has to be clear language that  
18 the legal department did not pick out  
19 and say it means something else. So the  
20 process, from what I'm understanding,  
21 request the Congressional delegation to  
22 ask you to provide the language to go up  
23 to Congress to be included. And my  
24 first question is, when is the next  
25 opportunity for that to happen?

0050

1 COLONEL LEE:

2 The next process 2010. So I'm not  
3 sure of the date, but the Congress --  
4 that's their next opportunity.

5 MR. MATT ZUVICH:

6 Thank you for -- The next question I  
7 have is, the betterment and the cost of  
8 the betterment, has that been determined  
9 yet?

10 MS. JULIE LEBLANC:

11 (Inaudible) -- Plaquemines Parish  
12 and we have provided them a rough  
13 estimate on the 8th of October and for  
14 to provide 100-year level risk reduction

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

21 MR. MATT ZUVICH:

22 And who will pay for that?

23 MS. JULIE LEBLANC:

24 That has to be a hundred percent  
25 nonfederal sponsor share.

0051

1 MR. MATT ZUVICH:

2 So that means the local government  
3 or the state?

4 MS. JULIE LEBLANC:

5 Correct, correct.

6 MR. MATT ZUVICH:

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

13 MS. JULIE LEBLANC:

14 A 204?

15 MR. MATT ZUVICH:

16 205.

17 MS. JULIE LEBLANC:

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

20 MR. MATT ZUVICH:

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

0052

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

3 MS. JULIE LEBLANC:

4 No, I am not.

5 MR. MATT ZUVICH:

6 Would you like it?

7 MS. JULIE LEBLANC:

8 Sure. My understanding is that --

9 MR. MATT ZUVICH:

10 Let me go a little further. If we  
11 are under the impression that we were  
12 close to the hundred-year protection and  
13 that the Corps admits that they were  
14 going to go with the hundred-year  
15 protection, would that make any  
16 difference in your process at this  
17 point?

18 MS. JULIE LEBLANC:

19 I do not believe so because this is  
20 a different project. The project we're  
21 talking about today is the West Bank and  
22 Vicinity project. Section 205 it's for  
23 smaller projects. And my understanding  
24 was that a hundred-year was not  
25 authorized as part of that study. It

0053

1 was more like a 50-year that was. So if  
2 you have something different than that,  
3 I would love to see it.

4 MR. MATT ZUVICH:

5 Moving forward with the process that  
6 keep hearing talk about the coastal  
7 restoration plan gives benefit. Going  
8 to that process, naturally we have a  
9 state plan. The state plan would have  
10 to be amended to be able to do that  
11 through -- (inaudible) -- and does the  
12 Corps feel comfortable in the issue of  
13 certifying the levees with the plan that  
14 is being discussed now.

15 And I'm talking about the  
16 conversations that I keep hearing and I  
17 heard Colonel Lee refer to a little  
18 while ago about the parish is working on  
19 a coastal plan that is going to be able  
20 to provide protection. Do you feel  
21 comfortable that that program will give  
22 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

14 the parish would work through that  
15 certification process with FEMA.

16 MR. MATT ZUVICH:

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

19 MS. JULIE VIGNES:

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

25 MR. MATT ZUVICH:

0056

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

7 MS. NANCY ALLEN:

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

10 MS. JULIE LEBLANC:

11 (Inaudible)

12 MR. MATT ZUVICH:

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

24 MS. JULIE LEBLANC:

25 Thank you.

0057

1 MS. NANCY ALLEN:

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

5 MS. MONICA SENNER:

6 In the spring of 2009 reports  
7 released by a committee of the National  
8 Academy of Engineering and the National  
9 Research Council emphasizing the need  
10 for reconsidering what people can do  
11 safely. The chairman of the Peer Review  
12 Committee, -- I don't know how to  
13 pronounce it -- stated that as long as  
14 people can get insurance, they will  
15 rebuild. As university committee  
16 professor who heads the IPET task force  
17 said that recommendation has already  
18 been adopted by the Corps as witnessed  
19 in the decision not to rebuild levees in  
20 lower Plaquemines Parish to the new  
21 hundred-year requirements developed  
22 using the IPET report findings. Is that  
23 true?

24 MS. NANCY ALLEN:

25 Someone want to speak to IPET?

0058

1 MS. MONICA SENNER:

2 Instrumental in developing new flood  
3 elevations.

4 MS. NANCY ALLEN:

5 We don't have anybody that was  
6 affiliated with IPET.

7 MS. JULIE VIGNES:

8 I don't think we have the IPET  
9 report. Maybe we can follow-up after  
10 the meeting.

11 MS. NANCY ALLEN:

12 We can take information.

13 MR. BRUCE EBERSOLE:

14 I will say this. The methods and  
15 modeling technologies they are being  
16 used as IPET projects.

17 MS. MONICA SENNER:

18 Was that part of the decision  
19 process to not include the lower part of  
20 Plaquemines in the hundred-year  
21 protection? It had nothing to do with

22 insurance.

23 MR. BRUCE EBERSOLE:

24 The IPET Involved the forensic study  
25 of what happened with Katrina and why we

0059

1 had do we are per se the development  
2 process.

3 MS. MONICA SENNER:

4 Well, that's not true because they  
5 were part of developing the new  
6 hundred-year level. That was along with  
7 you-all, the Corps, IPET, the National  
8 Geographic Institute, NAAA, there was  
9 another. Is that not true?

10 MS. JULIE VIGNES:

11 I would say -- the results of the  
12 IPET report the design criteria that may  
13 not modeled to determine the  
14 hundred-year elevations. I just can't  
15 speak specific to that statement that  
16 you said about the Corps' position on  
17 lower Plaquemines Parish. Congress is  
18 the entity that made the decision  
19 authorizing the different portions of  
20 Plaquemines Parish.

21 MS. MONICA SENNER:

22 When did new hundred-year levees  
23 become adopted that you are using now?  
24 When was that?

25 MS. JULIE VIGNES:

0060

1 The hundred-year protection was  
2 authorized in the fourth supplemental in  
3 2006. Subsequent to that we did all  
4 that analysis. So our design process  
5 since 2006, we arrived at those numbers.

6 MS. MONICA SENNER:

7 So you knew at the fourth supplement  
8 that the levels were already determined  
9 during the fourth supplement when you  
10 got the funding for that you knew.

11 MS. JULIE VIGNES:

12 The authorization gives us a level

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

18 MS. MONICA SENNER:

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

25 MS. JULIE VIGNES:

0061

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

5 MS. MONICA SENNER:

6 Thank you.

7 MS. NANCY ALLEN:

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

10 MR. PETE STAVROS:

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

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

0062

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

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

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

15 MR. KEVIN LOVETRO:

16 -- Section 205?

17 MR. PETE STAVROS:

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

23 MR. KEVIN LOVETRO:

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

0063

1 We do have the same conclusions when we  
2 say that there is -- (inaudible) -- for  
3 unprotected areas. Whenever we  
4 construct a hurricane-protection project  
5 in an area, the area that's protected  
6 will have lower flood risks, lower  
7 damages, and property values will tend  
8 to increase and a competitive advantage  
9 over those areas that are not protected.

10 Where we disagree is the source of that  
11 effect. Our conclusion is that it's the  
12 entire West Bank and Vicinity project  
13 that creates that disparity, that  
14 competitive advantage of protected area  
15 over the nonprotected area.

16 What we are here talking about  
17 tonight is the gated structure that's  
18 planned for Highway 23. By itself the  
19 gated structure does not contribute to  
20 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

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

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

21 MR. PETE STAVROS:

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

25 MR. KEVIN LOVETRO:

0068  
1 That is something we can actually  
2 calculate for you and develop given  
3 enough time. That is something that we  
4 can do.

5 MR. PETE STAVROS:

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

15 MR. KEVIN LOVETRO:

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

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

0069

1 by the parish in 1994?

2 MR. KEVIN LOVETRO:

3 I am not aware.

4 MR. PETE STAVROS:

5 If we were talking economics in this  
6 particular area, I would think that this  
7 would be a pretty important document,  
8 that we're talking about the before --  
9 the with and without project. In '94  
10 before most of these people settled,  
11 they had a reasonable expectation based  
12 on the expected residential growth. At  
13 that time there were 1,339 people that  
14 lived within that region. Now there are  
15 over 3,000.

16 In '94 it was estimated between  
17 zoning restrictions -- And this is  
18 recommendations to the Council to make  
19 their zoning recommendations.

20 Considerably between thirteen and forty  
21 thousand people settled in that 7-mile  
22 reach. That is an exponential growth.  
23 We're expecting exponential growth. We  
24 have a reasonable expectation when we  
25 moved or build that we have growth, and

0070

1 now we do not. This affects our  
2 economy.

3 That's why we're saying it is so  
4 important to realign this and get us  
5 included in WBV. It can be done. We  
6 went to D.C. personally in July to talk  
7 to the Congressional delegation. At  
8 that time they were going to your Corps  
9 headquarters people to get the wording.

10 So somebody somewhere has delivered the

11 wording.  
12 MS. NANCY ALLEN:  
13 We need to ask you to wrap up.  
14 MR. PETE STAVROS:  
15 I don't think that this adequately  
16 addresses the economics of what's going  
17 to happen to this area.

18 MS. NANCY ALLEN:  
19 Doug LeBlanc and Butch Kelly.

20 MR. DOUG LEBLANC:  
21 My name is Doug LeBlanc. I have a  
22 question for you before you have to make  
23 a decision about whether or not to build  
24 a wall or whether or not what type  
25 of gates you're going to put there or --

0071  
1 What's that decision supposed to be?

2 COLONEL LEE:  
3 As part of the NEPA process, I do  
4 not make the final decision on the --  
5 This is a proposed decision right now.  
6 So when we complete the public comment  
7 period on the 25th of November, all the  
8 public comments will be evaluated. Then  
9 my staff will provide the final  
10 recommendation to make a decision.  
11 Right now the proposal is a swing gate  
12 to close Highway 23.

13 MR. DOUG LEBLANC:  
14 There's no proposal to -- no  
15 alternative to that, either/or or --

16 COLONEL LEE:  
17 Well, the four alternatives were  
18 looked at. The alternative that we are  
19 proposing right now for final public  
20 comment is a swing gate.

21 MR. DOUG LEBLANC:  
22 So, in other words, it's already  
23 decided that they're going to put a wall  
24 right there, right?

25 COLONEL LEE:

0072  
1 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

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

21 COLONEL LEE:

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

0074

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

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

21 MR. DOUG LEBLANC:

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

0075

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

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

14 COLONEL LEE:

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

24 MR. DOUG LEBLANC:

25 Well, prior to that it was

0076

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

5 COLONEL LEE:

6 I don't know that answer.

7 MR. DOUG LEBLANC:

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

11 MS. JULIE VIGNES:

12 Slide 10 please.

13 MR. DOUG LEBLANC:

14 -- the original plan was to go --

15 MS. JULIE VIGNES:

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

19 MR. DOUG LEBLANC:

20 That's not the original one.

21 MS. JULIE VIGNES:

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

0077

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

4 So the original authorization in  
5 1996 was the yellow line alignment. The  
6 only difference was, it terminated at  
7 Highway 23. So the change has been to  
8 extend that protection to tie into the  
9 Mississippi River levee system.

10 MR. DOUG LEBLANC:

11 -- (inaudible) -- to make changes  
12 there and we can't get it changed, I  
13 mean? Congress had to change it while  
14 we've been trying, through our  
15 representatives and everybody else, to  
16 have something be done about it, and it  
17 don't seem like anybody listens to us.

18 Why can they get a change to where on  
19 the opposite side of Oakville instead of  
20 the Belle Chasse side of Oakville to  
21 have the wall built and we can't have  
22 that done?

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

0078  
1 much money on this thing. But I don't  
2 understand why we can't get it done like  
3 it was done back in 1996 changed? Why  
4 can't we get that done?

5 MS. JULIE VIGNES:

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

10 MR. DOUG LEBLANC:

11 Why was it changed?

12 MS. JULIE VIGNES:

13 Why was it changed across Highway  
14 23?

15 MR. DOUG LEBLANC:

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

18 there. It was -- The original thing  
19 was, the Hero Canal -- come straight out  
20 the Hero Canal to the Mississippi river  
21 levee.

22 MS. JULIE VIGNES:

23 You are correct. The original  
24 alignment -- It was a conceptual plan.  
25 It was an alignment. It did go all the

0079

1 way to the Hero Canal around the  
2 canal --

3 MR. DOUG LEBLANC:

4 No. That's not the original. The  
5 original land was going straight  
6 across --

7 MS. NANCY ALLEN:

8 Excuse me, sir. We can't hear when  
9 everybody else is talking. Did you just  
10 ask a question?

11 MR. DOUG LEBLANC:

12 I asked the question, What was the  
13 original line? She's answered me wrong,  
14 because that's not the original line.

15 MS. JULIE VIGNES:

16 Sir, --

17 MR. DOUG LEBLANC:

18 I'm going by you-all's maps. You  
19 ought to go on the website and it shows  
20 where it was before.

21 MS. JULIE VIGNES:

22 We would be happy to provide you  
23 with a copy of the original  
24 authorization documents from 1996 --  
25 (inaudible) -- may be considering is

0080

1 when we did the original alignment or  
2 alternative analysis for the Eastern  
3 Tie-In, we considered an alignment that  
4 would have run straight across the Hero  
5 Canal. We did not collect that  
6 alternative because it did not meet the  
7 project provided protection to the  
8 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

1 MR. DOUG LEBLANC:

2 You're the one that makes the  
3 decision, the final decision on whether  
4 or not -- And if you decide no, then  
5 what happens?

6 COLONEL LEE:

7 What do you mean --

8 MR. DOUG LEBLANC:

9 If you decide that you're not going  
10 to do this.

11 COLONEL LEE:

12 One of the alternatives, the four  
13 alternatives, we put in the IER addendum  
14 will be selected to close the system  
15 from the West Bank and Vicinity project.  
16 The proposed alternative currently is  
17 the swing gate.

18 MR. DOUG LEBLANC:

19 It's still going to be a gate, a  
20 wall, whatever you want to say. It's  
21 cutting us off from the rest of the  
22 country. Thank you.

23 MS. NANCY ALLEN:

24 Thank you, sir. Butch Kelly and  
25 Rose Jackson. Is Butch Kelly here? Is

0083

1 Rose Jackson here? After Rose Jackson  
2 is Lee Perez.

3 MS. ROSE JACKSON:

4 Good evening. My name is Rose  
5 Jackson. I'm the vice president of the  
6 Oakville Community Action Group. I am  
7 also on the board of directors for the  
8 Louisiana Environmental Action Network  
9 in Baton Rouge.

10 In 2006, Congress had a delegation  
11 of members that came to New Orleans, and  
12 there was a meeting, and everyone who --  
13 All the local government officials knew  
14 about this meeting, and none of the  
15 residents knew about the meeting. I was  
16 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 --

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

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

0086

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

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

19 MS. NANCY ALLEN:

20 Thank you. Butch Kelly and Zeke  
21 Austin. Butch Kelly or Zeke Austin  
22 here?

23 MR. ZEKE AUSTIN:

24 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.

16 MR. ZEKE AUSTIN:

17 So what are you waiting on from the  
18 parish?

19 MS. JULIE LEBLANC:

20 From the standpoint of us giving  
21 them information, that's all they're  
22 waiting on. We are waiting for the  
23 official request to raise the 8 miles of  
24 back levee in Section 1 from the NOV,  
25 New Orleans to Venice, to the 1 percent,

0089

1 and when we receive that request, we  
2 will move forward with it. We are still  
3 working in parallel with the parish to  
4 move forward on that with it not in  
5 hand. We need it officially in hand to  
6 be able to send it to our headquarter  
7 office for approval and then move  
8 forward with it.

9 MR. ZEKE AUSTIN:

10 Is that something on your agenda? I  
11 hate to bother you. I know you're -- Is  
12 that something that Billy has you  
13 working on?

14 (Inaudible)

15 MS. NANCY ALLEN:

16 Okay. Let me recap. The parish the  
17 state's hands for their approval --  
18 (inaudible) --the state is co-sponsor.  
19 I wanted to make sure everybody could  
20 hear your answer.

21 MS. JULIE LEBLANC:

22 We are in daily contact with  
23 Plaquemines on this issue. I talk to --

24 MR. ZEKE AUSTIN:

25 Great. Talk to them multiple times

0090

1 a day because we really need it.

2 I guess -- I read the original  
3 addendum front to back several times. I  
4 read the revised addendum front to back  
5 several times. I don't know about  
6 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

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

19 MS. JAMIE STAVROS:

20 How does your area get designated  
21 as --

22 UNIDENTIFIED SPEAKER:

23 Well, it would be done by Wildlife  
24 Federation.

25 MS. JAMIE STAVROS:

0099

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

5 UNIDENTIFIED SPEAKER:

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

12 MS. JAMIE STAVROS:

13 Is there a possibility?

14 UNIDENTIFIED SPEAKER:

15 The possibility always exists.

16 MS. JAMIE STAVROS:

17 Well, that's not good, is it?

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

0100

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

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

8 COLONEL LEE:

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

19 MS. JAMIE STAVROS:

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

25 MS. NANCY ALLEN:

0101

1 I have his card

2 MS. JAMIE STAVROS:

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

18 MS. NANCY ALLEN:

19 Thank you.

20 Boyd Parker. Boyd Parker. The next  
21 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

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

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

25 Sir, I'm going to ask you to please

0106  
1 wrap it up --

2 MR. DONALD LANDRY:

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

11 MS. NANCY ALLEN:

12 Thank you. Robin Zuvich.

13 MS. ROBIN ZUVICH:

14 My name is Robin Zuvich, and my  
15 question is to Colonel Lee. Colonel  
16 Lee, when we were here on September 19,  
17 I had asked you a question and I'm  
18 hoping you can answer for the people  
19 that are here today. Congressional  
20 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

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

17 MS. ROBIN ZUVICH:

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

21 COLONEL LEE:

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

0109

1 MS. ROBIN ZUVICH:

2 You would?

3 COLONEL LEE:

4 -- all over New Orleans.

5 MS. ROBIN ZUVICH:

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

10 COLONEL LEE:

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

14 MS. ROBIN ZUVICH:

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

21 COLONEL LEE:

22 Trust me. I don't have total  
23 control.

24 MS. ROBIN ZUVICH:

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

0110

1 on a hypothetical level. You have total  
2 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

20 the locally preferred plan officially  
21 and have it approved, but we are working  
22 on putting together the design effort on  
23 that.

24 MS. ROBIN ZUVICH:

25 So the design efforts are in effect?

0112

1 MS. JULIE LEBLANC:

2 No. We are working on a scope of  
3 work to get a contract to do the  
4 design -- basically -- (inaudible) -- to  
5 an engineering firm to do the design of  
6 the locally preferred plan.

7 MS. ROBIN ZUVICH:

8 So, as far as the time line goes,  
9 what's being done now? Do you have a  
10 local firm working on it now?

11 MS. JULIE LEBLANC:

12 We cannot do that until we have the  
13 locally preferred plan officially from  
14 the state.

15 MS. ROBIN ZUVICH:

16 So how would you get that done?  
17 Because we are asking questions daily,  
18 and we're not getting any response from  
19 our local government. We're begging for  
20 help. How can we get this done?

21 MS. JULIE LEBLANC:

22 Our standing is that at --  
23 (inaudible) -- the office of Coastal  
24 Protection and Restoration.

25 MS. ROBIN ZUVICH:

0113

1 So who's head of the state that we  
2 could go to --

3 MS. JULIE LEBLANC:

4 Garrett.

5 MS. ROBIN ZUVICH:

6 Garrett? So he's the person we need  
7 to be contacting?

8 MS. JULIE LEBLANC:

9 He's the head of -- (inaudible)

10 MS. ROBIN ZUVICH:

11 Now, as far as the locally preferred  
12 option, how does that include the  
13 Mississippi River?

14 MS. JULIE LEBLANC:

15 Our understanding is that 8 miles of  
16 back levee as the locally preferred  
17 plan.

18 MS. ROBIN ZUVICH:

19 So how does that include the  
20 Mississippi River?

21 MS. JULIE LEBLANC:

22 Our understanding is this is  
23 probably a question that Plaquemines  
24 Parish should be answering.

25 MS. ROBIN ZUVICH:

0114

1 Where is Plaquemines Parish anyway?

2 MS. NANCY ALLEN:

3 Identify yourself.

4 MR. JAY FRIEDMAN:

5 My name is Jay Friedman, Plaquemines  
6 Parish Council District 7. I'm going to  
7 answer her question. The Plaquemines  
8 Parish preferred project they referring  
9 to is not a levee project. It's a  
10 coastal restoration project. The intent  
11 of the project, what it does is,  
12 decrease the storm surge. Therefore, by  
13 the decreasing storm surge, you decrease  
14 the elevation requirements of a  
15 hundred-year flood protection. Am I  
16 correct?

17 MS. JULIE LEBLANC:

18 I believe that's -- (inaudible) --  
19 raising the 8 miles of back levee in  
20 Section 1 -- from the authorized grade  
21 to the 1 percent elevation.

22 MR. JAY FRIEDMAN:

23 You're talking Greek to me because I  
24 haven't been included in any of those  
25 discussions so that's above my head. So

0115

1 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.

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

0117

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

3 MS. ROBIN ZUVICH:

4 We appreciate all you do --

5 PRESIDENT NUNGESSER:

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

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

0118

1 deadline if everything stays on track.

2 MS. ROBIN ZUVICH:

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

5 PRESIDENT NUNGESSER:

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

8 MS. ROBIN ZUVICH:

9 -- (inaudible) -- schedule.

10 MS. JULIE LEBLANC:

11 I'm not sure what schedule --

12 PRESIDENT NUNGESSER:

13 It's going -- (inaudible) -- to give  
14 us the time frame that -- how long it's  
15 going to take to get the 25 percent  
16 design, and then from that we will be  
17 able to -- we'll have that time frame to  
18 put the funding together. The money to  
19 pay for the additional engineering was  
20 introduced by Keith -- (inaudible) -- at  
21 the last meeting which I believe was  
22 Thursday. So we'll have that money to  
23 fund the extra \$200,000 of -- costs that  
24 we have to be responsible for. So  
25 that's how it works. Then we will move

0119  
1 on.

2 As soon as we get the numbers on the  
3 added cost, we're looking at several  
4 different ways. We've come up with 74  
5 percent of the people live within that  
6 area would qualify for some money the  
7 state is going to have. Whereas -- Look  
8 at the data. So we're looking at all  
9 ways to fund this project for costs, and  
10 also we have asked that we over 30 years  
11 as a safe zone with the hundred-year  
12 protection elsewhere. So we're looking  
13 at all those options, but we still feel  
14 if we can get our 25 percent design  
15 construction started, that we can meet  
16 that deadline.

17 MS. ROBIN ZUVICH:

18 Colonel Lee, do you think that's  
19 possible?

20 COLONEL LEE:

21 The submission of the locally  
22 preferred plan is -- the clock is  
23 ticking right now.

24 MS. ROBIN ZUVICH:

25 And we know that, and nothing is

0120

1 being done. We're sick of it.

2 COLONEL LEE:

3 -- the parish submitted it to the  
4 state. The state has to go through --  
5 and then it will come back to us so --  
6 (inaudible) -- No, no. I mean, the  
7 Corps of Engineers when I say "us." I  
8 mean, Vicksburg works with us so. We  
9 all work together as a team.

10 MS. ROBIN ZUVICH:

11 So the clock is ticking.

12 COLONEL LEE:

13 Absolutely.

14 MS. ROBIN ZUVICH:

15 So how much tick do we have left?

16 COLONEL LEE:

17 This is -- What we're shooting for  
18 is that draft supplemental IER to the  
19 public in December of 2010.

20 MS. ROBIN ZUVICH:

21 So December of right now?

22 COLONEL LEE:

23 That's what it's going to go out on  
24 the street for public review. So that's  
25 what we are -- we need the --

0121

1 MS. ROBIN ZUVICH:

2 I'm confused. President Nungesser  
3 just walked out on us. So we have  
4 December 2009, did you say?

5 COLONEL LEE:

6 December 9 is when the supplemental  
7 IER will go out on the street.

8 MS. ROBIN ZUVICH:

9 So who are we waiting on?

10 COLONEL LEE:

11 The form is at the state for their  
12 approval and submission to the board.

13 MS. ROBIN ZUVICH:

14 So who do we talk to from the state  
15 to get the lead out and get some  
16 answers?

17 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

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

9 MR. SCOTT SENNER:

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

14 MR. BRUCE EBERSOLE:

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

0126

1 MR. SCOTT SENNER:

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

9 MR. BRUCE EBERSOLE:

10 Yes. I think there's a nice chart  
11 out in the display that shows the  
12 magnitudes of change that are associated  
13 with the West Bank and Vicinity project,  
14 and they're generally on the order of  
15 tenths of a foot. Those storms are  
16 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:

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

20 MR. SCOTT SENNER:

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

23 MS. JULIE LEBLANC:

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

0132

1 what the plan of action is going to be.

2 MR. SCOTT SENNER:

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

7 MS. JULIE LEBLANC:

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

13 MR. SCOTT SENNER:

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

0133

1 MR. GIB OWEN:

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

5 MR. SCOTT SENNER:

6 That's the river.

7 MR. GIB OWEN:

8 But the levee will have no effect  
9 with that. So we're --

10 MR. SCOTT SENNER:

11 Well, you're saying it's not going  
12 to have an impact.

13 MR. GIB OWEN:

14 -- part of the environmental --

15 MR. SCOTT SENNER:

16 Wait. This levee that's built up  
17 and just like we -- flooding 9 inches  
18 from this way -- we are going to be from  
19 that way. It just makes sense. The  
20 East Bank is going to get flooded too  
21 because of this. They're not -- I don't  
22 know but -- Let me finish. So this  
23 little surge what happens when the river  
24 comes up and it floods it over into the  
25 highway, and when the water goes away,

0134

1 they are flapping away with water?

2 MR. GIB OWEN:

3 That's what happens no action  
4 alternative some of the --

5 MR. SCOTT SENNER:

6 I'm not -- I'm being serious. You  
7 haven't looked at that yet. You're just  
8 boring holes in the levee -- What  
9 happens if you have -- you might have to  
10 knock that whole levee down because  
11 correct do that happen?

12 MR. GIB OWEN:

13 -- to Julie for engineering. We're  
14 going to do an environmental impact  
15 statement as individual environmental  
16 report, one for Belle Chasse and one for  
17 St. Bernard. They will look at the  
18 whole range. They will look at all the  
19 human impacts which will be flooding  
20 above, below, east, west, anywhere. It  
21 will look at the impacts on the natural  
22 environment, the bugs, bunnies, rabbits.  
23 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 live 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 there'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

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

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

0137

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

6 MS. NANCY ALLEN:

7 Thank you, sir. Lois Zuvich.

8 MS. LOIS ZUVICH:

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

0138

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

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

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

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

15 MS. JULIE VIGNES:

16 Gib --

17 MS. LOIS ZUVICH:

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

23 MR. GIB OWEN:

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

0139

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

6 MS. LOIS ZUVICH:

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

16 I had one other question. I don't  
17 remember what it was. That was the main  
18 thing. I wanted to know if there's  
19 going to be any more thoughts about this  
20 setback levee to give us a hundred-year  
21 protection, or if that's just  
22 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

14 are moving forward with that.

15 MS. LOIS ZUVICH:

16 Are we talking river or marsh?

17 MS. JULIE LEBLANC:

18 Everywhere you see on the West Bank,  
19 it is --

20 MS. LOIS ZUVICH:

21 I'm not worried about the West Bank.

22 MS. JULIE LEBLANC:

23 It's the back levee and the  
24 Mississippi River levee on the west, and  
25 on the East Bank it's only the back

0142

1 levee.

2 MS. LOIS ZUVICH:

3 We're talking about -- Excuse me.  
4 I'm sorry. I thought you were talking  
5 about Gretna, Marrero, and all of that.

6 I realize that Plaquemines Parish is  
7 only here to protect New Orleans. So I  
8 just want to make sure that you -- I'm  
9 sorry. I didn't understand --

10 MS. JULIE LEBLANC:

11 Talking about the West Bank of the  
12 Mississippi River.

13 MS. LOIS ZUVICH:

14 Okay. I got you. I'm sorry. I'm  
15 talking about the Plaquemines Parish  
16 West Bank, yes.

17 MS. JULIE LEBLANC:

18 Correct. We have authority for the  
19 back levee and the Mississippi River  
20 levee in those regions shown on this  
21 map.

22 MS. LOIS ZUVICH:

23 Okay. I just wanted to know -- That  
24 was my question. Thank you very much.

25 MS. NANCY ALLEN:

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

5 MR. PETE STAVROS:

6 -- (inaudible) -- hundred-year with  
7 and without project there were ten  
8 storms that were run?

9 MR. BRUCE EBERSOLE:

10 That's correct.

11 MR. PETE STAVROS:

12 From the graphics that were shown on  
13 the 19 September out here -- she said  
14 that there were as much as plus nine but  
15 as low as minus six on the storms.

16 MR. BRUCE EBERSOLE:

17 I believe that's correct.

18 MR. PETE STAVROS:

19 Okay. How -- you said there was a  
20 -- How were those ten storms chosen?

21 MR. BRUCE EBERSOLE:

22 Well, as I said there -- If you look  
23 at the surge level, we looked at the  
24 surge levels, 2, 1, and two-tenths of a  
25 percent chance annually, and those surge

0144  
1 levels ended up being approximately 6,  
2 8, and 12 feet. So we went back into  
3 the pool of 452 storm set and looked for  
4 three events that produced roughly  
5 6-foot surge sea area. We selected  
6 three storms that approximately produced  
7 8-foot surge and we selected three  
8 storms that produced approximately  
9 12-foot of surge there in the same area.

10 MR. PETE STAVROS:

11 I guess there was -- it looks like  
12 there may have been a better selection  
13 of storms a better model used if we are  
14 seeing some of those storms that showed  
15 minus whatever storm produced that was  
16 one that you should have, I guess,  
17 thrown away and used a better set, but  
18 we can debate that later because I only  
19 have four minutes remaining.

20 I would like to talk about, Colonel  
21 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)

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

0150

1 the design hasn't even started?

2 MS. NANCY ALLEN:

3 President Nungesser, I need you to  
4 speak into a microphone or hold this off  
5 until after we are done.

6 PRESIDENT NUNGESSER:

7 When we were in Washington, the  
8 Corps agreed to do 25 percent design --  
9 So we design project, do the 25 percent  
10 design, allow for bids, start  
11 construction so, hopefully, we can make  
12 the same time frame as Congressman  
13 Vitter. The council members 200,000  
14 vote on it next Thursday to fund the  
15 extra environmental engineering loss --  
16 to do that 25 percent design.

17 They have already been out and  
18 tested the footprint for the  
19 hundred-year and done all the data  
20 gathering -- the lawyers in Baton Rouge  
21 back to them, signed by Gary Graves,  
22 200,000, and I'm guessing -- I'm still  
23 waiting on the tax schedule to put their  
24 data together. We need the design mid  
25 next year or whatever and go out to bid

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1 and start construction. As long as this  
2 is in the first part of next year, we  
3 feel we get that 25 percent -- and  
4 construction schedule.

5 MR. DONALD LANDRY:

6 So to reiterate, the Corps is  
7 currently working on that design -- or  
8 they are waiting for the state?

9 MS. JULIE LEBLANC:

10 We are working on the field  
11 investigations which could be considered

12 part of the design --

13 MR. DONALD LANDRY:

14 So progress is being made. She was  
15 under at the impression that the Corps  
16 was at a standstill until we got state  
17 funding. So I wanted to clarify that,  
18 that there are some tasks that are  
19 taking place that would enable the  
20 design to continue.

21 MS. JULIE LEBLANC:

22 Correct. We have to do surveys and  
23 borings anyway no matter what plan -- We  
24 have started that work. We have not  
25 awarded a contract to an engineering

0152

1 firm to start the design using those  
2 field investigations.

3 MR. DONALD LANDRY:

4 Okay. Another question I had was, I  
5 understand that the 2000 June date that  
6 was selected as a target in time for the  
7 WBV closure, that was selected by the  
8 Corps based on data when you were  
9 requested to provide Congress with an  
10 end date. Is that not correct?

11 MS. NANCY ALLEN:

12 The June 21 date?

13 MS. JULIE VIGNES:

14 Yes. It's a Corps goal --

15 THE WITNESS:

16 Congress mandated to you -- you  
17 thought you could achieve this date, and  
18 Congress said, I agree with you.

19 MS. JULIE VIGNES:

20 That's correct. It's established --

21 MR. DONALD LANDRY:

22 That was -- At what time frame did  
23 you-all set that date?

24 COLONEL LEE:

25 Spring of 2007.

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1 MS. JULIE VIGNES:

2 Colonel Lee answered it. It was the

3 spring of 2007.

4 MR. DONALD LANDRY:

5 About two and a half years ago.

6 Thank you.

7 MS. NANCY ALLEN:

8 Thank you.

9 All right. First of all, you were  
10 handed questionnaires when you came  
11 in -- we would appreciate it if you fill  
12 out and return to us there are two  
13 research -- Both of these websites have  
14 information about our projects. We  
15 will -- Thank you very much for coming.  
16 (Inaudible) -- November 25th.

17 MR. JOHN:

18 Just one quick question. I'm  
19 John -- (inaudible) -- and I live in  
20 Jesuit Bend. There's a certain portion  
21 of the project where the gate goes in,  
22 there's a certain time frame you got the  
23 project -- got to be a date when at that  
24 point we start -- and that's the day, I  
25 guess, we're trying to get this back

0154  
1 levee approved and finished by. So what  
2 is that date?

3 MS. JULIE VIGNES:

4 Our current schedule is, we have to  
5 finish the environmental compliance  
6 process which will be the decision for  
7 IER 13. So we are scheduling approval  
8 of that in December of 2009. We have  
9 been doing concurrent designs on the  
10 features of the Eastern Tie-In. So we  
11 do have construction schedules that will  
12 award contracts in the February/March  
13 2010 time frame.

14 MR. JOHN:

15 Projects -- You've got contracts.  
16 You can cancel a contract at some  
17 point --

18 MS. JULIE VIGNES:

19 We haven't awarded any construction

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

0155

1 MS. JULIE VIGNES:  
2 We currently have -- (inaudible) --  
3 award four contracts and that will be on  
4 a closed construction contract award.  
5 They will all be advertiser awards  
6 between February and April of 2010, all  
7 four contracts, which includes the gates  
8 across the highway levees.

9 MR. JOHN:  
10 2010 the whole project go in four  
11 different parts. There's really no  
12 stopping the gate at that point.

13 MS. JULIE VIGNES:  
14 That's our schedule for awarding  
15 construction contracts.

16 UNIDENTIFIED SPEAKER:  
17 You-all might think this is a done  
18 deal, but we are not going to stop, to  
19 stop you-all from doing this, to do the  
20 right thing and do it the right way.  
21 I'm tired of hearing you-all the Corps  
22 of Engineers so-called screwing up every  
23 parish. You-all screwed up Chalmette.  
24 You screwed up Lakeview. Now just  
25 recently you-all need to take the time

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

11 \* \* \* \*  
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1 REPORTER'S CERTIFICATE

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4

5 I, WILMA B. GERACI, Certified Court Reporter,  
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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  
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