

**Minutes of the meeting of the North Lafourche Conservation, Levee & Drainage District,
Lockport to Larose/Valentine East/Gheens PA's Committee
Date: Monday, July 17, 2017**

The Lockport to Larose/Valentine East/Gheens Project Areas Committee meeting of the North Lafourche Conservation, Levee and Drainage District was called to order by Chairman Louis Andolsek at 5:00 PM on Monday, July 17, 2017. The meeting was held at the District's Office at 3862 Highway 1, Raceland, LA. Board President Cory Kief led the assembly in the Pledge and Commissioner Timothy Allen gave the Invocation.

The Committee Chairman called roll. Members present were Andolsek, Darcy Kiffe, Elmo Pitre and Ad hoc non-voting members Rodney Foret, Cory Kief, Glenn Bourgeois, Leonard Chauvin, and Neil Angelette. Also present were NLLD Executive Director Dwayne Bourgeois, NLLD Project/Program Manager Arthur Ostheimer, NLLD Administrative Assistant Madonna Viguerie, Commissioners Timothy Allen and Kenney Matherne, professional engineers, and members of the public.

Lockport to Larose, C4, C5, and D1: General update on Reaches C4, C5, and D1 – NLLD Project Manager Ostheimer reported that the project design is still on track, and the right of way agreements, as of this meeting day, were broken down as follows: 75 tracts (128 landowners) executed of 106 in whole; four (4) partially executed; six (6) mailed out for signatures; and six (6) tracts are definite expropriations. Ostheimer stated that by the end of August, all ROW's will be executed or the process of expropriation will have started. The Director added that if everything comes together as envisioned, the construction could get started in December 2017 or January 2018. In response to a question about permitting, Neil Angelette, from Angelette-Picciola, LLC stated that everything intended for the first phase can be done without further permitting. The work to be done on the inside can be done without any additional permitting. Additional work requiring permitting will be about one and a half years away. Angelette explained that there is no definite construction sequence yet, but the whole first phase will take about 18 – 24 months. That first phase will involve getting all of the borrow material moved across and filled in, which will take care of the stability problem. That brings the stability back to the right factors of safety without an increase in height. Angelette added that the second phase will be a separate bid. The second phase will be raising the levee to 7' and a slight shift of the flood side. That will be done once all of the material is placed for stability and the material dries. In response to a question about the material, Angelette explained that material for the first phase will come from the 180' ROW and once that material is dried, approximately the top foot will be scraped off for the second phase. The whole process could be about 36 months.

Lockport to Larose, C4, C5, and D1: Side agreement for Donation of a ROW in Reach C4 – The Director stated that landowners Donald Adams and Johnny Adams would like to donate their ROW in exchange for existing features moved outside of the ROW on their one (1) tract. In the past, it was decided that these issues could be handled by me (Director) and Attorney Pat Amedee, with this committee bringing it to the full board. Project Manager Ostheimer presented the members with a map detailing the work as prepared by Neil Angelette after meeting with Mr. Johnny Adams and a proposed price of \$14,700.00 from Low Land Construction, the contractor working in the area at the Valentine Return Levee. Ostheimer stated the valuation of the ROW on that tract is \$8,526.00. An analysis of the work provided by Neil Angelette shows that a lot of what they are asking to have done would be done regardless

during the construction. In essence, \$10,500.00 would be part of the construction done in advance of the actual project; therefore, \$4,200.00 could be considered a benefit to the landowner. Committee Chairman Andolsek commented that from looking at the map and the effect the ROW will have on the pond, it seems the district has an obligation to move the pond. The landowners have a pond and the district cannot cut it in half. Before doing any work, the landowners need to sign an agreement with the District. Motion was made by L. Andolsek, seconded E. Pitre that the committee recommends to the full board that the district spends \$14,700.00 in consideration for the donation of the ROW on the tract owned by Donald and Johnny Adams in return for leaving them whole by moving their crawfish pond out of the ROW. No discussion or public comment, the motion passed unanimously with member D. Kiffe abstaining.

Lockport to Larose, C4, C5, and D1: New and worsening failures in Reach C5 and D1 –

The Director presented photos and a map of the area on the overhead screen. He explained that in reaches C5 and D1, the levee has a stability issue and its doing the same thing it has done for years. There is a series of four failures at various lengths that are taking place (and a fifth minor failure). It was reported that these failures have gotten worse since the recent storm event. Although there is no evidence that the water increased on the outside to cause it, it is known that the parish pumped the system down considerably low in preparation of heavy rains and that is a problem. The Director stated that he has sent a notice to the Parish DPW to not over pump it, but even today (and last week) the reservoir is below the bottom pumping level and that exasperates the situation. Neil Angelette provided the location of each failure, stating they are all similar and the same that happened a few years back due to the borrow canal being too close to a small steep levee and its sliding in on it's on. Angelette added that the extra pumping triggers this and suggested that the board take stronger action regarding the canal water level. He stated that at some point the board should pass a general resolution advising the Parish of the problem and advising them to not pump lower than is necessary to keep water out of homes. Angelette estimates about \$800/linear foot of levee for the interim repairs with hauled in material as compared to the cost (developed with the help of Low Land Construction) of the entire project at about \$200/linear foot of levee (\$4.6M project) with side borrow. The failures are pretty similar in length and to fix now with a contractor would run approximately \$88K a spot with four spots totaling about \$360K compared to waiting for the big project that would run about \$35,000.00 each failure, totaling \$150,000.00 for four spots. Angelette explained that any work done now is not wasted, it's just more expensive. This is a financial decision that this committee and ultimately the board will have to make. Although hurricane season can be a concern, consider that if the repairs get started now, there would be some equipment on site should there be a need before a storm event. Committee Chairman Andolsek stated that part of this project's approval was based on these failed areas being given attention first. It is his opinion that if a contractor did the repairs within the big project, there would still be additional cost involved because they would have to locate the failures and take care of those areas first. Discussion ensued regarding the use of the district's new marsh buggy and access of the failed areas. The Director suggested that the buggy can contribute to the effort, but the buggy could not do the repair work on its own. The new buggy would not be able to float in the canal to put the material up and over the top. You could destabilize the levee by that activity if not careful. Neil Angelette stated that knowing the four areas of concern, he thinks the district could secure the temporary access as needed. If the board is going to take

care of this, it needs to be with additional equipment. The Director stated that the committee and the board would have to weigh the cost options. If the repairs are done now, the future bids should be lower. Any activity done now would cost more than the contract as it was envisioned. The Director added that another way to address this would be to have a contingency plan. Bags could be dropped if there were thoughts of the outside of the levee being threatened and the district could possibly benefit in two ways because with a possible declared disaster, there is a likelihood that the district would be reimbursed for expenses. The Director summed up the options: 1) Pay \$360K now, 2) Pay a little more on the big contract for special mobilization, or 3) Prepare through contingencies. Discussion ensued regarding the timeframe for emergency repairs. Ostheimer suggested that with board action for an emergency, there are some provisions available to accelerate the process. He explained that the board has to state the concern, advertise in the newspaper that an emergency was declared, while concurrently finalizing the design. Angelette estimated the construction time to be anywhere from 45 – 100 days. Andolsek stated that he wants the action to be financially feasible. The Director suggested that at the board meeting tomorrow, the committee could make a broad recommendation that action be taken to make repairs to these five areas as soon as possible. All members agreed in favor of presenting a motion to the board to move on an emergency declaration.

Lockport to Larose Reach A1 – While displaying the map on the overhead screen, the Director pointed out Lockport to Larose Reaches A1, A2, and Claudet. He explained that Reach A1 had to be isolated because of issues that make it a bigger challenge due to the lack of width to work within because of a mitigation bank behind it. The Director recognized Lockport Councilman Rodney Hartman in the meeting audience. Mr. Leonard Chauvin, from Leonard Chauvin, P.E., Inc. explained that for Reaches A2 and Claudet, agreements were signed to increase the size of the ROW and the cost of dirt was secured from a borrow pit. Chauvin added that they are still waiting on the geotech report, but the plan is to receive bids and award at the September meeting. The estimate for those two reaches is \$1.2M. Chauvin then explained that Reach A1 could not get to 7.5' without encroaching into the mitigation bank. It is being designed with a sheet pile wall to 9'. The estimate of \$1.5M construction cost is based on a vinyl/PVC sheet with wooden timbered cap, cantilever wall at 20' deep with about a 4' stickup. No timeframe on that. The Director stated that this is not in the budget at this point, but it is being designed at 9' because that is ultimately the objective to wrap around Lockport. Reaches A1, A2, and Claudet had been evaluated together with an old total estimate of \$1.55M, but the board will need to look at A1 separately for financing. Reach A1 is currently at about 5' and the record flood above sea level in Lockport is 3.6' for Hurricane Ike. Committee Chairman Andolsek suggested that NOPET needs to come into play.

Des Allemands Bulkhead Project – The Director stated that this has been looked at for some time as a continuation of an old effort. He explained that the bulkhead was completed through a Parish CDBG project, just under \$3M, but while that bulkhead is at a 6' there are bad weaknesses nearby. The proposal has been to complete a ring system as part of phase A and there would be some pump improvements. All South Consulting Engineers (ASCE) is handling the design and this project was budgeted for. This is being presented to this committee as an update. The Director explained how there is an issue where a landowner wants to exclude his area for his fishing and crabbing business. HESCO bags could be placed for temporary protection in exchange for the ROW. The Director added that this project is budgeted inside of

the bond proceeds. It may be expensive to fix compared to the people within the project, but it is one of the most vulnerable in the district. When considering the threat of flooding, sometimes the other factors go out the window. Committee Chairman Andolsek stated that the project budget is \$2.3M, but when riding through the area, it looks like the number of houses in that area is between 50 and 60. And a lot of the houses there are elevated already. Andolsek added that he would not say that everybody doesn't deserve flood protection, but when you're talking about not building a levee around Lockport because the district doesn't have the money and this could put that project (Reach A1) back over the top, then this all needs to be looked at through NOPET. If we can afford this, I'm 100% behind it, but it might not be in our best interest to leave the town of Lockport out. Andolsek suggested postponing this until there is more money. The Director agreed that there is the tendency to look at the number of people in a project area, but when comparing this area to Lockport you also have to consider that Lockport has 5' of protection and this area has less than 3' of protection. He added that these projects were in the works before NOPET and they need to be looked at. Andolsek suggested considering phasing this project. Mr. Stevie Smith from ASCE stated that there are individual pieces that the project can be broken into. He added that due to the topography of this area, the different areas require different fixes, but they are all leading to a protection level of 6'. Smith also stated that the numbers are preliminary, but will be refined very shortly after receiving survey and geotech reports. The Director stated that this project is budgeted in the bond proceeds, but for bond spending they would like to see a project come to completion. He added that this is a good example of why we have to look at where we've gone and remember that until we get it all on a NOPET system, we'll have little things to flush out. Andolsek reiterated that he is not suggesting we stop anything now, but just wanted to bring that information to the committee's attention. Commissioner Allen asked if the pump station is adequate to handle improvements. Mr. Smith replied that it is a modest pump station and ASCE was tasked with evaluating it for merely improving it. The Director added that while it is not a great pump station, the Parish has augmented it with a hydraulic pump in parallel to what is there. The threat in this area is more of what could come over from the outside.

New Valentine/Ludevine FDA Project – The Director reported that this project is in a holding pattern. This is the levee system we are trying to run from Hamilton Street towards the curve as an interim stability. In an earlier committee meeting, Mr. Mitch Marmande with Delta Coast Consultants presented information on the Larose to Lockport Feasibility Report project. The obstacle here is that the Corps changed their disposition on Section 106 of the National Preservation Historic. The act causes a registry of national historic places to be kept by the parks department. That act was originally intended to say old buildings need to be preserved. Over the years, Congress modified the act to include things that would be eligible for registry, if it was so tested to be eligible. Later, more environmental requirements came in. Then cultural resources came in such as Native American sites that needed to be preserved. The Corps' process had been that if during the dredging activity you dig up anything that could be a cultural resource, then you had to report it to the Corps and stop working in that area. If something was found in a cultural research survey, more digging would be required through a Phase 2 survey. The District has had to go through the phase 1 study and it was proved to be a junk pile. In this current instance, the USACE changed their thought process and in the permit application, the USACE was asking for a Phase 1 Cultural Resource survey of the whole area we are looking to dredge. The quote for that survey is \$21,000.00 and that puts the district on the

path to possibly be up for additional expense on more studies for \$60K - \$100K as a condition before getting the permit. The Director reported that he met with the USACE Regulatory office, archeologists, and representatives from the state historic preservation office. The Director explained that after studying the act, he found that while there was obviously the intent to avoid something, there was never the intent to avoid something that wasn't known to exist. If someone knew there was something there (project site), then the project could be designed around it. The USACE has agreed to modify the letter to a recon survey, maybe \$1,800 to \$2K, in which an archeologist will review the known history of the area and take a peek in the field. I've raised concerns of this to our legislative delegation and leadership of the USACE in NOLA. Committee Chairman Andolsek encouraged the Director to keep working on it and complimented him on the path taken.

On call for public comment, Mr. Ray Cheramie, 118 Serville Lane, Larose, LA expressed his concern of the road to the Larose pump station. Mr. Cheramie explained that when he was employed with Lafourche Parish Government, Mr. Callais with Allied Shipyard granted a ROW to the parish to build a levee system from Allied Shipyard to the property of the late Mr. Charlie Wallace's property. Mr. Charlie had granted a ROW, but part of the ROW was to build a road inside the levee system. Mr. Cheramie gave the breakdown of the ROW. Anytime there is high water, the road that goes to the pump station has two to three feet of water on the road. Sometimes a boat is needed to get diesel to the pump station. Mr. Cheramie is concerned that the area that was reserved for a road will not be reserved for that purpose when the district is working to rebuild the levee. Mr. Cheramie hopes the parish builds a road one day or it will be a problem to get fuel to the pump station. The Director agreed with Mr. Cheramie and stated that the pump station referred to is one of two in the parish that is approached from the flood side (Morvant is the other one). The district will build along that ROW and will not disturb the ROW reserved for the road.

Mr. Cheramie also commented on the levee failures. He stated that the Parish is not keeping the grass down; sometimes the grass is 6' tall. And whoever sprays it kills everything down to the ground and there is no root system. Also the district needs to do something about restricting the elevation of the water in the canal. They are hurting the integrity of the levee by pumping too low. They are causing sinking in the inside of the levee. At one time there were boards to mark elevation levels of the water, but those are falling apart. And the field offices are taking directions from some of the landowners and they are pumping the water too much. That is causing the levees to cave in.

Lastly, Mr. Cheramie presented a question about the levee from Al Robichaux to the Company Canal...isn't it built on a land fill? Mr. Leonard Chauvin responded that it is on the edge. Mr. Cheramie suggested that soil borings be taken.

Mr. Rodney Hartman, 202 Comeaux Drive, Lockport, LA, commented that as a council member for the Town of Lockport, he is not able to attend the district's meetings on the third Tuesday of the month, since that is same night as the Lockport Council meeting but he thanked the district for all that has been done for the Town of Lockport over the years and asked for any consideration in regards to funding Reaches A1 and A2.

Mr. Ty Rivet, 8544 Hwy 1, Lockport, LA suggested that when the board is looking at the savings of repairing the failed levee, the cost needs to be compared to what it would cost if it fails. What would it cost then? He also expressed concerned for the work being done by the district on private property and suggested that it is skirting the line of eminent domain.

Committee Chairman Andolsek suggested that the Director can get with Attorney Pat Amedee on that.

With no further public comment, a motion for adjournment was made by C. Kief, seconded by D. Kiffe. Motion passed unanimously and the meeting was adjourned at 6:47 PM.

Cory Kief, President

Dwayne Bourgeois, Director