

Minutes of the Regular Monthly Board meeting of the North Lafourche Conservation, Levee & Drainage District, February 18, 2020

A regular monthly meeting of the North Lafourche Conservation, Levee and Drainage District Board of Commissioners was called to order by Mr. Cory Kief, Board President at 5:37 PM on Tuesday, February 18, 2020. The meeting was held at the District's office at 3862 Highway 1 in Raceland. Commissioner Darcy Kiffe led the assembly in the pledge and Tim Allen offered the Invocation. Board President Cory Kief called roll. Commissioners present were: Tim Allen, Rodney Foret, Cory Kief, Kenney Matherne, Susan Testroet-Bergeron, Louis Andolsek, Percy Gasery, Darcy Kiffe, Adley Peltier and Robert Pitre. Commissioner Elmo Pitre was absent. Others present were: NLLD Executive Director Dwayne Bourgeois; Project Manager Arthur Ostheimer; Attorney Patrick Amedee; NLLD Field Coordinator Glenn Bourgeois; Executive Assistant Katie DeRoche; various engineering professionals; and members of the public.

Minutes: Motion was made by R. Pitre, seconded by R. Foret, to approve the minutes as written for the following meetings: January 28, 2020 Finance & Priority Committee Meeting; January 28, 2020 Regular Board. No discussion or public comment. Motion passed unanimously.

A. Thibodaux – West Project Area:

Drainage Study: D. Bourgeois and A. Ostheimer reported NLLD is developing items in the project area by extending this drainage study with additional investigations to assist the City of Thibodaux and the Parish with a proactive approach for drainage since this area is seeing a tremendous surge in development.

Waverly No. 2 Channel Project: D. Bourgeois and A. Ostheimer reported NLLD is developing a potential NLLD project that would create a new major drainage channel functionally parallel to and complimentary to the existing Waverly Ditch that we are calling the Waverly No. 2 Channel Project. NLLD is working on the valuation for the needed right of ways to finalize the cost estimate for the project.

NSU Drainage Study: D. Bourgeois and A. Ostheimer reported NLLD is looking to address persisting drainage issues at Nicholls State University on campus and the surrounding areas. Duplantis Design Group (DDG) and NLLD met on February 5th to review the current model runs and compared them to the NSU's Master Plan. NLLD and DDG has a meeting tomorrow to discuss this information and make recommendations based on the current issues and then tiered projects to coincide with NSU's overall development. After this, NLLD will schedule a meeting with NSU to discuss these findings and expecting DDG will include this drainage study into the Nicholls' master plan.

B. Thibodaux - Lockport - Bayou Blue Project Area:

Bayou Blue – Hollywood Backwater Flood Protection Project: D. Bourgeois and A. Ostheimer reported this project has funding expected from GOMESA for engineering and construction. Leonard Chauvin P.E., Inc. (LCI) has submitted the permit application and is continuing to monitor it. LCI and NLLD met on Feb. 5 with one of the landowners to discuss the project and location to allow them to voice any concerns, which went well.

TLBB Element 2, (Lockport to Mathews Levee Improvement Project): D. Bourgeois and A. Ostheimer reported Sealevel is the contractor on Phase I which covers the area requiring sheet pile installation and the Certificate of Substantial Completion was accepted last month. The Lemoine Company, LLC is the contractor on Phase II which is the canal relocation and berm construction. These phases are both included in an IGA with CPRA for GOMESA funds reimbursement. Sealevel is currently working on the punch list items while still in the clear lien period. K. Matherne made a motion, seconded by D. Kiffe to approve payment of pay request #6 in the amount of \$146,845.93 from Sealevel Construction, Inc. as recommended by the project engineer. No discussion or public comment. Motion passed unanimously.

On Phase 2, The Lemoine Company is continuing to excavate the new canal while filling in the old canal. NLLD and Leonard Chauvin P.E. Inc. (LCI) plan to have another progress meeting at the beginning of March to review production vs. project timeline. S. Testroet-Bergeron made a motion, seconded by T. Allen to approve Change Order #1 to extend the construction period to November 21, 2020 due to 16 additional days due to rain and a net decrease of \$2,705.00 to adjust for actual fencing installed, as requested by The Lemoine Company, LLC and recommended by the project engineer. No discussion or public comment. Motion passed unanimously. P. Gasery made a motion, seconded by A. Peltier to approve payment of pay request #2 in the amount of \$96,574.76 from The Lemoine Company, LLC as recommended by the project engineer. No discussion or public comment. Motion passed unanimously. Cyprien FDA Channel Improvements: D. Bourgeois and A. Ostheimer reported NLLD has cleared the vegetation from the canal and T. Baker Smith has marked the channel. NLLD is working to get the canal excavated to the necessary template to avoid stress on the levee from the new pump station discharge. NLLD also met with TBS to discuss potential improvements and protection for the levee on LA 182 side of the channel. LPG has already performed some protection on the opposite end.

US90 at Bayou Folse: D. Bourgeois and A. Ostheimer reported this project is committed from CPRA for GOMESA funding which is allowing NLLD to design and construct a permanent solution to raise the elevation of the levee adjacent to the US Hwy 90 Bridge over Bayou Folse on both sides. Bids were received on February 11th and came in higher than expected, but since receiving \$1.5M from GOMESA, NLLD will move forward. T. Allen made a motion seconded by R. Pitre to award the construction contract to Byron E. Talbot Construction, Inc., thus committing \$1,888,470.00 of NLLD's net assets towards NLLD Project No. 6200.83Z and authorizing the NLLD President to sign, execute, and administer a contract and any and all relevant documents. No discussion or public comment. Motion passed unanimously.

Crest Pump Stabilization: D. Bourgeois and A. Ostheimer reported Crosby Dredging, LLC is the contractor on this project and has been awarded the project. Notice to Proceed was issued for March 2nd to allow them time for the delivery of the sheet pile for the project.

C. Lockport - Larose Project Area:

Lockport – Larose Valentine Return Levee Project: D. Bourgeois and A. Ostheimer reported Low Land Construction is the contractor on the levee portion of this project, and they have removed the plug in the 40 Arpent canal and now the Forced Drainage Area is from the Claudet Return levee to the GIWW in Larose. K. Matherne made a motion, seconded by A. Peltier to approve payment of pay request #26 in the amount of \$21,375.00 from Low Land Construction Co., Inc. as recommended by the project engineer. No discussion or public comment. Motion passed unanimously. R. Pitre made a motion, seconded by T. Allen to accept the Certificate of Substantial Completion from Low Land Construction Co., Inc. as recommended by the project engineer. No discussion or public comment. Motion passed unanimously.

Lockport – Larose Levee Project Reaches C4, C5, and D1: D. Bourgeois and A. Ostheimer reported Onshore Materials, LLC is the contractor on this project that is phase 1 and 2 of the improvements to the levees in these reaches and is continuing to excavate, finishing in about the next few weeks, and then will begin the shaping portion of the project. L. Andolsek made a motion, seconded by P. Gasery to approve payment of pay request #19 in the amount of \$85,993.10 from Onshore Materials, LLC as recommended by the project engineer. No discussion or public comment. Motion passed unanimously.

Parr/Larose Pump Station 30" Pump Addition and Canal Debris Screen: D. Bourgeois and A. Ostheimer reported Crosby Dredging is the contractor on this project that involves the removal of the old structure at Barrios, the addition of a pump and a debris screen at the new LPG pump station, and they have completed the majority of the project with the exception of the installation of the 30" pump. Crosby was notified that the 30" pump is ready and NLLD expects the beginning of installation of the pump and

discharge pipe later this week.

Lockport to Larose Reach B Levee Project: D. Bourgeois and A. Ostheimer reported Picciola & Associates continues to develop alternatives to the preliminary design and budgets for the proposed three phases of this levee reach and feel confident NLLD will be able to return with some projects that can be pushed forward likely in a future budget. The culvert that was installed through the levee has degraded to a point that water is flowing around the pipe and the gate has fallen off so there is no way to stop the flow during certain tidal events. It also is degrading the levee as the water flows around the pipe. The NLLD is working with Picciola to install a new pipe consistent with plans for the levee improvement. In order to perform this work, an access point needs to be built from LA 1 to the 40 Arpent Canal. NLLD has discussed this with a couple of different landowners and are moving towards finalizing a right of way agreement. Picciola is working on a design for the access, 40 Arpent crossing, and replacement of the pipe in order to get this work done ASAP. NLLD received the permit with mitigation quantity from the USACE for the first phase of Reach B that the NLLD is currently reviewing. D. Kiffe asked what condition are these levees in. A. Ostheimer said the area NLLD is looking to improve first is in the worst condition at a low elevation and looking to raise it to a +4'. The levee area where the pipe goes through is not at a bad elevation, but it does not meet NLLD's criteria. In the future, NLLD will widen the levee. Discussion ensued about NLLD reevaluating the cost of the project because D. Bourgeois would like to get the price down.

Comeaux Drive Drainage Project: D. Bourgeois reported the NLLD and the Town of Lockport have had studies and work done since early 2018 to get resolution for their drainage problems. Leonard Chauvin P.E., Inc. is advancing the design and ROW requirements to help the Town pursue funding during the coming year and also plan to bring the Parish and LP DD#1 into the search for funding. There is still more to consider before I ask the board to consider the request for funding assistance made by the Town of Lockport for that purpose.

D. Kiffe asked about P. Amedee's research on NLLD implementing ordinances on private property with a levee, motioned at the last meeting. P. Amedee provided a document of this information, but D. Bourgeois said this will be discussed at the March Board meeting.

D. Choupic Project Area: Nothing to report

E. St. James Project Area:

D. Bourgeois and A. Ostheimer reported NLLD is developing items in the Project Area via this drainage study by Duplantis Design Group. The overall plan is to allow Thibodaux to develop this area in a proactive, forward looking way; to avoid trying to correct for unplanned difficult drainage issues in the future. DDG is creating a hydraulic model for this area. It will take several months to gather the input information. Equipment is set up and the real conditions during rainfall events need to be measured.

F. Lake Bouef Watershed Project Area:

Zeller/Larousse Forced Drainage Area Systems Improvements: D. Bourgeois and A. Ostheimer reported Sealevel Construction completed the work in 2018 on Phase 1A of this project which included clearing encroachments and dredging the reservoir. The development of Phase 2 of this project is in the works with the intent to make further improvements in elevation and stability of this levee. Leonard Chauvin P.E., Inc. is continuing to work on the design of the project with plans to be ready for construction by the end of the year or as soon as funding is available for this phase of the project.

40 & 80 Arpent and Halpin Canals, East Theriot Canal, Sam Foret and adjacent Canals, Maintenance Dredging Project: D. Bourgeois and A. Ostheimer reported Sealevel Construction is the contractor for the hydraulic spray dredging of these canals and adjacent canals combined. They are currently dredging the 80 Arpent Canal. Overall they are about 71% complete with the overall dredging of the project. D. Kiffe made a motion, seconded by L. Andolsek to approve payment of pay request #11 in the amount of

\$112,145.12 from Sealevel Construction, Inc. as recommended by the project engineer. No discussion or public comment. Motion passed unanimously.

G. Gheens Project Area:

Mathews Canal/Clotilda Levee Improvements Project: D. Bourgeois reported NLLD is waiting for the sloughed area to settle as previously reported. GIS will perform surveys of the cross sections to record the settlement in the area.

Des Allemands Bulkhead Project: D. Bourgeois and A. Ostheimer reported All South Consulting Engineers (ASCE) is monitoring the small sloughing area and continuing to monitor the levee for settlement. ASCE has recommended the installation of additional material which will probably be sometime in March, depending of the weather.

Des Allemands FDA Pump Improvement Project: D. Bourgeois and A. Ostheimer reported Sealevel Construction Inc. is the contractor on this project that has GOMESA funds committed and includes the construction of a new pump station in Des Allemands and the removal of the existing pump station. The Notice to Proceed was issued for January 6th, however, Entergy still needs to perform the relocation and the execution of the final RoW to begin the work. Sealevel currently has the pumps ordered and are procuring materials in expectation to begin work as soon as the lines are relocated. Jesse Dufrene FDA Levee Improvements: D. Bourgeois and A. Ostheimer reported Onshore Materials, LLC is the contractor for this project which has GOMESA funding committed through CPRA and designed to raise four miles of levee height from +4' to +7'. Onshore is continuing to backfill the force drainage canal which is part of the design to gain stability of the levee. They also are installing material along the levee. K. Matherne made a motion, seconded by R. Pitre to approve payment of pay application #6 in the amount of \$54,826.64 from Onshore Materials, LLC as recommended by the project engineer. No discussion or public comment. Motion passed unanimously.

Natural Gas FDA Levee Improvements: D. Bourgeois and A. Ostheimer reported this is the other half of protection for Gheens Community and is a prime candidate for GOMESA funds if available; therefore, it should be shovel-ready. ASCE is working on the final design for this project with a plan of bidding the project out later this year.

Upper Barataria Risk Reduction (UBRRP) Project: D. Bourgeois reported this project is included in the State's Master Plan for 2017 and the project team has spent some time working with CPRA on project details to help shape the action for the Corps' new start design funding. NLLD wants the Corps' efforts to blend in well with the design team and the efforts of CPRA. The Corps has released its draft report on their study of the project. Further, the NLLD and the LBLD have been working cooperatively to get this design further down the road.

H. Valentine - East Project Area:

New Valentine/Ludevine FDA: D. Bourgeois and A. Ostheimer reported this levee running from Hamilton St. in Larose about 5,500 feet towards the Ludevine Pump Station along the Blackwater Canal needs to be stabilized. The project is currently being advertising and Picciola & Associates held the pre-bid meeting at the NLLD office on Feb. 13th with plans on receiving bids on March 3rd and is expected to be awarded in the March Board meeting. C. Kief asked for the budget. It is a little over \$1.3 million.

Morganza to the Gulf Eastern Tie-in, reach 2 Interim Improvements: A. Ostheimer reported GIS is performing the topographic survey for the levee which is about 95% complete and the geotechnical work is progressing. We expect to have the information to review from GIS early to mid-March. Once we have that information GIS will begin to be able to put estimates together and we can begin forming this into projects.

I. Regional/Other Capital Projects:

Pump Station Study: D. Bourgeois and A. Ostheimer reported this project is extending NLLD's influence

into the proper operation of the pumps in Lafourche Parish to prevent possible damage from over pumping. TBS has submitted the FDA reports. Once reviewed NLLD will return comments as necessary so that they can be finalized and the NLLD can work with LPG to implement. TBS has also installed monitoring equipment on the last set of pump stations as requested by the NLLD. Discussion ensued about current communicating issues between the NLLD and the LPG pump operator employees on the pump station monitoring system. NLLD's goal is to meet with them regularly to ensure they better understand the notifications/ranges of the water levels in order to pump properly.

Morganza to the Gulf (MTG), Larose to Lockport Feasibility Report: D. Bourgeois and A. Ostheimer reported Mitch Marmande with Delta Coast (DCC) is working on the design of the actual alignment of the levee within NLLD District and had previously submitted the permit application for Reach 4 and is currently working on the application for Reach 1. DCC will continue to reply and submit additional information as necessary to the comments submitted.

Morganza to the Gulf: D. Bourgeois reported NLLD is working on a sustained new push in an attempt to find funding for the federally authorized Morganza to the Gulf Project which now comes well into the jurisdiction of the NLLD. This push included a re-evaluation of their estimated cost of the project. NLLD has been working at all levels of the Corps, Louisiana Delegation in DC, State legislators and others in this effort. At this point, there is buy-in from the Corps on the revised project cost and implementation as NLLD has framed it up. They are working to finalize the last bits of what they need to express capacity to start the project with funding for the project from Congress. Representatives Steve Scalise and Garret Graves had a meeting with OMB last week. By all accounts, the meeting went very well. NLLD expects to have future meetings with OMB and other departments to garner support around the Morganza. Things are progressing every month, but there needs to be pressure on this issue to get to the goal of federal funding.

Morganza to the Gulf (MTG), Reaches K & L and Structures: D. Bourgeois reported the CPRA will be providing \$18.2M in funding for the Grand Bayou Flood gate between Reaches K & L in Lafourche Parish. This gate, along with the levees being constructed along Reaches K & L will have a very positive impact on the levees and gravity drainage on the west side of Bayou Lafourche as Grand Bayou is a big source of storm water for those areas. The funding was a joint ask of the state from all three local Levee Districts and a CEA for designated pre and post construction obligations was recently approved and executed by the Districts in August. GIS is the engineering firm for Construction Management. The project will soon go out to bid this year.

J. Equipment: Field Coordinator Glenn Bourgeois gave an update on equipment issues during the last month: There were no issues on the MBI buggy. The Theriot Canal Project is finished and they will be moving to 28 Arpent Canal Project in Thibodaux. NLLD rented a long-reach track machine for the Cyprien Discharge Chanel. D. Bourgeois reminded the Board they authorized him to accept the lowest responsive bidder (Quest) last month on the replacement Upper Unit for our Deepwater Buggy. The lowest Apparent Bidder (State Machinery) filed a legal injunction to have a hearing to determine if it was correct for NLLD to deem their bid non responsive. NLLD had discussions and a meeting with State Machinery before the Hearing which was held on February 11th. The judge ruled that NLLD's interpretation of the bid package in accordance with Louisiana Contract / Bid Law was correct. The entire process of reaching this conclusion was very professional and cordial. NLLD welcome bids from State Machinery on future equipment. With the injunction lifted, NLLD awarded the contract to Quest.

K. General Items – Items for discussion or information as follows: A. Ostheimer presented photos and gave explanations on the following projects: C4 Tie-In; Jessie Dufrene; TLBB Element 2- phase 1 & 2; 80 Arpent Dredging; LtoL C4, C5, D1.

Louisiana Board of Ethics Reporting Requirements: D. Bourgeois reported as a reminder, each

Commissioner of the NLLD is required to complete a Tier 2.1 Personal Financial Disclosure Statement (Form 417) on or before May 15th each year.

Open Meetings Seminar: D. Bourgeois reported the Lafourche Parish District Attorney's Office will host an Open Meetings Seminar for all parish board and commission members on Wednesday, March 4 at 6:00 p.m. at the Lafourche Parish Government Complex in Mathews. The topics covered will be: Open Meeting/Executive Session, Public Record and Public Bid. I, along with our office will attend. I would like to encourage all of you to attend as well.

Association of Levee Boards of Louisiana (ALBL) Annual Workshop: The ALBL, in a joint effort with the Coastal Protection and Restoration Authority and the Department of Transportation and Development, will be hosting its annual workshop in Baton Rouge on May 7 – 8, 2020 at the Crowne Plaza Hotel in Baton Rouge. This workshop is a great opportunity to receive required training, as well as show support for our board president as he serves all of the levee districts as the president of the association.

Other Meetings this Month: D. Bourgeois stated in addition to the regular monthly meeting circuit and those previously discussed, he participated in the following meetings:

DC GOMESA Meetings: 2/4/2020-2/6/2020

BIG Annual Banquet: 2/5/2020 (Katie represented)

ALBL Executive Committee Meeting: 2/7/2020

SCIA Luncheon: 2/18/2020

MAC Meeting: 2/18/2020

Finance & Priority Committee: Commissioner K. Matherne reported that the Finance and Priority Committee met on February 18, 2020. The NLLD Board has a copy of those minutes in tonight's meeting packet. During that meeting, the committee reviewed and approved the Payables report that was recommended and accepted for approval by the full board during the Regular Board meeting that followed.

Accounts Payable: In the meeting packets, the commissioners were provided with a financial report detailing the 2020 year-to-date figures, as well as the current month's Accounts Payable listing. The chairman of the Finance & Priority was asked for the committee's recommendation.

A motion was made by K. Matherne, seconded by L. Andolsek to accept the Payables Report as given. No discussion or public comment. Motion passed unanimously.

The Board President called for other engineering reports; there were none.

Additional public comments: Hillary Thibodaux of 455 N. Oakstreet, Lockport, LA asked who is responsible for clearing the Coastal Pump Canal for TLBB Element 2 (Lockport to Mathews Levee Improvement Project) project area. D. Bourgeois said NLLD and Lafourche Parish both have certain responsibilities and NLLD will soon clear it out with the new purchased marsh buggy delivered in May. The Board President announced the next Regular Monthly Board Meeting will be at 5:30 PM, or immediately following the 5:15 PM F&P committee meeting, on Tuesday, March 17, 2020 at the District's office located at 3862 Highway 1, Raceland, LA. The meeting was unanimously adjourned at 7:09 PM on motion by R. Pitre, seconded by S. Bergeron.

/s/Cory Kief, President

/s/Dwayne Bourgeois, Executive Director