

Minutes of the Regular Monthly Board meeting of the North Lafourche Conservation, Levee & Drainage District, May 19, 2020

A virtual and on-site meeting was conducted on May 19, 2020 as the regular monthly meeting of the North Lafourche Conservation, Levee and Drainage District Board of Commissioners. The meeting was held in accordance with Section 4 of Proclamation No. 58 JBE 2020, in reference to COVID-19. The District provided written certification and notice through its normal advertising means that it would not be able to operate otherwise due to quorum requirements. The meeting was called to order by Mr. Cory Kief, Board President at 5:23 PM on Tuesday, May 19, 2020. Board President Cory Kief called roll. Commissioners participating were: Tim Allen, Louis Andolsek, Rodney Foret, Percy Gasery, Cory Kief, Darcy Kiffe, Kenny Matherne, Adley Peltier, Elmo Pitre, and Robert Bob Pitre. Commissioner Susan Testroet- Bergeron was absent. Others participating were: NLLD Executive Director Dwayne Bourgeois; Project Manager Arthur Ostheimer; Administrative Assistant Madonna Viguerie; Attorney Patrick Amedee; Executive Assistant Katie DeRoche; various engineering professionals; and members of the public.

Minutes: Motion was made by A. Peltier, seconded by E. Pitre, to approve the minutes as written for the following virtual meetings of April 21, 2020 Finance & Priority Committee and the April 21, 2020 Regular Board. No discussion or public comment. Motion passed unanimously via a roll call vote.

COVID-19 State of Emergency: D. Bourgeois gave an update to the commissioners on COVID-19. He said NLLD is operating as normal due to providing essential services. While NLLD is still operating, NLLD will be following social distancing guidelines by the CDC.

A. Thibodaux – West Project Area:

Drainage Study: D. Bourgeois and A. Ostheimer reported NLLD is 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 in the process of developing a potential project that would create a new major drainage channel functionally parallel to and complimentary to the existing Waverly Ditch called the Waverly No. 2 Channel Project. The NLLD is currently working on the NOPET evaluation for the project. Once complete, NLLD will decide how to proceed.

NSU Drainage Study: D. Bourgeois and A. Ostheimer reported NLLD is looking into the long persisting drainage issues at Nicholls State University to address these issues on campus and the surrounding areas. DDG submitted a revised phased plan of construction for improvements to the NSU campus drainage. Last month they added an option for an alternate alignment that incorporates the Coastal Center's proposed location into the improvements. All the information appears to be very useful and will be a solid tool for NSU as the campus continues to grow and develop. The report will be ready in a few weeks.

B. Thibodaux - Lockport - Bayou Blue Project Area:

Bayou Blue – Hollywood Backwater Flood Protection Project: D. Bourgeois and A. Ostheimer reported The State's Annual Plan includes future funding expected from GOMESA funds for engineering and construction. Leonard Chauvin P.E., Inc. (LCI) continues to monitor the permit process. The permit process is continuing and based on the latest feedback looks like it is getting close to issuance. LCI is continuing to work on the right of ways and design of the project. Currently NLLD is still expecting to move into the bidding and construction phase in the 3rd or early 4th quarter of this year.

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 in January. 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. For Phase 1, Sealevel Construction, Inc. has completed the final punch list items. All that remains for this phase is to receive the clear lien certificate and process the retainage. For Phase II, Lemoine Company, LLC is continuing to excavate the first cut of the new canal, fill in the old canal, and remove the muck. They are currently working just past the Fantastic Acres pump station closing in on completion of the first cut section. Lemoine will still have two additional cuts to make on the project to get the canal to design. T. Allen made a motion, seconded by R. Pitre to approve payment of pay request #5 in the amount of \$175,070.98 from The Lemoine Company, LLC as recommended by the project engineer. No discussion or public comment. A Roll Call vote was taken. Motion passed unanimously.

Cyprien FDA Channel Improvements: D. Bourgeois and A. Ostheimer reported T. Baker Smith submitted a review set of plans for the maintenance work the NLLD is currently reviewing. The NLLD has cleared the levee in preparation for the maintenance work to begin.

US90 at Bayou Folse: D. Bourgeois and A. Ostheimer reported this project is another one with a commitment from CPRA for GOMESA funding allowing for a permanent solution to raise the elevation of the levee adjacent to the US Hwy 90 Bridge over Bayou Folse on both sides. Byron E. Talbot Contractor (BET), Inc. is the contractor. BET has backfilled the channel in preparation of installing the culverts for the westside of Bayou Folse. They stockpiled material before the rain for the levee construction. A. Peltier made a motion, seconded by E. Pitre to approve payment of pay request #1 in the amount of \$117,058.87 from Byron E. Talbot Contractor, Inc. as recommended by the project engineer. No discussion or public comment. A Roll Call vote was taken. Motion passed unanimously.

Crest Pump Stabilization: D. Bourgeois and A. Ostheimer reported Crosby Dredging, LLC is the contractor on this project. A substantial completion inspection was held on May 12th with Leonard Chauvin Inc. (LCI), NLLD, and Crosby and all parties agreed the project was substantially complete. LCI is prepared a punch list. R. Pitre made a motion, seconded by R. Foret to approve payment of pay request #2 in the amount of \$119,788.98 from Crosby Dredging, LLC as recommended by the project engineer. C. Kief abstained from discussion and voting. No discussion or public comment. A Roll Call vote was taken. Motion passed unanimously with 1 abstention by C. Kief. Commissioner P. Gasery made a motion, seconded by R. Pitre to accept the Certificate of Substantial Completion from Crosby Dredging, LLC. as recommended by the project engineer. C. Kief abstained from discussion and voting. No discussion or public comment. A Roll Call vote was taken. Motion passed unanimously with 1 abstention by C. Kief.

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 the Certificate of Substantial Completion was accepted in February and has completed the project. L. Andolsek made a motion, seconded by A. Peltier to approve Change Order No. 8 with net decrease of \$5,744.00 as requested by Low Land Construction Company, Inc. and recommended by the project engineer to balance quantities. No discussion or public comment. A Roll Call vote was taken. Motion passed unanimously. R. Pitre made a motion, seconded by R. Foret to approve payment of pay request #27 in the amount of \$30,860.75 from Low Land Construction Co., Inc. as recommended by the project engineer. No discussion or public comment. A Roll Call vote was taken. Motion passed unanimously. P. Gasery made a motion, seconded by R. Pitre to approve payment of the final pay request for retainage in the amount of \$75,174.80 from Low Land Construction Co., Inc. as recommended by the project engineer. No discussion or public comment. A Roll Call vote was taken. 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. Onshore has completed the excavation of the new canal and backfilling of the old canal. They have begun working the levee into section in the area between the Valentine Return Structure and the Edgar Guidry Pump Station. There is a greater amount of material than expected based on A/P initial cut/fill approximation. Based on current construction, it's expected to obtain an 8.5' elevation. This will result in a \$300,000 increase to the project to install this elevation to the entire 16,000 plus LF alignment. NLLD does not see any way to ever be able to perform a lift for this for that cost in the future. NLLD expects to present this change order for the Board's consideration next month. NLLD is also working on securing a borrow location/s for the area around the pipeline and Entergy lines so this work can be completed on the project. All of this is progressing well, and NLLD hopes to incorporate a change order into the project for this work. These change orders will be sizeable, but NLLD is working to keep them within the current and future budgets allocated for the project. L. Andolsek made a motion, seconded by R. Foret to approve payment of pay request #21 in the amount of \$40,890.85 from Onshore Materials, LLC as recommended by the project engineer. No discussion or public comment. A Roll Call vote was taken. Motion passed unanimously.

Parr/Larose Pump Station 30" Pump Addition and Canal Debris Screen: D. Bourgeois and A. Ostheimer reported Crosby Dredging, LLC 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. Crosby is installing the discharge pipe. This is the last contract item for this project. NLLD expects them to be complete with the project in the next 3 to 4 weeks. A. Peltier made a motion, seconded by R. Pitre to approve payment of pay request #4 in the amount of \$206,027.27 from Crosby Dredging, LLC as recommended by the project engineer. C. Kief abstained from discussion and a vote. No discussion or public comment. A Roll Call vote was taken. Motion passed unanimously with 1 abstention by C. Kief..

Lockport to Larose Reach B Levee Project: D. Bourgeois and A. Ostheimer reported Picciola & Associates (P & A) continues to develop alternatives to the preliminary design and budgets for the proposed three phases of this levee reach. NLLD is confident to be able to return with some projects that can be pushed forward likely in a future budget. Outer Limit Contractors and NLLD are working on the replacement of the culvert that has failed in the levee. This work is proceeding well and was expected to be complete before the significant rain, which impacted the work, but is still moving along. P & A also made some adjustments to the overall Reach B design of the Phase 1 and Phase 2. The current revised estimates from the Engineer for Phase 1 and Phase 2 is approximately \$2.3M (Phase 1-1.3M, Phase 2-1M). NLLD will still have to add some mitigation expected to be approximately \$500-700K, but still has not been finalized. The original estimate for these two phases of Reach B was around \$9M so NLLD is moving in the right direction in project cost to present this to the Board as a feasible project.

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. NLLD is engaging Leonard Chauvin Inc. (LCI) to advance the design and ROW requirements on this so that NLLD can help the Town pursue funding during the coming year. NLLD also plans to bring the Parish and LP DD#1 into the search for funding, which has not happened yet.

D. Choupic Project Area: Nothing to report

E. St. James Project Area: D. Bourgeois and A. Ostheimer reported NLLD is developing items in the PA via this drainage study by Duplantis Design Group (DDG). The 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. Now, real conditions will be measured during rainfall events.

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. The contractor is currently dredging in the Laurel Valley Canal which is the last area for this project and expect them to be complete soon. T. Allen made a motion, seconded by R. Pitre to approve payment of pay request #14 in the amount of \$111,769.40 from Sealevel Construction, Inc. as recommended by the project engineer. No discussion or public comment. A Roll Call vote was taken. 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. GIS will perform surveys of the cross sections to record the settlement.

Des Allemands Bulkhead Project: D. Bourgeois and A. Ostheimer reported All South Consulting Engineers (ASCE) is monitoring the small sloughing area. 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. Entergy is still working on the moving of the power lines. NLLD is not sure why, but Entergy had an oversight on the moving of the secondary line which but is being moved. Sealevel has mobilized 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'. NLLD partially accepted a portion of the project that was completed to template and will not have any construction activity on for the remainder of the project. They will continue to work on the areas heading towards the Company Canal. The project is looking good and the material is holding up better than expected. The NLLD requested All South Consulting Engineers (ASCE) to perform some additional geotechnical analysis on the 4,000 LF section NLLD was only going to obtain a +5 elevation as opposed to the +7 on the remainder of the project. Based on initial feedback NLLD is hopeful to be able to execute a change order with the contractor to raise this section to a +7' and not come back under separate contract later. This would be a huge cost benefit to the NLLD and give greater protection in an accelerated timeframe. A. Peltier made a motion, seconded by R. Foret to approve payment of pay request #8 in the amount of \$177,070.50 from Onshore Materials, LLC as recommended by the project engineer. No discussion or public comment. A Roll Call vote was taken. Motion passed unanimously.

Natural Gas FDA Levee Improvements: D. Bourgeois and A. Ostheimer reported the other half of the protection for the Gheens Community is the Natural Gas FDA. This project, like Jessie Dufrene, it is a prime candidate for GOMESA funds. That strategy appears successful as the Draft Annual Plan indicates \$2.275M in GOMESA funds available this year (FY2021) for this project. This funding becomes available if the State adopts the CPRA Annual Plan. All South Consulting Engineers is continuing to work on the final design for this project with a plan of bidding the project out later this year. There is a verbal agreement

with RRS for access, but NLLD still must execute a formal agreement. NLLD has also executed agreements with a couple of the pipeline companies. There are still quite a few items to finalize it is moving in the right direction. Based on funding availability from CPRA it is planned to move toward bidding in July or August.

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 the CPRA on project details to help shape the action for the Corps' new start design funding. NLLD wants to be able to be sure that the Corps' efforts 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. More on this when it is all scoped out. The CEA is being updated with the LBLD to continue efforts on the design as budgeted for. Because it is a budgeted item, there is no need for any further action by the board to allow Cory to sign that document when completed.

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. Onshore Materials, LLC was awarded the construction contract at NLLD's March meeting. All contracts have been executed and a Notice to Proceed has been issued for May 18th to Onshore Materials, LLC.

Morganza to the Gulf Eastern Tie-in, reach 2 Interim Improvements: D. Bourgeois and A. Ostheimer reported NLLD was working on this project to get its scope into a shovel ready format. The State's Annual Plan includes \$3M for this project available through State Surplus funds. If the Annual Plan gets approved, the funds can be accessed. NLLD is not sure how surplus funds will be raided given the State's current budget situation with COVID-19 and the low price of oil. NLLD is continuing to move forward; but cautiously and will not pull the trigger until certainty of funding. GIS has submitted the preliminary report for the MtoG Reach 2 project. The NLLD is currently reviewing but the project appears ready to move forward. There is surplus money from the state, if NLLD receives that financial support, NLLD will be ready to move this project forward to bidding and construction ASAP.

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 the Parish to prevent possible damage from over pumping. NLLD has initiated the pump alert system in-house. NLLD is receiving a report everyday which list all the pumps currently outside the pump-off elevation. NLLD plans on continuing to vet the system and refine as necessary over the next month. The recent weather was an opportunity to see what needs improving.

Morganza to the Gulf (MTG), Larose to Lockport Feasibility Report: D. Bourgeois and A. Ostheimer Mitch Marmande with Delta Coast (DCC) is working on the design of the actual alignment of the levee within the District and to file the permit application. DCC had previously submitted the permit application for Reach 4 and Reach 1. DCC will continue to reply and submit additional information as necessary to the comments submitted. They are also working through the archaeological process for section 106 compliance.

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 framed up at all levels of the Corps. 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. The re-programming request for that effort was received on March 6th and they are working on a schedule for completion. NLLD expects to have future meetings with OMB and other departments to garner support around the Morganza project. D. Bourgeois said he and Cory met with LA legislators' offices in March and feel they have pushed the urgency of garnering the funding for this project and need to continue doing so. NLLD is working on getting a joint meeting with Representatives Scalise and Graves and Senators Kennedy and Cassidy. 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 went to bid, and bids were received. However, all bids received were well over the total budget for the project. NLLD has looked at the reasons for that and discussed alternatives between the three Districts and the State. Collectively, all have decided to break the project in two (receiving Structure separate from the Barge) and re-advertise. SLLD, who is handling this project, has put that plan in action and there should be more to report at the next meeting.

J. Equipment: A. Ostheimer gave an update on equipment issues during the last month: The MBI Buggy is mobilizing at Reach B. Wilco is being reconstructed. The "Taz" unit is being reconstructed by MBI and expecting delivery of this unit in June.

K. General Items – Items for discussion or information as follows: A. Ostheimer presented photos and gave explanations on the following projects: LtoL Reach B; Jessie Dufrene; TLBB Element 2- phase 1 & 2; LtoL C4, C5, D1; Edna Barrios; Parr Larose Pump Station; Des Allemands Pump Station

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:

NLLD on several LPG Conference Calls: 4/21, 4/28, & 5/12

Meeting with LPG President (Archie): 4/23

BIG Webinar Call: 4/29

CPRA CAT Meeting (call): 4/30

WRDA/MAC Zoom Call: 4/30

Finance & Priority Committee: Commissioner K. Matherne reported that the Finance and Priority Committee met on . 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. At that same meeting, the F&P committee reviewed the Proposed 2020 Budget prior to recommendation of adoption to the full board.

Accounts Payable: A motion was made by K. Matherne, seconded by E. Pitre to accept the Payables Report as given. No discussion or public comment. A Roll Call vote was taken. Motion passed unanimously via a roll call vote.

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

The Board President called for additional public comments; there were none.

The Board President announced the next Regular Monthly Board Meeting will be tentatively at 5:30 PM, or immediately following the 5:15 PM F&P committee meeting, on Tuesday, June 16, 2020 at the

District's office located at 3862 Highway 1, Raceland, LA or virtually until further notice. The meeting was unanimously adjourned at 6:38 PM on motion by E. Pitre, seconded by R. Pitre.

/s/Cory Kief, President

/s/Dwayne Bourgeois, Executive Director