

Minutes of the Regular Monthly Board meeting of the North Lafourche Conservation, Levee & Drainage District, June 16, 2020

A virtual and on-site meeting was conducted on June 16, 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 Proclamation No. 74 JBE 2020 and JBE-75-2020 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 5:22 PM on Tuesday, June 16, 2020. Commissioner Kenney Matherne led the assembly in the pledge and Tim Allen offered the Invocation. Board President Cory Kief called roll. Commissioners participating were: Tim Allen, Louis Andolsek, Rodney Foret, Percy Gasery, Cory Kief, Darcy Kiffe, Kenny Matherne, Elmo Pitre, and Robert Bob Pitre. Commissioners Adley Peltier and Susan Testroet- Bergeron were 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 R. Foret, seconded by D. Kiffe, to approve the minutes as written for the following virtual meetings of May 19, 2020 Finance & Priority Committee and the May 19, 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 and recommendations by the LA state.

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 has a meeting planned to discuss this project and the NOPET process on June 23rd with DDG.

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 the final report to the NLLD for review. NLLD will discuss any comment with DDG at the June 23rd meeting. At that point DDG will perform any necessary revisions or final updates and will submit the report to NSU to become part of the Master Plan.

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 is continuing through the process and expect issuance in the next 30 days. LCI is continuing to work on the right of ways and design of the project, which must be worked through a bit. NLLD is still expecting to move into the bidding and construction phase in the late 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 not submitted the retainage request; all that remains for this phase is to receive the clear lien certificate and process the retainage. For phase 2, Lemoine Company, LLC is continuing to excavate the first cut of the new canal, fill in the old canal, and remove the muck. They currently have about 600 LF left to complete the first cut. Lemoine will still have two additional cuts to make on the project to get the canal to design. They are continuing to work but are a bit behind schedule with hopes they will close the gap in the next two cuts. K. Matherne motioned, seconded by D. Kiffe to approve payment of pay request #6 in the amount of \$116,013.18 from The Lemoine Company, LLC as recommended by the project engineer. No discussion or public comment. Motion passed unanimously via a roll call vote.

Cyprien FDA Channel Improvements: D. Bourgeois and A. Ostheimer reported T. Baker Smith has submitted a review set of plans and the NLLD has reviewed the plans. TBS is finalizing the cost estimate and NLLD plans meeting with them in the next two weeks to move this forward. Lafourche Parish Gov. does have the Cyprien pump running. However, they had to pull and rework two of the pumps.

US90 at Bayou Folsé: 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 Folsé on both sides. Byron E. Talbot Contractor, Inc. has backfilled the channel and installed the culverts. Prior to the rain events they had this system open and able to flow to both pump stations in this system. The weather has slowed them down over the last three to four weeks. R. Foret motioned, seconded by L. Andolsek to approve payment of pay request #2 in the amount of \$348,449.76 from Byron E. Talbot Contractor, Inc. as recommended by the project engineer. No discussion or public comment. Motion passed unanimously via a roll call vote.

Crest Pump Stabilization: D. Bourgeois and A. Ostheimer reported Crosby Dredging, LLC is the contractor on this project. This project is currently in the clear lien period. R. Pitre motioned, seconded by D. Kiffe to approve Change Order No. 1 with net decrease of \$4,343.96 as requested by Crosby Dredging, LLC and recommended by the project engineer to balance quantities. 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. L. Andolsek motioned, seconded by E. Pitre to approve payment of pay request #3 in the amount of \$35,013.64 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 was the contractor on the levee portion of this project that was completed and closed out as of last month.

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 is working the levee into section in the area between the structure and the Edgar Guidry Pump Station. This work is shaping up well and expecting to be able 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 perform a lift for this length of levee for that cost in the future. NLLD was hoping to present a change order for the Board's consideration this month, but it is still finalizing. N. Angelette with Angelette Picciola, LLC has been working with Entergy along with a couple of adjacent landowners in the areas around the pipeline and the Entergy transmission lines to finalize the work in this area. This is progressing well, and NLLD hopes to incorporate a change order into the project for this work also. Both change orders will be sizeable, but NLLD is working to keep them within the current and future budgets allocated for the project. Discussion ensued about the

cost for material already being in the updated budget and about the new berm shape and slope level. There will be an electric fence on the flooded side of the levee to prevent the cattle from walking on the levee.

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 has installed the discharge pipe at the Parr/Larose pump station. This is the last contract item for this project with hopes of a substantial completion inspection and start the new pump in next weeks. Discussion ensued about the necessity of the size of the new pump.

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 have 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 with about a month left of work due to weather. NLLD has worked with Picciola to make some adjustments to the overall Reach B design of the Phase 1 and Phase 2 to get the project cost down approximately to \$2.3M while maintaining the 7.5' design. Currently Picciola is working on revising the permit for this 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 LCI to advance the design and ROW requirements to help the Town pursue funding during the coming year and plan to bring the Parish and LP DD#1 into the search for funding. NLLD is working to arrange a meeting on this next week.

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. NLLD and DDG have been waiting quite a few months to gather the input information. There are a couple of rain events to look at will be discussed with DDG on June 23rd.

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. NLLD is working on the development of Phase 2 with the intent to make further improvements in elevation and stability of this levee. NLLD has been pushing the extension of this project to be ready to go with the State for some time. CPRA has included \$1M for this project available this year (FY2021) in its Annual Plan coming from GOMESA. These funds will be available if the Governor signs HB2 which has passed in both houses. LCI is continuing with design for this project. With funding availability, it is expected to go out for bid later this summer.

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 and is dredging in the Laurel Valley Canal which is the last area for this project. Currently they are down for maintenance but once up and running again, they only have about 4000 LF left to dredge. R. Foret motioned, seconded by L. Andolsek to approve payment of pay request #15 in the amount of \$65,542.78 from Sealevel Construction, Inc. as recommended by the project engineer. No discussion or public comment. Motion passed unanimously via a roll call vote.

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. Outer Limit Contractors will install the remainder of the material to bring the levee up to template. There was some settlement but it was very minor so this last bit should complete the project.

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. Sealevel has removed the old station and installed the piles and bents for the station. Work is progressing well after getting off to a slow start. Discussion ensued about the pump capacity and how NLLD has good understanding of how water moves in the area. K. Matherne motioned, seconded by E. Pitre to approve payment of pay request #1 in the amount of \$92,281.09 from Sealevel Construction, Inc. as recommended by the project engineer. No further discussion. A member of the public thanked the NLLD for this project in the area. Motion passed unanimously via a roll call vote.

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 will continue to work on the areas heading towards the Company Canal. Ahead of the Tropical Storm, Onshore checked to make sure the levee height was better than when starting and open up the drainage channel a bit to make sure the FDA could handle the expected rain. There will be a change order for this at next month's meeting. Overall, the project is looking good and the material is holding up better than anticipated. NLLD is waiting on the additional Geotech work to try and get the entire levee up to 7' elevation and hope to have that in the next couple of weeks. It would be a huge cost benefit to the NLLD and give greater protection in an accelerated timeframe. E. Pitre motioned, seconded by R. Pitre to approve Change Order No. 3 to extend the construction period to December 29, 2020 due to 68 days for additional construction time due to rain/wet days as requested by Onshore Materials, LLC and recommended by the project engineer. No discussion or public comment. Motioned passed unanimously via a roll call vote. T. Allen motioned, seconded by R. Foret to approve payment of pay request #9 in the amount of \$152,449.11 from Onshore Materials, LLC as recommended by the project engineer. No discussion or public comment. Motion passed unanimously via a roll call vote.

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 and 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. These funds will be available if the Governor signs HB2, which has passed in both houses. 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. NLLD must execute a formal agreement with RRS, and there is a verbal agreement. Based on the funding availability from CPRA the bidding of the project is planned for 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 has been 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 which will be given to him.

H. Valentine - East Project Area:

New Valentine/Ludevine FDA: D. Bourgeois and A. Ostheimer reported the contractor for this project to stabilize about 5,500 feet of the levee running from Hamilton St. in Larose towards the Ludevine Pump Station along the Blackwater Canal. Onshore has mobilized and started clearing the project. Work was progressing except for the weather. They will continue clearing along with beginning to excavate and process the material for the project. Discussion ensued about using an adjacent borrow pit for material. L. Andolsek motioned, seconded by D. Kiffe to approve payment of pay request #1 in the amount of \$49,390.50 from Onshore Materials, LLC as recommended by the project engineer. No further discussion or public comment. Motioned passed unanimously via a roll call vote.

Morganza to the Gulf Eastern Tie-in, reach 2 Interim Improvements: D. Bourgeois and A. Ostheimer reported NLLD engaged with GIS and were working on this project to get its scope into a shovel ready format. The CPRA's Annual Plan includes \$3M for this project available through State Surplus funds. Those Surplus funds got pulled from CPRA as part of the "Legislative Process". However, local delegation worked to get that funding reestablished as non-recurring revenue in HB2. These funds will be available if the Governor signs HB2 which has passed in both houses. So, NLLD is continuing to move forward on this project and will sort this out because this is a new path for receipt of funding. NLLD has received funding from HB2 which goes through the Bond Commission who issues GO bonds to provide cash. This is already cash, so hopefully it is available even quicker. Also, there is a considerable amount of seepage through the levee near the New Valentine Pump Station. NLLD visited the site a few times with John Plaisance and a Contractor as the seepage warrants immediate attention. GIS has submitted the preliminary report for the MtoG Reach 2 project. The NLLD has reviewed the project and will meet to discuss comments with GIS next week. This project can be ready to move forward based on the funding commitment being fulfilled. There was further discussion about the seepage and leak found in the levee and what actions are currently being taken to solve the problem.

I. Regional/Other Capital Projects:

Pump Station Study: D. Bourgeois and A. Ostheimer reported this is extending NLLD influence into the proper operation of the pumps in Lafourche Parish to prevent possible damage from over pumping. NLLD has initiated the pump alert system and have gathered a tremendous amount of information over the last few rain events. This will be an outstanding tool for the NLLD to not only monitor the water levels in the systems but also to assess the efficiency of these systems. We are planning a meeting in house to discuss the pump off elevations then discuss with LPG. T. Baker Smith will install monitors for the external water levels around the district. These will be fantastic tools to monitor the stress on the levee systems. Commissioner T. Allen requested a map showing where the outside monitors would be and a dollar value.

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. The NLLD requested DCC hit the brakes on Reach 4's permit based on a need to reassess the construction plan for this reach.

Morganza to the Gulf: D. Bourgeois reported NLLD is working on a sustained new push to find funding for the federally authorized Morganza to the Gulf Project which now comes into the jurisdiction of the NLLD. This push included a re-evaluation of their estimated cost of the project. We have been working at all levels of the Corps, LA Delegation in DC, State legislators and others in this effort. There is buy-in

from the Corps on the revised project cost and implementation. 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 those tasks which are scheduled for completion in March and April of next year. That would put it in line for the next budget cycle. There will be meetings with OMB and other departments to garner support around the Morganza project. D. Bourgeois and C. Kief met with legislators' offices in March and pushed the urgency of garnering the funding for this project and need to continue doing so. Next is getting a joint meeting with Representatives Scalise and Graves and Senators Kennedy and Cassidy. Things are positive, but pressure needs to be put on this issue to get the goal of federal funding.

Morganza to the Gulf (MTG), Reaches K & L and Structures: D. Bourgeois reported 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 was broken into two pieces and went to back out to bid and were received. SLLD, has awarded both contracts to Sea Level Construction within the estimate. There will be a Reach K&L meeting here at the office on June 24 with all three regional levee districts, engineers, landowner, WL&F and CPRA to walk through all phases of completing some part of the MtoG system from Terrebonne to Lafourche via reaches K&L based on received funding.

Resolution For Consideration of the Board: L. Andolsek motioned, seconded unanimously to approve a resolution to support the request of the Louisiana State Legislators memorialized as Senate Concurrent Resolution (SCR) No. 75 asking the North Lafourche Levee District, and others, to agree to name the new Morganza to the Gulf Grand Bayou Floodgate in Lafourche Parish as the "Reggie P. Bagala Floodgate" in honor of the late District 54 State Representative. No discussion or public comment. Motion passed unanimously via a roll call vote.

J. Equipment: A. Ostheimer gave an update on equipment issues during the last month: There were no big expenses this month. However, there is going to be a track job with the MBI next month which will cost about \$70,000. NLLD is going look at the Taz machine Thursday morning, which is expected to be ready in July. Wilco is working on the refurbishment on the big marsh buggy.

K. General Items – Items for discussion or information as follows:

Tropical Storm Cristobal: D. Bourgeois gave an update on Tropical Storm Cristobal and stated everything turned out okay. NLLD was very prepared and the response from the public was positive.

Photo Presentation: A. Ostheimer presented photos and gave explanations on the following projects: LtoL Reach B; Crest Pump Station; Jesse Dufrene; TLBB Element 2- phase 1 & 2; LtoL C4, C5, D1; Edna Barrios; Hwy 90; Des Allemands Pump Station; Reach 2; Reach B; T-Bois; West Theriot Canal

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:

Legislative Conference Call: 5/20

CPRA Virtual Board Meeting: 5/20

MAC Virtual Board Meeting: 5/26

SCIA Webinar w/ Senator Cassidy: 5/27

GOHSEP Conference Call: 5/3

General Toy Call: 5/4

Governor's Advisory Committee Virtual Meeting: 5/10

BIG Webinar: 5/16

Finance & Priority Committee: Commissioner K. Matherne reported that the Finance and Priority Committee conducted a virtual meeting on May 19, 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: 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, July 21, 2020 at the District's office located at 3862 Highway 1, Raceland, LA or virtually until further notice. The meeting was unanimously adjourned at 7:36 PM on motion by R. Foret, seconded by R. Pitre.

/s/Cory Kief, President

/s/Dwayne Bourgeois, Executive Director