

Minutes of the Public Hearing and Regular Monthly Board meeting of the North Lafourche Conservation, Levee & Drainage District, October 20, 2020

Regular Meeting: The Regular Monthly meeting of the North Lafourche Conservation, Levee and Drainage District Board of Commissioners was called to order on October 20, 2020 by Mr. Cory Kief, Board President, at 5:20 PM. The meeting was held at the District's office at 3862 Highway 1 in Raceland. President Kief called roll. Commissioners present were: Timothy Allen, Louis Andolsek, Rodney Foret, Percy Gasery was present at 5:25, Cory Kief, Darcy Kiffe, Kenney Matherne, Adley Peltier, Elmo Pitre, Robert Pitre, and Susan Testroet-Bergeron. Others present were NLLD Executive Director Dwayne Bourgeois; NLLD Project/Program Manager Arthur Ostheimer; NLLD Administrative Assistant Madonna Viguerie; Executive Assistant Katie DeRoche; Attorney Pat Amedee, and various engineering professionals.

Election of Officers: Cory Kief stated the NLLD Board will hold an election of officers for the term beginning November 1, 2020 and ending on October 31, 2021 for President, Vice President and Secretary/Treasurer. Cory Kief opened the floor for all nominations. L. Andolsek made a motion, seconded by E. Pitre to elect the present slate of officers for the November 1, 2020 - October 31, 2021 term as currently seated, with Cory Kief as President, Tim Allen as Vice President and Kenney Matherne as Secretary/Treasurer. President Cory Kief, Vice President Tim Allen, and Treasurer Kenney Matherne accepted the nomination. With no further discussion, the motion passed unanimously. With there being no more nominations, E. Pitre made a motion, seconded by S. Bergeron to close nominations and to re-elect the current slate of officers. No discussion or public comment. Motion passed unanimously.

Approval of Minutes: Motion was made by E. Pitre, seconded by D. Kiffe, to approve the minutes of the following meetings: September 17, 2020 Finance & Priority Committee, September 22, 2020 Finance & Priority Committee, and September 22, 2020 Regular Board. No discussion or public comment. Motion passed unanimously.

COVID-19 State of Emergency: D. Bourgeois gave an update to the commissioners on COVID-19 impacts to operations. D. Bourgeois stated the NLLD will no longer offer virtual attendance meetings; however, NLLD is following the current guidelines from Proclamation No. 134-JBE-2020.

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 growth in this area.

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. NLLD met with DDG and one of the landowners to discuss the project on October 1st. He was receptive to the right of way but wanted to meet with his attorney and get assurances that the agricultural operation would not be affected. NLLD is currently researching the existence of any right of ways along with identifying some remaining landowners with right of ways needed. Once NLLD has that information, NLLD will meet with some of the additional landowners to try and secure Row's.

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 is currently finalizing the report and has reached out to NSU to discuss the recommendations in the study. NLLD met on Friday with NSU to present the findings of the study. NSU appreciated the NLLD efforts. Based on the study there was a few phased recommendations including a capital improvement project for the campus that will alleviate their major current issues and set them up for future development including the new Coastal Center. How, when, and by who this is funded and push forward remains to be determined. There may be a way to find cost share.

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 with the design work. The permit for this project has been issued. LCI is continuing to work on the RoWs and expects to execute two of the three next week. The design is progressing and is close to being completed and expected to move into the bidding and construction phase in November or December of this year.

TLBB Element 2, (Lockport to Mathews Levee Improvement Project): D. Bourgeois and A. Ostheimer reported the Lemoine Company, LLC is the contractor on Phase II which is the canal relocation and berm construction. Like Phase I, this phase is included in an IGA with CPRA for GOMESA funds reimbursement. For Phase II – Lemoine has started working on the 2nd and 3rd excavation cuts. They have completed the area between Twin Oaks and 40 Arpent Canal and currently working in the 40 Arpent Canal. They are behind and plan to bring in a second crew. A. Peltier motioned, seconded by P. Gasery to approve payment of pay request #10 in the amount of \$157,783.06 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 TBS has submitted a final design for NLLD to review. NLLD will be soliciting proposals for the project next week. The estimated cost for this work is around \$135,000.00 which will be performed as maintenance work.

US 90 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 (BET) Contractor, Inc. is the contractor. LCI and the NLLD had a substantial completion inspection on October 14th at which time all parties agreed the project was substantially complete. LCI has generated the punch list for the project and submitted a recommendation for substantial completion along with a pay request for the Board's consideration. L. Andolsek motioned, seconded by K. Matherne to approve payment of pay request #6 in the amount of \$171,265.98 from Byron E. Talbot Contractor, Inc. as recommended by the project engineer. No discussion or public comment. Motion passed unanimously. E. Pitre motioned, seconded by D. Kiffe to accept the Certificate of Substantial Completion from Byron E. Talbot Contractor, Inc. as recommended by the project engineer. No discussion or public comment. Motion passed unanimously.

Levee at Raceland 3 of 12: D. Bourgeois mentioned that a citizen put a cut in the levee at Raceland 3 of 12 for a crawfish pond and this is a criminal act. NLLD Attorney Pat Amedee discussed possible penalties as a consequence for this damage to the property.

C. Lockport - Larose Project Area:

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 continuing to shape the levee and is currently working about 1800 LF past the Entergy transmission lines. The agreement for the borrow pit for the work around Entergy lines, Pipeline, and pump station has been executed and is expected to begin excavating material ASAP. R. Foret motioned, seconded by L. Andolsek to approve payment of pay request #26 in the amount of \$80,362.07 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. The project is currently in the clear lien period and all work is complete.

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. Outer Limit Contractors is continuing to on some of the grading. Majority of the work has been completed and it is expected Outer Limit will complete all work in the next couple of weeks. Picciola & Associates is monitoring the permit submission.

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 plans to bring the Parish and LP DD#1 into the search for funding.

D. Choupic Project Area:

East 80 Arpent (Dixie Canal): D. Bourgeois and A. Ostheimer reported NLLD the re-powered Deep-water Marsh Buggy is being used for some long term and long overdue maintenance dredging. Sealevel is continuing to clear the existing spoil bank which should be completed by the end of this week or early next week. The NLLD newly refurbished Wilco is continuing to remove trees and other items from the canal in preparation to begin dredging. The dredging should begin once the clearing is completed by Sealevel. L. Andolsek asked if NLLD will be the entity to keep the banks clean. A. Ostheimer said NLLD hopes to include this work in the ROW vegetation maintenance and Drainage District #5 stated it will assist. T. Allen stated the local districts should be responsible for this maintenance work. D. Bourgeois responded NLLD is cooperating better with the LPG and local districts to keep the responsibility on this work fair.

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. To remind everyone, the plan here 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. NLLD met with DDG and discussed some potential improvement projects for the area. Although quite a few were not immediately needed, NLLD did identify a couple maintenance projects to look at moving forward.

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 of this project with the intent to make further improvements in elevation and stability of this levee. NLLD has been pushing the extension of this project as something to have 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 and the IGA is with CPRA for execution. LCI has almost completed the design for the project. Once CPRA executes the IGA NLLD will forward plans and specifications to them to get concurrence to go forward with bidding of the project likely at the end of November.

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. Substantial completion was accepted in July. Sealevel has provided the Clear Lien Certificate and punch list items. S. Bergeron motioned, seconded by A. Peltier to approve payment of the retainage pay request in the amount of \$80,447.30 from Sealevel Construction, Inc. as recommended by the project engineer. No discussion or public comment. Motioned passed unanimously. S. Bergeron asked about the GOMESA funding considering the downturn in the oil and gas industry. D. Bourgeois said there is a concern about this issue. NLLD is still dedicated to getting GOMESA funds. However, it is difficult to foresee how abundant the funds will be. C. Kief said this is determined by the amount of production and where production occurs from certain companies in the Gulf of Mexico.

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 is keeping an eye on this.

Des Allemands Bulkhead Project: D. Bourgeois and A. Ostheimer reported All South Consulting Engineers (ASCE) is monitoring the small sloughing area. The NLLD will have Outer Limit Contractors install the remainder of the material to bring the levee up to template while it is dry.

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. Sealevel has completed the project with the pump being operational. It is currently in the clear lien period. E. Pitre motioned, seconded by K. Matherne to approve Change Order No. 3 to balance to the actual quantities used with a net decrease of \$730.00 and to extend the construction period to August 25, 2020 due to 48 days of rain/wet days as requested by Sealevel Construction Co., Inc. and recommended by the project engineer.

Jesse Dufrene FDA Levee Improvements: D. Bourgeois and A. Ostheimer reported Onshore Materials, LLC is the contractor for this project which is being partially reimbursed with GOMESA funding through CPRA and designed to raise four miles of levee height from +4' to +7'. Onshore is making good progress on the project and is steadily installing embankment onto the levee. Onshore did work with NLLD as the storms approached to make sure that the elevation was as good as when the project was started. Onshore will continue to process, haul, and install material. P. Gasery motioned, seconded by A. Peltier to approve payment of pay request #13 in the amount of \$65,658.30 from Onshore Materials, LLC as recommended by the project engineer.

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. NLLD had been working to have this project framed up because, like Jessie Dufrene, it is a prime candidate for GOMESA funds. NLLD is waiting on CPRA to execute the IGA. ASCE is performing a final QA on the plans and specs and will have them ready to submit for concurrence from CPRA.

Upper Barataria Risk Reduction (UBRRP) Project: D. Bourgeois reported this project is included in the State's Master Plan for 2017. 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. NLLD had a call with the Design team and the LBLD about continuing the design work next year in the same arrangement as it has been and will propose that in the next year budget. Field and Design work has been progressing well on this project.

H. Valentine - East Project Area:

New Valentine/Ludevine FDA: D. Bourgeois and A. Ostheimer reported Onshore Materials, LLC is 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 completed the clearing and is steadily processing material for installation. Onshore has completed the clearing and is steadily processing material for installation. Onshore did have to pull some material up on the levee based on the water elevation associate with TS Beta. In order to do this, work a marsh buggy had to be brought in. Picciola has a recommendation for a change order that will cover the transport cost of the marsh buggy and for the contractor's pay request for the Board's consideration. E. Pitre motioned, seconded by A. Peltier to approve Change Order No. 1 with a net increase of \$7,077.50 for additional work related to Tropical Storm Beta emergency work as requested by Onshore Materials, LLC and recommended by the project engineer. No discussion or public comment. Motioned passed unanimously. D. Kiffe motioned, seconded by R. Foret to approve payment of pay request #5 in the amount of \$51,848.63 from Onshore Materials, LLC as recommended by the project engineer. No discussion or public comment. Motion passed unanimously.

T-Bois Levee FDA: D. Bourgeois reported NLLD had Picciola survey the area of the levee from Hamilton St. to North American Shipyard to assess the current level of protection. NLLD budgeted money for

some maintenance of this levee and appears we will be able to move forward with this work. Picciola has submitted the cross sections of the levee and it appears the elevations are between 5' and 7' of protection. NLLD asked Picciola to determine a section to bring the elevation to 7.5' for this levee. NLLD expects to move forward with this work as a maintenance project in the next few weeks.

Morganza to the Gulf Eastern Tie-in, reach 2 Interim Improvements: D. Bourgeois and A. Ostheimer reported the CPRA will provide \$3M for this project available through State Surplus funds. NLLD is working with CPRA to get the IGAs finalized. GIS has submitted a preliminary design for the NLLD's review. NLLD plans on meeting with them to discuss in next couple of weeks. NLLD is also working on the IGA with CPRA for the project and expect to have this project ready for advertisement near the end of the year. GIS is evaluating the Ludevine and New Valentine FDA along with the Pump Stations and expect GIS to submit that information in the near future.

Morganza to the Gulf Eastern Tie-in, Reach 3 Interim Improvements: A. Ostheimer reported TBS has submitted some preliminary templates for the levee section for this reach. NLLD is currently planning to perform a wetland delineation to ascertain what the impacts will be for construction of the levee improvements. This reach has minimal elevation (2'-3') in various sections along with a lesser footprint than Reach 2 or Natural Gas which will force a change to the approach for this reach. A predominant portion of this project is on property belonging to RRS and NLLD is planning on discussing the project with them when finalizing the RoW for the Natural Gas project which was rescheduled due to the hurricane.

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. The pump station monitoring is running well.

Morganza to the Gulf (MTG), Larose to Lockport Feasibility Report: D. Bourgeois and A. Ostheimer reported Delta Coast (DCC) is working on the design of the actual alignment of the levee within the District and to file the permit application.

Morganza to the Gulf: D. Bourgeois reported NLLD is working on a sustained new push to funding the federally authorized Morganza to the Gulf Project which now comes well into the jurisdiction of the NLLD. D. Bourgeois stated he traveled to DC on September 28-30 for the MVFC Association's Fall Legislative Meetings. While most things are still shut down, he was able to meet at length with majority of LA Delegation and several key members of the USACE. Since the Corps is all in, the push is now Congress on both the House and Senate, making sure they are engaged and updated with the project. This trip was needed to move the ball a bit. 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. As previously discussed, the project was broken into two pieces and went back out to bid, and bids were received. SLLD has awarded both contracts to Sea Level Construction within the estimate. For Hurricane Delta, as an emergency operation, the three levee districts and the CPRA agreed to sink a barge in the Grand Bayou Canal about a hundred feet from where the future Grand Bayou floodgate will soon be constructed. Less water came into the Gulf Intracoastal Waterway and storm surges were reduced. Laura Barnes with GIS mentioned before the water came in from the storm, it was already holding back one foot of water. C. Kief thanked Terrebonne Levee District, South Lafourche Levee District, GIS and all companies involved with making this emergency operation happen.

J. Equipment: A. Ostheimer gave an update on equipment issues during the last month: The track job

on the MBI buggy is finished, the new buggy is expected to be delivered next week.

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

Photo Presentation: A. Ostheimer presented photos and gave explanations on the following projects: New Ludevine Levee; T-Bois Levee; Hwy 90; LtoL C4, C5, D1; Dixie Canal; Jessie Dufrene

Capital Outlay Request: D. Bourgeois gave an update on Capital Outlay Requests. The following projects have had letters of support: Morganza to the Gulf Eastern Tie In, Reach 3; Morganza to the Gulf Eastern Tie In, Ludevine/New Valentine Pump Station Replacement; Raceland Prairie Levee Improvements; Jesse Dufrene/Homeplace FDA Phase II; and Natural Gas FDA. Phase II.

Association of Levee Boards of Louisiana (ALBL) Annual Meeting: The ALBL will not be conducting the annual business meeting in December due to social distancing restrictions.

MAC: Appoint New NLLD MAC Board member: Earlier today, MAC modified its By-Laws to two Board Positions on the Board of Directors that needs to be filled with NLLD Board Members. The Board had previously appointed Cory Kief into the one position. At the time, although there was an actual term of 1 year, it was assumed that due to the nature of this MAC board and its singular objective the appointment would repeat so long as the appointed member was willing and was completing the task of representing the NLLD. Typically, this was discussed each year at the renewal of financial support for the organization which has already been discussed this year. Discussion ensued about who would be appointed as the second MAC Board member from the NLLD Board. T. Allen and P. Gasery were nominated to serve. P. Gasery voiced his interest and qualifications for being on the MAC Board. A vote was conducted which resulted in a tie. A coin toss was conducted. Tim Allen was named as the new member of the Morganza Action Coalition Board of Directors representing the North Lafourche Levee District. All board Members were encouraged to attend the MAC meetings whenever possible.

State Mandated Ethics Training and Sexual Harassment Prevention Training: D. Bourgeois stated this is a notice to any of the board members interested in attending the live training to satisfy the annual ethics requirement. The live ethics training will be presented on Wednesday, October 28th at 2:00 PM at the Warren Harang Civic Center in Thibodaux. Masks will be required, and social distancing protocols will be in place. Otherwise, the Board can complete the annual training online. Additionally, NLLD now has access to Sexual Harassment Prevention training through an online portal provided by the District's insurance policy. D. Bourgeois and Madonna are reviewing this to be sure that NLLD is adopting and offering something that is in full compliance with the States requirements. NLLD is pretty sure this would have to be incorporated into NLLD's Employee Handbook (policy) and maybe the By-Laws at some point and that may require a meeting of the Legal and Development committee or may be taken up by the full Board. NLLD will be sorting that out as there is simply not a bunch of guidance on this. In the meantime, Peggy will be communicating with the Board to coordinate a schedule with those interested in viewing the videos for both training requirements at the NLLD office instead of using the online options.

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:

Meeting with Senator Mike Fesi: 9/24

MVFCAs DC Legislative Meetings: 9/28 – 9/30

BIG Luncheon: 10/15

MAC Meeting: 10/20

Finance & Priority Committee: Commissioner K. Matherne reported that the Finance and Priority Committee conducted a meeting on September 22, 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

Minutes of the October 20, 2020 NLLD Regular Monthly Meeting

Report as given. No discussion or public comment. Motion passed unanimously.

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

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

The Board Vice President announced the next Regular Monthly Board Meeting will be at 5:30 PM on Tuesday, November 17, 2020 at the District's office located at 3862 Highway 1, Raceland, LA. The meeting was unanimously adjourned at 7:00 PM on motion by T. Allen, seconded by E. Pitre.

/s/Cory Kief, President

/s/Dwayne Bourgeois, Executive Director