

Minutes of the Public Hearing and Regular Monthly Board meeting of the North Lafourche Conservation, Levee & Drainage District, November 17, 2020

The Regular Monthly meeting of the North Lafourche Conservation, Levee and Drainage District Board of Commissioners was called to order on November 17, 2020 by Mr. Tim Allen, Board Vice President, at 5:25 PM. The meeting was held at the District's office at 3862 Highway 1 in Raceland. The pledge and invocation were both led and given by T. Allen. Vice President Allen called roll. Commissioners present were: Timothy Allen, Louis Andolsek, Rodney Foret, Cory Kief at 5:35 pm, Darcy Kiffe, Adley Peltier, Elmo Pitre, Robert Pitre, and Susan Testroet-Bergeron. Commissioners absent were Percy Gasery and Kenney Matherne. Others present were NLLD Executive Director Dwayne Bourgeois; NLLD Project/Program Manager Arthur Ostheimer; NLLD Administrative Assistant Madonna Viguerie; Executive Assistant Katie DeRoche at 5:40 pm; Attorney Pat Amedee, and various engineering professionals.

Approval of Minutes: Motion was made by E. Pitre, seconded by D. Kiffe, to approve the minutes of the following meetings: October 20, 2020 Finance & Priority Committee and October 20, 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. NLLD is following the current guidelines from Proclamation No. 159-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. DDG is continuing to work ascertaining a list of landowners and reaching out to them to work towards the right of way acquisitions. NLLD has met with one of the landowners and will meet again after sugar cane season.

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. There is a significant amount of Thibodaux drainage that passes through NSU campus. DDG is finalizing the report and once complete will forward a copy for the NLLD and NSU's use moving forward.

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. The permit for this project has been issued. Leonard Chauvin P.E., Inc. (LCI) is continuing to work on finalizing the RoW and on the design while the NLLD is waiting for CPRA to finalize the project IGA. We plan on moving forward with bidding the project by the end of the 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. 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. They are currently working toward the Fantastic Acres Pump Station in the 40 Arpent Canal. R. Pitre motioned, seconded by R. Foret to approve payment of pay request #11 in the amount of \$193,496.59 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 is currently soliciting pricing for this work and sending it out this week. 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, and the certificate of substantial completion was accepted last month. BET is continuing to work on the punch list for the project while in the clear lien period for the project. NLLD expects punch list items to be completed and the retainage request by the December meeting. Board President C. Kief arrived at 534 PM and continued conducting the meeting.

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. Onshore is continuing to shape the levee and is currently working towards the southerly end of the project. A/P met with Onshore last week to go over the details for the borrow pit and Onshore plans to begin excavation this week. E. Pitre motioned, seconded by S. Bergeron to approve payment of pay request #27 in the amount of \$117,034.78 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. NLLD is waiting for Crosby to submit the request for retainage.

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 wrapping up the maintenance work on Reach B and that came out well. Picciola is working on the permit modification and finalizing plans for the project. The next step will be to identify funding for the project and move forward with the first phase of construction.

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 has engaged 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. The Town has submitted a Capital Outlay request for funding which NLLD will support.

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. They are currently working their way out grinding the trees that were left on the original pass or thrown up by NLLD’s Wilco buggy. NLLD’s Wilco will continue working out there on the dredging portion of the work.

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. DDG completed the study and identified some projects for the area. These future projects identified will more than likely be performed as maintenance based on the size and scope.

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. Sealevel had provided NLLD with the Clear Lien Certificate last month and the final payment was made. This was a very good project, and the beneficial use of the dredge material was noticed statewide. It is a very good template for NLLD to do additional work like this in the future. So, this is NLLD's last report on this project

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. Outer Limits installed the material and there was some slight movement of the material. There was also quite a bit of rain directly after the work was performed. ASCE will go out and check on the current status and more than likely add some material or maybe rip rap on the wet edge.

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 and includes the construction of a new pump station in Des Allemands and the removal of the existing pump station. The substantial completion certificate was accepted in September. Sealevel is currently in the clear lien period and the station is up and running. Based on feedback from LPG it seems to be doing really well. NLLD expects the retainage request in December.

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 working on wrapping up everything from the Jessie Dufrene Pump Station to Company Canal. This will leave a final section to complete between the pump station and portion that has already had partial acceptance. Onshore will continue to process, haul, and install material. ASCE has submitted a recommendation of payment for the Board's consideration. R. Pitre motioned, seconded by L. Andolsek to approve payment of pay request #14 in the amount of \$147,356.64 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 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. That strategy has been successful as the Annual Plan indicates \$2.275M in GOMESA funds available this year (FY2021) for this project. These funds are available, and the IGA is with CPRA for execution. NLLD is waiting on CPRA to execute the IGA for this project also. ASCE is performing a final QA on the plans and specs and will have them ready to submit for concurrence from CPRA. NLLD met with RRS and the right of way is currently getting executed by them. NLLD will be ready to go to bid as soon as CPRA executes the IGA

and gives concurrence to advertise. T. Allen asked if there are any issues with CPRA executing the IGA. D. Bourgeois responded saying this is a typical process with CPRA and they must sort through the legalities. Upper Barataria Risk Reduction (UBRRP) Project: D. Bourgeois reported this project is included in the State's Master Plan for 2017. The NLLD and the LBLD have been working cooperatively to get this design further down the road. Field and design work have 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 and has accumulated quite a bit of material. NLLD expects them to begin installing this material as most of the excavation has been completed. E. Pitre motioned, seconded by S. Bergeron to approve payment of pay request #6 in the amount of \$45,125.00 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 NLLD will be able to move forward with this work. Picciola has submitted the cross sections of the levee and it appears the elevations were between 3.5' and 7' of protection. However, to get this segment up to 7.5' elevation it will take much more quantity than originally expected as the general average elevation is less than hoped. It will take 19,000 sq. ft of material. NLLD will bid this project out as it is expected to have a construction cost around \$500,000.00. NLLD believes this is necessary since the levee is a priority based on its proximity to the GIWW.

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 met with GIS on November 12th and discussed the pump stations conflict with the project. While NLLD plans on working on the levee as a priority did appear to have significant issue with the existing conditions of the two stations in the FDA. GIS has delivered a report that has confirmed NLLD's concern about the existing conditions and submitted through testing of the stations that the current capabilities are woefully inadequate based on the area. NLLD is continuing to work on this with a holistic mindset for the FDA area as moving forward with the levee project. D. Bourgeois stated the priority for this project is the levee, while there may also be additional funding to relocate the pump station or to prepare for the pump station.

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 and there is significant deficiency (elevation 2'-3') along this alignment. There are areas along the Gayosa Ridge outside the levee that has oak trees and other upland varieties which would keep this from being considered wetlands. NLLD plans on clearing some of these areas along with the levee so that this can be better determined prior to deciding if NLLD will need to apply for a permit for the project.

I. Regional/Other Capital Projects:

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. DCC has modified the Reach 1 permit and submitted the information. They will continue to monitor the permit as it works through the process. As requested at the last meeting, A. Ostheimer has prepared a Power Point presentation that details this entire portion of Morganza to the Gulf so that NLLD can better keep this in perspective along with the work NLLD is

doing, the work NLLD is asking the State to help with and the eventual Federal project in this area. A. Ostheimer and D. Bourgeois presented a detailed presentation to the board on this entire portion of the project to help the commissioners better understand the full alignment.

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. 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. The USACE 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 and everything is on schedule. That would put it in line for the next budget cycle. It is expected to have future meetings with OMB and other departments to garner support around the Morganza project. Since the Corps is all in, NLLD is now pushing Congress on both the House and Senate, making sure they are engaged and updated with the project; There are continuous conversations with staff members and coordinating meetings with legislators as much as possible. Things are progressing every month, there needs to be pressure on this issue to get 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. The TLCD and 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. GIS is taking quotes for removal of the Temporary Barge which should be completed by Early December this year.

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

Equipment: A. Ostheimer reported gave an update on equipment during the last month. The MBI Buggy had a track job done on it since there were issues with the chains. There were no issues with the Wilco and Linkbelt Buggies.

Photo Presentation: A. Ostheimer presented photos and gave explanations on the following projects: LtoL C4, C5, D1; New Linkbelt 130 machine; Jesse Dufrene; New Ludevine Levee; LtoL Reach B; TLBB Element 2

HTV Going Public: D. Bourgeois reported HTV's Going Public Show is next week, Tuesday, November 24 and to let Katie know if anyone is interested in joining the show.

ALBL and MVFCA Annual Meetings: D. Bourgeois reported he will be attending the MVFCA's annual event from December 3-5 in New Orleans. The ALBL December annual event has been canceled. However, there will be an Executive Committee meeting held in Baton Rouge on December 4. Cory will attend, and D. Bourgeois will try to as well via electronic means since MVFCA and ALBL overlap.

Potential Land Acquisition: D. Bourgeois reported for some time now, NLLD has been contemplating the benefits to the District in acquiring a piece of land that will likely be sold at a future Sheriff's auction. During the next week or so, D. Bourgeois will be sending out a prospectus on this acquisition indicating why purchasing this property may be in the District's best interest in both immediate and future District projects. The prospectus will be for information only and not a solicitation of opinion which would have to be expressed in a future public meeting. But D. Bourgeois feels the issue is too complicated and important to not provide information in advance of that discussion. Discussion ensued on purchasing

this piece of property. D. Bourgeois stated that Mr. Logan Babin has had an appraisal done but needs to amend it to include the entire property and then the appraisal needs to be reviewed. He will send this information to the NLLD Board soon. P. Amedee said the NLLD is within rights to accept and purchase the property at the appraised value. The Board members agreed that before a final decision, there needs to be a Special Board meeting to include all board members with further discussion. President C. Kief called for a Special Board meeting on Monday, December 7, 2020 at 5 pm.

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:

CPRA Board Meeting: 10/21

Meeting in Port Fourchon with Governor JBE: 11/6

BIG Luncheon: 11/9

MAC Board Meeting: 11/17

MtoG Update Call with Congressmen Graves' and Scalise's staff: 11/17

Finance & Priority Committee: Commissioner C. Kief reported that the Finance and Priority Committee conducted a meeting on October 20, 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 L. Andolsek, seconded by E. Pitre 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.

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

The Board President announced the next Regular Monthly Board Meeting will be at 5:30 PM on Tuesday, December 15, 2020 and a Special Board meeting on Monday, December 7, 2020 at 5 PM at the District's office located at 3862 Highway 1, Raceland, LA.

Executive Session: R. Pitre motioned, seconded by R. Foret to enter Executive Session, pursuant to LA R.S. 42:17A (1) to discuss the annual evaluations and salary reviews for 2020 of all NLLD employees: Peggy Boudwin, Office Assistant; Dwayne Bourgeois, Executive Director; Glenn Bourgeois, Field Coordinator; Katie DeRoche, Executive Assistant; Arthur Ostheimer, Project/Program Manager; and Madonna Viguerie, Administrative Assistant at 7:26 pm. No discussion or public comment. Motion passed unanimously. R. Pitre motioned, seconded by T. Allen to return to Regular Session at 8:09 pm. No discussion or public comment. Motion passed unanimously. R. Pitre motioned, seconded by T. Allen to take any action authorized by the Board in Executive Session. No discussion or public comment. Motion passed unanimously.

The meeting was unanimously adjourned at 8:11 PM on motion by R. Pitre, seconded by L. Andolsek.

/s/Cory Kief, President

/s/Dwayne Bourgeois, Executive Director