

Minutes of the Regular Monthly Board meeting of the North Lafourche Conservation, Levee & Drainage District, March 16, 2021

The Regular Monthly meeting of the North Lafourche Conservation, Levee and Drainage District Board of Commissioners was called to order on March 16, 2021 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. The pledge was led by Darcy Kiffe, and the invocation was given by Susan Testroet-Bergeron. President Kief called roll.

Commissioners present were Timothy Allen, Louis Andolsek, Rodney Foret, Cory Kief, Darcy Kiffe, Adley Peltier, Elmo Pitre, Kenney Matherne and Susan Testroet-Bergeron. Commissioners absent were Robert Pitre and Percy Gasery. Others present were NLLD Executive Director Dwayne Bourgeois; NLLD Project/Program Manager Arthur Ostheimer; NLLD Field Coordinator Glenn Bourgeois; Attorney Pat Amedee; NLLD Administrative Assistant Madonna Viguerie; Executive Assistant Katie DeRoche and various engineering professionals.

Approval of Minutes: Motion was made by P. Gasery, seconded by L. Andolsek, to approve the minutes of the following meetings: February 23, 2021 Regular Board Meeting and the February 23, 2021 Finance & Priority Committee. No discussion or public comment. Motion passed unanimously.

Formation and Appointments to NLLD Standing and Project Committees: C. Kief stated the Legal and Development Committee has been without a chairperson and would like to make that appointment to get the committee active again. L. Andolsek has requested to be taken off the Legal and Development Committee. C. Kief will wait until P. Gasery is present at the next board meeting to appoint a chairperson and new member.

Creation of a new committee for the Thibodaux Area Drainage Studies & ROW Agreements for the Butch Hill/Twin Oaks FDAs and dirt acquisition: NLLD has had drainage studies conducted in a few areas in the Thibodaux area to assist the City of Thibodaux, NSU, and the Parish in planning and received reports and presentations with modeled improvements and estimates. With the tremendous growth of these areas of the Parish, it is prudent to consider the recommendations and possible partnerships with the City, NSU, and the Parish on some of this work. NLLD is also looking to negotiate with a landowner to consider acquiring rights of ways and material in the Raceland / Mathews area. It was the general consensus of the Board that this would be better taken up by a project committee that will report back to the board. T. Allen motioned, seconded by A. Peltier requesting that the NLCL&DD Board President create and appoint membership to a Thibodaux & Raceland Area Drainage Study Project Committee (a.k.a. TRADS Projects Committee) in accordance with the NLCL&DD By-Laws. The purpose of this committee is to gather information, study and make reports and recommendations back to the full Board concerning: the Nicholls State University Drainage Study, the Waverly Area Drainage study, the North Canal / Rienzi Drainage study, and the Raceland Area Pump Consolidation and ROW / Material Acquisition Issues. The committee will focus on all construction project development based on the studies, required Rights of Ways, land rights and related cost, project benefits, alternatives, potential cost sharing and other funding considerations. This motion hereby authorizes said committee to conduct public meetings for these purposes in accordance with the NLCL&DD By-Laws. No discussion or public comment. Motion passed unanimously. Commissioner Louis Andolsek was appointed Chairperson. Commissioner Susan Testroet Bergeron was appointed Vice Chairperson. Adley Peltier and Rodney Foret were appointed members and Cory Kief is an Ad Hoc, non-voting member.

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. 30-JBE-2021

A. Thibodaux – West Project Area:

Drainage Study: D. Bourgeois reported NLLD is developing items in the PA by extending this drainage study with additional investigations to assist the City of Thibodaux, NSU 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 NLLD project that will create a new major drainage channel functionally parallel to and complimentary to the existing Waverly Ditch NLLD is calling the Waverly No. 2 Channel Project; however, NLLD is faced with challenges from the landowners. In the future, updates on the project will be based on whatever the Committee wishes to report for the project each month. NLLD met with one of the landowners for the tract closest to Talbot on March 9th and presented the offering again. He seemed receptive to the idea, but he needs to discuss with another family member with interest in the property. Hopefully, there is a response from them soon. Heather with DDG is working with NLLD to continue discussions with the next landowner.

B. Thibodaux - Lockport - Bayou Blue Project Area:

NSU Drainage Study: D. Bourgeois stated in the future, updates on the project will be based on whatever the Committee wishes to report for the project each month.

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. CPRA will forward an executed IGA and NLLD should have that soon. CPRA is also in the process of reviewing the plans. NLLD is continuing to finalize the design for the project and have made some comments. Leonard Chauvin P.E., Inc. (LCI) will be addressing those while waiting on CPRA’s comments. Advertisement will likely be in April.

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. Lemoine is continuing to work on the 2nd and 3rd excavation cuts. They have completed the area between Twin Oaks and the 40 Arpent Canal to the Fantastic Acres Pump Station. They have approximately 2000 LF of the project to finish. A. Peltier motioned, seconded by E. Pitre to approve Change Order No. 5 for an additional 18 days to extend the construction period to March 24, 2021 due to weather conditions, as requested by The Lemoine Company, LLC and recommended by the project engineer. No discussion or public comment. Motion passed unanimously. R. Foret motioned, seconded by S. Bergeron to approve payment of pay request #15 in the amount of \$133,178.93 from The Lemoine Company, LLC as recommended by the project engineer. No discussion or public comment. Motion passed unanimously. Cyprien FDA Channel Improvements/Cyprien Discharge Channel Levee Improvements: D. Bourgeois and A. Ostheimer reported Sealevel has started working last Monday and is completing the work on the westside of the discharge channel. NLLD expects this work to be completed in the next few days and then will begin work on the eastside.

US 90 at Bayou Folse: D. Bourgeois and A. Ostheimer reported this project is one with GOMESA funding from CPRA that allowed 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, Inc. (BET) was the contractor. They completed the punch list items and submitted a balancing change order and pay requests. L. Andolsek motioned, seconded by K. Matherne to approve Change Order No. 3 to balance to the actual quantities used with a net increase of \$6,553.10 and to extend the construction period to October 9, 2020 due to 5 days of rain/wet days as requested by Byron E. Talbot Contractor, Inc. and recommended by the project engineer. Discussion ensued about the finish time. No further discussion or public comment. Motion passed unanimously. A. Peltier motioned, seconded by R. Foret to approve payment of pay request #9 in the amount of \$75,809.62 from Byron E. Talbot Contractor, Inc. as recommended by the project engineer. No discussion or public comment. Motion passed unanimously. L. Andolsek motioned, seconded by K. Matherne to approve payment of the final pay request for retainage in the amount of \$94,751.16 from Byron E. Talbot Contractor, Inc. as recommended by the project engineer. No discussion or public comment. Motion passed unanimously.

Butch Hill and Twin Oaks Pump Station and FDA Improvements: D. Bourgeois reported this project is a large project that would combine the Twin Oaks and Butch Hill Pump Station which are both in disrepair along with improving the overall FDAs and performing levee maintenance on the surrounding levees. The Sugarland Country Club was sold by the bank to a local interest. NLLD is working with the new owners to negotiate a right of way on the property for the various drainage improvements and to purchase material to use to improve the levees in the surrounding areas. NLLD is also finalizing the NOPET evaluation for the pump station and FDA improvements for this area and reviewing funding opportunities in coordination with LPG. Future updates on the project will be based on whatever the Committee wishes to report for the project each month.

Raceland Prairie District 2/3 of 12 Seepage Repairs: D. Bourgeois and A. Ostheimer reported this project will address seepage and LCI is finalizing the bid package and expect advertising to begin next week and a recommendation of award at the April 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. Neil Angelette gave an update on the project as requested by the Board last month based on concerns of the change order and project implementation. Neil reported Onshore has been excavating and processing material and will haul the material next week to be utilized as a levee realignment from the pipeline area just passed the Edgar Guidry Pump Station. Neil is scheduled to meet with them on the status of their work and with the Pipeline company for any criteria of crossing the pipeline. D. Kiffe is concerned that the project will not be completed within the 150-day extension order. C. Kief stated to Neil, with agreement from the Board, that the main concern is the contractor operating in a disorganized fashion and seems like they were not being good stewards of time. Onshore has done great work for the NLLD. However, the board is questioning whether this project was managed properly and would like to see from here on that the contractor is better supervised. L. Andolsek motioned, seconded by D. Kiffe to approve Change Order No. 5 for an additional 150 days to extend the construction period to April 23, 2021 due to weather conditions, as requested by Onshore Materials, LLC and recommended by the project engineer.

Lockport to Larose Reach B Levee Project: Picciola & Associates continues to develop the preliminary design and budgets for the proposed three phases of this levee reach. NLLD is currently still waiting on the Corps to process the permit modification. Picciola has submitted the final set of revised drawings for the project for NLLD review and comment.

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 engaged LCI to advance the design and ROW requirements to help the Town pursue funding during the coming year. NLLD has also asked the Parish and LP DD#1 to get involved in the search for funding. The Town has submitted a Capital Outlay request for funding which NLLD will support. NLLD has sent preliminary plans and cost estimates for the work north of Hwy 1, to the Town for their review.

D. Choupic Project Area:

East 80 Arpent (Dixie Canal): D. Bourgeois and A. Ostheimer reported Linkbelt/Wilco Deep-water Marsh Buggy is being used for some long term and long overdue maintenance dredging and is continuing to dredge the canal. Currently it is about 1/3 of the way on the first section which is about 11,500 LF.

E. St. James Project Area: D. Bourgeois reported NLLD is developing items in the PA via this drainage study by Duplant Design Group. The plan here is to allow Thibodaux to develop this area in a proactive, forward looking way and to avoid trying to correct for unplanned difficult drainage issues in the future. Heather Klingman with DDG gave a brief update of DDG's findings from the study. In the future, updates on the project will be based on whatever the Committee wishes to report for the project each month.

F. Lake Bouef Watershed Project Area:

Zeller/Larousse Forced Drainage Area Systems Improvements: D. Bourgeois and A. Ostheimer reported Phase 2 of this project is designed to provide structural stability to the system and improve the levee to a 5' elevation. CPRA has included \$1M for this project available this year (FY2021) in its Annual Plan coming from GOMESA and the IGA is fully executed and NLLD is waiting to receive comment from CPRA. With the comments not in yet, it is likely that at the end of March or April advertisement will begin.

G. Gheens Project Area:

Des Allemands Bulkhead Project: A. Ostheimer reported Outer Limit contractor placed material on the levee at the end of last week. NLLD will monitor from All South Consulting Engineers (ASCE) recommendations.

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'. A substantial completion inspection was held on March 4. T. Allen motioned, seconded by E. Pitre to accept the Certificate of Substantial Completion from Onshore Materials, LLC. as recommended by the project engineer. No discussion or public comment. Motion passed unanimously. R. Foret motioned, seconded by T. Allen to approve payment of pay request #18 in the amount of \$9,975.00 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 and designed to improve the levee elevation to 7'. The State's Annual Plan indicates \$2.275M in GOMESA funds available this year (FY2021) for this project. These funds are available, and the IGA is fully executed. The project is out for advertisement. The pre-bid was held at NLLD on March 9 with a site visit.

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 has been progressing well on this project.

H. Valentine - East Project Area:

New Valentine/Ludevine FDA: D. Bourgeois and A. Ostheimer 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 is continuing to process and install material into the levee section. They have finally shifted material and established the base of the levee section so now they are installing lifts which hopefully should move quicker. E. Pitre motioned, seconded by L. Andolsek to approve Change Order No. 2 for an additional 84 days to extend the construction period to August 9, 2021 due to weather conditions as requested by Onshore Materials, LLC and recommended by the project engineer. No discussion or public comment. Motion passed unanimously. A. Peltier motioned, seconded by E. Pitre to approve payment of pay request #10 in the amount of \$44,887.50 from Onshore Materials, LLC as recommended by the project engineer. No discussion or public comment. D. Bourgeois recognized former NLLD Member and President in the audience, Mr. Lonny Babin, for providing much help on this project.

T-Bois Levee FDA: D. Bourgeois and A. Ostheimer reported this project includes maintenance work of the area of the levee from Hamilton St. to North American Shipyard, and the construction contract was awarded to Circle, LLC last month. This week, contracts are being executed and a preconstruction meeting will begin at that time as well.

Morganza to the Gulf Eastern Tie-in, reach 2 Interim Improvements: D. Bourgeois and A. Ostheimer reported this project is designed to enhance nearly 20,000 LF of levee improvements to an approximate 7.5' elevation and modify the Ludevine Pump Station to account for the modified levee section. The CPRA will provide \$3M for this project available through Capital Outlay / State Surplus funds and the

NLLD received the executed IGA from CPRA last week. NLLD had previously received the review comments from CPRA and GIS has responded to these comments. NLLD is waiting on CPRA to review the responses. Once they give concurrence, it will be ready to advertise in the next 2 to 4 weeks. GIS is reviewing the best options for the Ludevine Pump Station and expect that report in the 2 to 3 weeks. Morganza to the Gulf Eastern Tie-in, Reach 3 Interim Improvements: A. Ostheimer reported Outer Limit Contractor will continue to clearing along the existing levee for Reach 3 and are roughly halfway. The clearing will take some time, so, NLLD is currently planning on performing a delineation in April for the project. NLLD expects this project ready for this year to start construction once funds are available.

I. Maintenance and other Regional 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 and will continue to monitor the permit.

Maintenance Projects: D. Bourgeois reported that he and A. Ostheimer will keep the board informed on other current or upcoming maintenance projects. NLLD is continuing to clear the vegetation and debris in the Reach 2 FDA channel in effort to increase the flow to the pump ahead of NLLD's levee project. NLLD has also contracted to perform some clearing in 2 of 12 in preparation of the bid project.

Morganza to the Gulf: D. Bourgeois reported the Morganza to the Gulf project is included in the USACE final work plan from HQ and the ASA office and is approved by OMB to receive federal "new start" funding. The project will receive \$12.46 million in FY 2021 to begin construction of the replacement of the Humble Canal flood control structure. The next steps for the project in the future will be to secure funding on an annual basis. The USACE needs to stick to the construction plans in the ACAR. There are still many details to work out. NLLD continues to have several discussions with all levels of the USACE and CPRA to ensure all are aligned. Different funding options have been proposed and all involved must be aware of legislative actions to take to stay ahead.

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. SLLD has contracted with Sealevel Construction for this work and this work is progressing on schedule. T. Allen asked for an update from Neil Angelette on this. Neil stated the Reach L project is currently being reviewed by CPRA and is expected to have positive feedback in the next couple of weeks. The project is projected to begin construction in the next few months with an estimated completion time of 18 months. NLLD will still be exposed during 2021's hurricane season.

Equipment: G. Bourgeois gave an update on equipment issues during the last month: The Taz buggy has been placed in the shop by MBI to get its power unit working soon; the MBI buggy is up for the Buy-Back purchase and is in excellent condition.

Photo Presentation: A. Ostheimer presented photos and gave explanations on the following projects: Jessie Dufrene Levee; New Ludevine Levee; TLBB Element II; C4,C5,D1

Louisiana Board of Ethics Reporting Requirements: D. Bourgeois stated each Commissioner of the NLLD is required to complete a Tier 2.1 Personal Financial Disclosure Statement (Form 417) on or before May 15th each year. The electronic version can be found at: <http://ethics.la.gov/Pub/FinDiscl/F417s.pdf> and let Madonna know if the printed version is preferred for submittal.

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:

ALBL Executive Meeting: 2/26

MtoG Construction Kick-off meeting with Corps and CPRA: 3/2

UBBR Sunset Levee & Bayou Des Allemands Structure Meeting: 3/3

OMB 101 Zoom Seminar by Alpine Group: 3/4

CPRA Board Meeting: 3/10

BIG Virtual Luncheon: 3/11

Meeting with the Governor, Chip & Cory: 3/11

SCIA Pre-session luncheon: 3/16

MAC Meeting: 3/16

Finance & Priority Committee: Commissioner L. Andolsek reported that the Finance and Priority Committee conducted a meeting on February 23, 2021. 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. Motion passed unanimously.

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

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

The President announced the next Regular Monthly Board Meeting will be at 5:30 PM (or immediately following the 5:15 PM F&P Committee meeting) on Tuesday, April 20, 2021 at the District's office located at 3862 Highway 1, Raceland, LA. The meeting was unanimously adjourned at 7:05 PM on motion by R. Foret, seconded by A. Peltier.

/s/Cory Kief, President

/s/Dwayne Bourgeois, Executive Director