

Minutes of the Regular Monthly Board meeting of the North Lafourche Conservation, Levee & Drainage District, November 15, 2022

The Regular Monthly meeting of the North Lafourche Conservation, Levee and Drainage District Board of Commissioners was called to order on November 15, 2022, by President Cory Kief at 5:11 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 Tim Allen. President Kief called roll. Commissioners present were Tim Allen, Louis Andolsek, Rodney Foret, Darcy Kiffe, Tory Hebert, Elmo Pitre, Adley Peltier, Robert Pitre, Monique Crochet, and Cory Kief. Commissioner Percy Gasery was absent. Others present were NLLD Executive Director Dwayne Bourgeois; NLLD Program/Project Manager Arthur Ostheimer; NLLD Field Coordinator Travis Colombel; NLLD Administrative Assistant Madonna Viguerie; NLLD Executive Assistant Katie DeRoche; NLLD Project/Accounting Assistant Brandy Theriot, and various engineering professionals.

Approval of Minutes: Motion was made by R. Pitre, seconded by E. Pitre, to approve the minutes of the following meetings: October 18, 2022, Finance & Priority Committee and October 18, 2022 Regular Board Meeting. No discussion or public comment. Motion passed unanimously. R. Foret motioned, seconded by A. Peltier to amend the January 18, 2022 Board Minutes from the previous version approved on February 15, 2022 and published in The Daily Comet on February 21, 2022 due to technical issues with the prior minutes. No discussion or public comment. Motion passed unanimously.

A. Thibodaux – West Project Area:

Acadia Woods: D. Bourgeois and A. Ostheimer reported having some conversations with USACE Regulatory to begin exploring some alternatives to provide improved drainage; but the TAZ machine is clearing out some of the outfall canals and blocked drainage outlets in the area that all flows to Terrebonne Parish. Terrebonne Parish hired, and Lafourche Parish paid for some of the St Louis clearing in the area NLLD is working and downstream. Once the clearing and canal sweeping is complete, NLLD will re-group with the City of Thibodaux, LPG, and TPCG on any proposed projects. NLLD mobilized the TAZ unit and have been clearing out a main drainage outfall from Acadia Woods that was pretty bad off. It was overgrown and had several blockages that appeared to be from beavers. NLLD will continue this work as there are a few other outfalls that need to be opened or cleaned out.

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 called the Waverly No. 2 Channel Project. NLLD is working on RoW issues with the property owners before moving forward. NLLD wants to consider exploring any interest from the Parish to commit in some way to this before proceeding. NLLD received the revised RoW maps from DDG and are currently reviewing. NLLD also plans on meeting with LPG to discuss the project; specifically, their portion on the “upstream” side of the project. NLLD will also be reevaluating based on the project’s cost escalation.

B. Thibodaux - Lockport - Bayou Blue Project Area:

NSU Drainage Study: D. Bourgeois reported there are some possibilities of portions of this potential project being advanced along with some work on the Coastal Center through Capital Outlay; however, funding for the drainage improvement work is in excess of the allocated funds for construction, thus will require other funding. So, NLLD will be waiting to see how things proceed before we take further action.

Bayou Blue – Hollywood Backwater Flood Protection Project: D. Bourgeois and A. Ostheimer reported Sealevel Construction, Inc. is the contractor on this project that is designed to protect the areas around the Hollywood canal from storm surge by way of the GIWW. CPRA is providing a little over \$6.5M GOMESA reimbursement for the construction. Sealevel is continuing to work on both the southern and

northern closure site. They have made some really good progress with installing the piles of both locations. NLLD did receive a large pay request from Sealevel, which includes not only the work performed but a lot of materials in store. L. Andolsek motioned, seconded by E. Pitre to approve payment of pay request #4 in the amount of \$1,140,856.76 from Sealevel Construction, Inc. as recommended by the project engineer. No discussion or public comment. Motion passed unanimously.

Raceland Prairie District 2 of 12 Seepage Repairs: D. Bourgeois and A. Ostheimer reported NLLD made a Capital Outlay Request in prior years for funding in support of NLLD's broader program of improvements to all these levees in these FDAs. This year, NLLD did receive Capital Outlay Appropriations in HB2 for these projects. NLLD received a P1 appropriation of \$1,225,000, cash line payable from the Cap Outlay Savings Fund of \$3,000,000 and a P5 Appropriation of \$2,750,000 of the \$6M ask. The funding will be administered by the Office of Facility Planning and Control. They are working on the funding agreement. As part of the process, the Bond Committee officially approved the \$1M on 9-15 to go with the \$225K previously approved funding bringing our total Capital Outlay funding to \$4.225M for this project. LA FP&C has finalized the CEA for the project. NLLD is still waiting to amend the funding statement to account for the \$1M approved on 9/15. NLLD will also be working with them regarding the 25% match to capture the material NLLD will plan on providing from the Sugarland property to the project. LCI is continuing the design of the project with plans to finalize design. NLLD is also working on landowner agreements for access to the project and also tweaking the scope a bit to include some additive alternatives into the bid based on the additional funding NLLD has received. These additions would be additional levee improvements to try and get as much of the prairie to a uniform elevation.

Upper Bayou Folse Watershed Backwater Flood Protection: D. Bourgeois reported NLLD explored the synergy between NLLD's efforts and efforts of the Lafourche – Terrebonne Soil and Water Conservation District, a local governmental group under the USDA Natural Resource Conservation Service (NRCS) to submit a couple of projects that might be considered for funding. After meeting with LTSWCD, LA Department of Ag and Forestry and NRCS, a couple of projects came up to pursue an opportunity for funding assistance for design of a project that benefits farmland within NLLD's District. NLLD has ASCE working to frame up something along US90 near Des Allemands and LCI framing something up along the lines NLLD had been thinking about for the Upper Bayou Folse backwater protection project. A draft letter for the application is being circulated and will be moving forward shortly after asking for some clarification.

C. Lockport - Larose Project Area:

Lockport – Larose Levee Project Reaches C4, C5, and D1: D. Bourgeois reported NLLD had an independent quality assurance survey performed to have a good baseline for the completed project and properly plan for the future of these reaches. As instructed by the Board, NLLD paid the Curoles an additional \$10,908 based on the final survey information.

Lockport to Larose Reach B Levee Project: D. Bourgeois and A. Ostheimer reported NLLD will be receiving CPRA reimbursement of \$1M available this year for this project that will allow NLLD to move forward with phase 1 of the Reach B improvements. Picciola received the geotechnical report and NLLD has forwarded the report to CPRA along with responses to the remaining comments. Once NLLD receives the concurrence that the borrow pit is acceptable, an agreement will be worked on with the landowner. NLLD is hopeful to finalize the project planning and be ready to bid in the next four to six weeks.

Lockport to Larose Reach D2 & D3 Levee Improvements: D. Bourgeois and A. Ostheimer reported NLLD is working with Picciola & Associates on a project to improve the elevation of the Lockport to Larose Reach D2 & D3 Levee to an 8' elevation. NLLD had completed an initial project in 2017 that brought the elevation up to 6.5'. With settlement in consolidation, which was expected, the elevation lost

approximately a foot of protection. NLLD was able to work with CPRA to move the excess funding app \$800K from TLBB Element 2 to help fund this project. NLLD is still waiting on the draft IGA from CPRA. A majority of the design work is completed. What is left is mostly getting the agreement for funding complete and working through any comments from CPRA.

D. Choupic Project Area:

West Choupic & St. James Project Area Backwater Flood Protection: D. Bourgeois and A. Ostheimer reported NLLD is working with Leonard Chauvin P.E., Inc. (LCI) to re-align the proposed levee in an area that avoids the worst impacts to landowners yet may still be OK with the Corps. NLLD is drastically re-thinking its options on this project, which is taking a bit more effort in development. D. Bourgeois has had some conversation with USACE Regulatory about some of NLLD's ideas and they are receptive, more so than the previous approach.

E. St. James Project Area:

Woodland Heights Levee: D. Bourgeois and A. Ostheimer reported this project will provide backwater flood protection from Woodland Heights to the public housing on Hwy 20 which had issues during last year's floods. NLLD has been working with the landowners in the area and now has a project that will meet the needs of the area and prevent future flooding. NLLD Attorney Mr. Amedee has been working with their attorney on getting the right of way executed. There were a few extra things that needed to be done prior to getting signatures but all parties are agreeable to the project. LCI is working on the design that will include this system with the existing Boudreaux FDA. NLLD will be working on finalizing the needed RoWs to move forward with the project.

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. This construction was partially reimbursed with GOMESA funding through CPRA and substantial completion was accepted in September and now in clear lien period.

LBW Backwater Protection Project: 308 Farmers Meeting: D. Bourgeois reported there are some federal rule changes being contemplated that would impact this potential project. NLLD will have to wait a bit to see how this all shakes out before re-grouping unless the local landowners are willing to locate the levee much further to the front of the property. NLLD is still tracking all of this and we'll plan a meeting with the farmers once grinding season is complete. NLLD will plan to meet with the landowners in January.

60 Arpent Canal Clearing and Maintenance Project: D. Bourgeois and A. Ostheimer reported the NLLD's deep-water Marsh Buggy is being used for some long-term maintenance dredging of approximately 2 miles of the 60 Arpent Canal. The NLLD is currently dredging the canal and has completed approximately 40%.

G. Gheens Project Area:

Natural Gas FDA Levee Improvements: D. Bourgeois and A. Ostheimer reported Clark Construction Enterprises, LLC is the contractor for this project that is designed to improve the levee elevation to 7'. The construction is being reimbursed with GOMESA funding through CPRA and substantial completion was accepted last month. Based on the construction period presented, the contractor is still facing a Liquidated Damages claim by the District and the L&D Committee discussed the details earlier and their recommendation, if so concluded, will be presented to the Board in Executive Session later in this meeting. The project is in clear lien. R. Pitre motioned, seconded by T. Allen to approve Change Order No. 6 to decrease the contract price by \$814,502.04 for quantity balancing, and to increase the contract time by an additional 47 days to extend the construction period to July 4, 2022, due to actual field conditions accrued throughout the contract period as requested by Clark Construction Enterprises, LLC and recommended by the project engineer. No discussion or public comment. Motion passed

unanimously. E. Pitre motioned, seconded by D. Kiffe to approve payment of pay request #14 in the amount of \$13,451.53 from Clark Construction Enterprises, LLC as recommended by the project engineer. No discussion or public comment. Motion passed unanimously.

Upper Barataria Risk Reduction (UBRRP) Project: D. Bourgeois reported the NLLD and the LBLD have been working cooperatively to get this design further down the road. The project received a favorable Chief's Report. The project, via the Corps, did receive \$8M in funding for PED and MVP is working on the PED under the oversite of MVN.

H. Valentine - East Project Area:

T-Bois Ludevine Levee Tie In: D. Bourgeois and A. Ostheimer reported this project will connect the T-Bois Levee on the eastern side of Hamilton Street to the Ludevine Levee on the Western side of Hamilton Street. It will provide some interconnectivity to the two FDAs. It will provide some controllable interconnectivity to the two FDAs. Picciola is finalizing the design on the project. LPG does plan on funding the Eunice Allemand bridge replacement also. Picciola is designing both projects. NLLD plans on meeting with LPG to make sure NLLD's efforts are coordinated. NLLD also has requested Picciola and GIS to meet and define the construction limits for these projects and the new Ludevine Pump Station.

Morganza to the Gulf Eastern Tie-in, reach 2 Interim Improvements: D. Bourgeois and A. Ostheimer reported Dynamic Group, LLC is the contractor for this project 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 ultimately provide \$3M for this project available through surplus funds. NLLD held its monthly progress meeting with Dynamic and GIS on November 8th. Dynamic is continuing to excavate, process, haul, and install material; however, they have continued to struggle to get partial acceptance on any portion of the project. GIS has put Dynamic on notice with regard to contract time and NLLD has reiterated to Dynamic the importance of completing this project. M. Crochet motioned, seconded by T. Allen to approve Change Order No. 7 to increase the contract time by an additional 4 days related to September 2022 adverse weather conditions as requested by Dynamic Group, LLC and recommended by the project engineer. No discussion or public comment. Motion passed unanimously. D. Kiffe motioned, seconded by A. Peltier to approve payment of pay request #12 in the amount of \$78,012.18 from Dynamic Group, LLC as recommended by the project engineer. No discussion or public comment. Motion passed unanimously.

Ludevine Pump Station Replacement: D. Bourgeois and A. Ostheimer reported this project was developed out of the poor condition of the existing station and a conflict with the Reach 2 levee alignment. Recognizing this conflict and need, CPRA through GOMESA funding provided \$2.8M in the annual plan for construction of this project. The IGA was finalized and executed, and NLLD is seeking additional funds to cover anticipated project cost increases. Some of these needed funds have been included in this year's Annual Plan from CPRA. CPRA has submitted the amendment to the IGA that increases the available state funding to \$4.42M for the project. NLLD has continued communication with CPRA regarding comments. All comments have been answered and CPRA will give concurrence to advertise the project.

Morganza to the Gulf Eastern Tie-in, Reach 3 Interim Improvements: D. Bourgeois and A. Ostheimer reported funding for this project is included in the State's Annual Plan this year. NLLD met with the USACE regarding the alignment of the MtoG Eastern tie in on November 7th and the whole of the PAC alignment which has issues that will need to be addressed. It's expected to take some time but NLLD plans on moving forward with the permit application, design, and RoWs for the portion of the Reach 3 alignment in which the PAC alignment and NLLD alignment are consistent.

I. Maintenance and other Regional Projects:

Maintenance Projects: A. Ostheimer reported Sealevel has completed the maintenance work on the St.

Charles Bypass levee. Outer Limit has installed the earthen material for the lift of LtoL Reach D4 through Allied Shipyard. They are still waiting on a culvert and some of the material needed to extend the closure to complete the project. NLLD met with the landowner in 3 of 12 to finalize the RoW to address the seepage issue. Based on that meeting, NLLD will have to meet with SLECA to discuss some issues. The TAZ unit is working in Acadia Woods. NLLD is also moving forward with replacing four culvert crossings of the 28 Arpent Canal and have completed the installation of the culverts for the Twin Oaks drainage improvements.

Morganza to the Gulf (MTG), Larose to Lockport Feasibility Report: D. Bourgeois reported Mitch Marmande with Delta Coast Consultants (DCC) is working on the design of the actual alignment of the levee within the district and the required permit. Now that there is a new start funding for the project, the goal is to closely integrate efforts with the Corps, especially pertaining to permitting. NLLD has been working with CPRA as the project's primary NFS. D. Bourgeois and Mitch are planning some additional meetings with the Corps but are waiting to use some western tie-in discussions that are ongoing as a templet.

Morganza to the Gulf: D. Bourgeois reported the Morganza to the Gulf project has its federal "new start" designation, a signed PPA and considerable funding for the project at \$378M through the IIJA. All entities involved with MtoG are also pursuing additional ongoing funding from the Federal Government and are encouraged in what is being heard. Everything is falling into place; but, everyone has to keep pushing for ongoing funding and to match the efforts and needs with the Corps. Even with funding coming, there needs to be a continuation of staying ahead of which projects are a priority and which other MtoG projects can be funded through other opportunities.

K. General Items:

Equipment: T. Colombel gave an update on equipment for this month. Earlier this month, MBI responded to the Taz buggy after the operator discovered a large number of the bolts in the swing were backing out. The bolts were inspected, tightened, and torqued allowing Taz to return to service. The CAT 330 went down after discovering a radiator leak. This issue was resolved with the installation of a new radiator and hoses. To date, all of the equipment is up and running.

Photo Presentation: A. Ostheimer presented photos and gave explanations on the following projects: 60 Arpent Canal; Acadia Woods; Reach D4; Hollywood Canal Structure; Reach 2; Sugarland

NFIP: D. Bourgeois reported the NFIP was extended to December 16th, 2022. However, there is currently not much expected real movement with NFIP reauthorization and RR2.0, or the RFI they recently put out. D. Bourgeois said he attended Congressman Steve Scalise's NFIP roundtable on October 31. Cory and D. Bourgeois also met with Attorney General Jeff Landry on November 4 asking to possibly take legal action against FEMA.

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: 10/19/22

MAC membership presentation to Woodside Energy: 10/21/22

Congressman Steve Scalise NFIP roundtable: 10/31/22

Roast and Toast for Windell: 11/01/22

Attorney General Jeff Landry meeting w/ Cory: 11/4/22

Meeting with USACE on LtoL Alignment: 11/7/22

MAC trip to Houston: 11/8/22-11/9/22

Bayou Region CED @ Fletcher: 11/10/22

BIG Luncheon: 11/14/22

SCIA Luncheon: 11/15/22

Finance & Priority Committee: Committee Chair Louis Andolsek reported that the Finance and Priority Committee conducted a meeting on October 18, 2022. 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 accepted by the full board in the Regular meeting that followed. The Finance & Priority Committee will be reviewing the Final Revised 2022 Budget and the Proposed 2023 Budget next month; therefore, the December 20th meeting is scheduled for 4:45PM.

Accounts Payable: A motion was made by L. Andolsek, seconded by E. Peltier 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 5:20 PM (or immediately following F&P Committee meeting which will be moved to an earlier time) on Tuesday, December 20, 2022, at the District's office located at 3862 Highway 1, Raceland, LA.

C. Kief thanked the engineers in the audience for their continued commitment to attending the meetings.

R. Pitre motioned, seconded by M. Crochet to enter Executive Session on the following items: the Procurement Contract with Marsh Buggy's Inc. for the Linkbelt 130 Marsh Buggy, the Construction Contract on Natural Gas Levee Improvements, NLCLDD Project No. 6700.59Z with Clark Construction Enterprises, LLC. No discussion or public comment. Motion passed unanimously. M. Crochet motioned, seconded by R. Foret to enter into regular session. No discussion or public comment. Motion passed unanimously. R. Pitre motioned, seconded by R. Foret for the North Lafourche Conservation, Levee and Drainage District Executive Director to take action on the Procurement Contract with Marsh Buggy's Inc. for the Linkbelt 130 Marsh Buggy and the Construction Contract on Natural Gas Levee Improvements, NLCLDD Project No. 6700.59Z with Clark Construction Enterprises, LLC., as discussed in Executive Session. No discussion or public comment. Motion passed unanimously. M. Crochet motioned, seconded by R. Pitre to enter into executive session to discuss the annual evaluations and salary reviews for 2023 of all NLLD employees: Dwayne Bourgeois, Executive Director; Travis Colombel, Field Coordinator; Katie DeRoche, Executive Assistant; Arthur Ostheimer, Project/Program Manager; Brandy Theriot, Project/Accounting Assistant; and Madonna Viguerie, Administrative Assistant. No discussion or public comment. Motion passed unanimously. M. Crochet motioned, seconded by E. Pitre to return to regular session. No discussion or public comment. Motion passed unanimously. T. Allen motioned, seconded by D. Kiffe for the North Lafourche Conservation, Levee and Drainage District Executive Director to take action as discussed in executive session. No discussion or public comment. Motion passed unanimously. R. Pitre motioned, seconded by R. Foret to return to regular session. No discussion or public comment. Motion passed unanimously. The board decided to move the next regular board meeting to Wednesday, December 14 with the Public Hearing starting at 5:30 pm and the Finance and Priority meeting at 4:45 pm that same day. The meeting was unanimously adjourned at 7:32 PM on motion by D. Kiffe, seconded by R. Pitre.

/s/Cory Kief, President

/s/Dwayne Bourgeois, Executive Director