

Minutes of the Regular Monthly Board meeting of the North Lafourche Conservation, Levee & Drainage District, October 18, 2022

The Regular Monthly meeting of the North Lafourche Conservation, Levee and Drainage District Board of Commissioners was called to order on October 18, 2022, by President Cory Kief at 5:22 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 Monique Crochet. President Kief called roll. Commissioners present were Tim Allen, Louis Andolsek, Rodney Foret, Darcy Kiffe, Tory Hebert, Elmo Pitre (at 5:39 pm), 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.

Election of Officers: NLLD held its election of officers for the term beginning November 1, 2022 and ending on October 31, 2023 for President, Vice President and Secretary / Treasurer. D. Bourgeois opened the floor for all nominations. L. Andolsek nominated Cory Kief as President and Tim Allen as Vice President. R. Pitre nominated Louis Andolsek as Secretary/Treasurer. There were no further nominations. M. Crochet motioned, seconded by D. Kiffe to close nominations and accept the offices. No discussion or public comment. Motion passed unanimously.

Approval of Minutes: Motion was made by R. Pitre, seconded by R. Foret, to approve the minutes of the following meetings: September 27, 2022, Finance & Priority Committee and September 27, 2022 Regular Board Meeting. No discussion or public comment. Motion passed unanimously.

A. Thibodaux – West Project Area:

Acadia Woods: D. Bourgeois and A. Ostheimer reported NLLD has been working with the City of Thibodaux, LPG and TPCG to bring improved drainage to the Acadia Woods area of Lafourche Parish and the City of Thibodaux and has had some conversations with USACE Regulatory to begin exploring some alternatives; but, for now the TAZ machine will be used to clear out some of the outfall canals in the area, while TPCG has cleaned out some of St. Louis Bayou. Once the clearing is complete, NLLD will regroup on any proposed projects. TPCG has approved the CEA. NLLD plans on moving the Taz unit next week to clear the drainage channels in Acadia Woods to St. Louis Bayou as needed.

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 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 reevaluate based on the project's cost escalation. C. Kief asked how many rights of way will be needed for this and A. Ostheimer said six. These rights of way are for the neighborhood in front of these properties and is sugarcane land. These landowners do not think they should give up these rights of way because the project does not directly benefit them. Discussion ensued on the details of how big the drainage channel will be and where.

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.

D. Bourgeois said he did drive through Nicholls campus during the last recent major rain fall to observe the water. From that, he said he noticed there may be an opportunity to provide a small interim project to allow water to flow to the catch basins a lot easier.

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 are preparing to drive the pipe piles for the project. A. Peltier motioned, seconded by T. Allen to approve payment of pay request #3 in the amount of \$283,213.05 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: 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 is finalizing a revised CEA for the project. NLLD will have to amend the funding statement to account for the \$1M approved on 9/15. NLLD will also be working with them regarding NLLD's 25% match to capture the material NLLD's will plan on providing from the Sugarland property to the project. NLLD does have LCI continuing the design of the project with plans to finalize design and be ready to bid in the next couple of months.

Bayou Folse Watershed Backwater Flood Protection: D. Bourgeois reported on this project that NLLD had been framing up for a little bit. Commissioner Tim Allen suggested NLLD explore if there would be any 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, all came up with a couple of projects to pursue an opportunity for funding assistance for design of a project that benefits farmland within the 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.

C. Lockport - Larose Project Area:

Lockport – Larose Levee Project Reaches C4, C5, and D1: D. Bourgeois reported NLLD had one final issue that needs the board's consideration on this project. Over a concern NLLD had of the consistencies in the survey information NLLD had received as as-builts on the project NLLD requested an independent quality assurance survey to be performed by Intracoastal Consultants (field work by Forte & Tablada). NLLD felt this was necessary so that NLLD could have a good baseline for the completed project and properly plan for the future of these reaches. Included in this was a survey of the Curole Borrow Pit which showed some inconsistencies with the previously provided survey from A/P. Based on the QA survey, which NLLD has high confidence in, the Curoles were shorted payment on 4,575 CY of material from their borrow pit equating to \$9,150.00. The contract to provide this material was directly with the NLLD. After consulting with Pat, {although NLLD has not received the final submittal on the survey from Intracoastal Consultants this data is complete} D. Bourgeois asked the Board to consider a motion to pay

the Curole's the balance owed for the correct borrow pit quantity {contingent on receiving the final submittal from Intracoastal Consultants.} T. Allen motioned, seconded by D. Kiffe to approve a final payment to the Curole's pit for an additional 4,575 cy of material having a value of \$9,150.00 as verified by the QA survey for the project. L. Andolsek asked if typically there are quantities taken when loading the trucks. A. Ostheimer said the data from the survey reflected that the bottom was irregular on the pit. The engineer should have this proper calculation for these surveys during projects. However, with some inconsistencies during the project, NLLD felt it was necessary to have a third-party survey. No further discussion. Motion passed unanimously.

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 us to move forward with phase 1 of the Reach B improvements. Picciola has responded to CPRA's review comments and submitted the requested information. CPRA has responded with a few additional questions which appear to be minor in nature. NLLD was waiting on a geotechnical report on the proposed borrow pit which was requested by CPRA. NLLD was supposed to receive the report. The results of the report will determine the path forward with the borrow pit for the project. NLLD is hopeful that 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 has spoken with CPRA and they will be drafting an IGA for the funding of the project. There were a few additional things needed to provide them to shift the funding as Dwayne discussed. NLLD does have a good bit of the design work completed by Picciola and Associates; so, NLLD expects to move forward once the paperwork is completed. It's expected to take 3 to 4 months.

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 met with the main landowner on October 13th regarding the project which was very positive. Pat will be working on the RoW with their attorney. LCI had gathered some additional information and NLLD believes that combining this system with the existing Boudreux FDA will be the best long-term solution for this area. 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 last month. NLLD is currently in the clear lien period for the project. The contractor is currently working on completing the punch list. A. Peltier motioned, seconded by T. Hebert to approve Change Order No. 4 to increase the contract amount by \$7,163.20 to adjust to actual quantities used, and to adjust the contract time by an additional 29 days to extend the construction period to September 15, 2022 for 17 inclement weather days and 12 additional working days required to install limestone and additional borrow material at the access road and the boat launch as requested by Sealevel Construction, Inc. and recommended by the project engineer. No discussion or public comment. Motion passed unanimously. L. Andolsek motioned, seconded by R. Pitre to approve payment of pay request #10 in the amount of \$57,136.04 from Sealevel Construction, Inc. as recommended by the project engineer. No discussion or public comment.

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.

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 25%.

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. NLLD was onsite with ASCE on October 4th for a substantial completion inspection. At that time all parties agreed that the project was substantially complete. D. Kiffe motioned, seconded by E. Pitre to approve Change Order No. 5 to increase the contract time by an additional 20 days to extend the construction period to May 18, 2022, due to rain/wet condition days accrued between July 1, 2022 – September 30, 2022 as requested by Clark Construction Enterprises, LLC and recommended by the project engineer. No discussion or public comment. Motion passed unanimously. R. Pitre motioned, seconded by M. Crochet to accept the Certificate of Substantial Completion from Clark Construction Enterprises, LLC as recommended by the project engineer. No discussion or public comment. Motion passed unanimously. R. Foret motioned, seconded by T. Hebert to approve payment of pay request #13 in the amount of \$62,067.06 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. NLLD has Picciola finalizing the design on the project and plan on moving forward with the project once the design is complete. NLLD will need to finalize access for the Eunice Allemand residents and give adequate space and access for the New Ludevine Pump Station construction.

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 October 11th.

Dynamic is continuing to excavate, process, haul, and install material; however, they have struggled to get partial acceptance on any portion of the project. At the meeting, NLLD asked Dynamic to focus on completing sections. NLLD also discussed project issues and expectations that will need to be addressed for partial acceptance of any sections. GIS is working with Dynamic to finalize a change order for the project that will add some additional contract time to the project. NLLD expects that change order to be finalized next month. E. Pitre motioned, seconded by D. Kiffe to approve payment of pay request #11 in the amount of \$12,731.06 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. NLLD has been working with GIS Engineering on the development of this project. CPRA has submitted the amendment to the IGA that increases the available state funding to \$4.42M for the project. GIS has also responded to all of CPRA's questions/comments on the project and NLLD is waiting for CPRA to respond. NLLD met with LPG last month to discuss the project where they made a few requests as they relate to the long-term O&M of the station. They were very minor in nature and not cost prohibitive; so, NLLD asked GIS to incorporate them into the design

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 on September 30th with Intracoastal Consultants and DCC to discuss the draft alignment report. The intent is to begin working through the USACE to get the preferred alignment approved as an improvement to the MtoG PAC alignment. Dwayne can speak more to this but it is apparent that the Corp will not rush this process. NLLD does plan 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. This will allow NLLD to move forward with the funding currently available for the project.

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 waiting on a culvert and some of the material needed to extend the closure to complete the project. NLLD is still working/waiting to meet with the landowner in 3 of 12 to finalize the RoW so NLLD can address the seepage issue. The TAZ unit completed the work with LPG clearing the drainage connection between Cyprien and Butch Hill. As mentioned earlier, our Taz unit will be mobilizing to Acadia Woods to clear the drainage arteries. NLLD is also moving forward with replacing four culvert crossings of the 28 Arpent Canal.

Morganza to the Gulf (MTG), Larose to Lockport Feasibility Report: A. Ostheimer 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. A. Ostheimer said 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 and A. Ostheimer 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. D. Bourgeois made a trip to DC on September 27-29 where there was a follow-up meeting with Candace Vahlsing from OMB and discussed much of the MtoG project with the Louisiana Delegation. The meeting with Ms. Vahlsing went well and there is a new strategy CPRA and MtoG collaborators are focused on.

K. General Items:

Equipment: T. Colombel gave an update on equipment for this month. A week ago, the CAT 330 went down after discovering a significant radiator leak. The radiator was removed and brought to Radiator Company Service, Inc. The time of the repair is about 3-4 weeks.

Surplus/Disposal of mud-boat, motor and trailer: As mentioned last month, NLLD advertised for solicitation of bids to be received and opened on September 29th. NLLD received one bid, and the mud-boat was sold for the amount of \$2,151.00 as surplus equipment.

Photo Presentation: A. Ostheimer presented photos and gave explanations on the following projects: 60 Arpent Canal; Allied Shipyard/D3; St. Charles Bypass; Natural Gas; Reach 2; 1 of 12 and 2 of 12.

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 has drafted questions for the record that Senator Kennedy has submitted to Mr. Maurstad with FEMA for the purpose of demanding answers the people of Louisiana deserve when it comes to RR 2.0. There was a letter in reply to the Senator’s letter which was not helpful at all and still waiting for those replies to the additional questions submitted. The ALBL is working to get the State AG to file suit showing damages and non-compliance with the APA from the development and implementation of RR 2.0. Many locals have been willing to present their personal flood insurance rate increases. This can be used to further the case in filing suit on FEMA for the implementation of RR 2.0. D. Bourgeois said he and C. Kief met with Ms. Kristine Russell yesterday on this. D. Bourgeois reminded everyone to check their declaration page for their full risk rate because most people after they paid their flood insurance bill do not notice what the amount will total to.

Capital Outlay Request: D. Bourgeois reported the Capital Outlay system requires to re-submit a request for anything NLLD has not received all funding for. NLLD will be re-submitting a request for the \$2.75M in P5 appropriation received last session in hopes that gets converted to P1. NLLD will be re-submitting for the second phase of the Gheens Levees and be submitting for new projects to get them into the system. (West Choupic and GIWW at Bayou Lafourche).

Association of Levee Boards of Louisiana Annual Meeting: D. Bourgeois reported ALBL will host its annual meeting on Nov. 30- Dec. 1 in New Orleans and to let Katie know if there is interest in attending.

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:

BIG Luncheon: 10/17/22

SCIA Luncheon: 10/18/22

MAC Meeting: 10/18/22

Finance & Priority Committee: Committee Chair Louis Andolsek reported that the Finance and Priority Committee conducted a meeting on September 27, 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.

Accounts Payable: A motion was made by L. Andolsek, seconded by A. 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, November 15, 2022, at the District's office located at 3862 Highway 1, Raceland, LA. The meeting was unanimously adjourned at 6:57 PM on motion by R. Pitre, seconded by R. Foret.

/s/Cory Kief, President

/s/Dwayne Bourgeois, Executive Director