

Minutes of the Regular Monthly Board meeting of the North Lafourche Conservation, Levee & Drainage District, January 17, 2023

The Regular Monthly meeting of the North Lafourche Conservation, Levee and Drainage District Board of Commissioners was called to order on January 17, 2023, by President Cory Kief at 5:21 pm. The meeting was held at the District's office at 3862 Highway 1 in Raceland. The pledge was led by Tim Allen and the invocation was given by Adley Peltier. President Kief called roll. Commissioners present were Cory Kief, Tim Allen, Rodney Foret, Darcy Kiffe, Adley Peltier, Robert Pitre. Commissioners Percy Gasery, Elmo Pitre, Louis Andolsek, Tory Hebert, and Monique Crochet were absent. Others present were NLLD Executive Director Dwayne Bourgeois; NLLD Program/Project Manager Arthur Ostheimer; NLLD Field Coordinator Travis Colombel; NLLD Executive Assistant Katie DeRoche; NLLD Project/Accounting Assistant Brandy Theriot, and various engineering professionals.

Approval of Minutes: Motion was made by T. Allen, seconded by D. Kiffe, to approve the minutes of the following meetings: Wednesday, December 14, 2022 Finance & Priority Committee and Wednesday, December 14, 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 having some conversations with USACE Regulatory to begin exploring some alternatives to provide improved drainage; but, for now the TAZ machine is being used to clear out some of the outfall canals and blocked drainage outlets in the area that all flows to Terrebonne Parish. Once the clearing and canal sweeping is complete, NLLD will regroup with the City of Thibodaux, LPG, and TPCG on any proposed projects. The TAZ unit is almost complete with the clearing of the ditches behind Acadia Woods. A contractor is sweeping out the ditches and installing culverts where necessary to unblock drainage. NLLD will continue to monitor the drainage but are certain significant improvements to the outfall ditches were made by the project.

B. Thibodaux - Lockport - Bayou Blue Project Area:

NSU Drainage study: D. Bourgeois reported there had been 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 continues to make good progress on the project and has driven all the piles for the structure and pump station. The piles for the discharge pipe are only what's left remaining. They will be dewatering to begin work on the pump station next week. The pumps are expected to be delivered in February. R. Pitre motioned, seconded by D. Kiffe to approve payment of pay request #6 in the amount of \$579,529.25 from Sealevel Construction, Inc. as recommended by the project engineer. No discussion or public comment. Motion passed unanimously.

Raceland Prairie District 1 of 12 and 2 of 12 Levee Improvements: 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. NLLD received Capital Outlay Appropriations in HB2 for these projects. We 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 our \$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 and have forwarded the funding amendment that represents all the current funding. LCI is continuing the design of the project and will finalize it over the next couple of months. NLLD is continuing to work with landowner agreements for access to the project and tweaking the scope a bit to include some additive alternatives into the bid based on the additional funding received. These additions would be additional levee improvements to get the prairie to a uniform elevation as possible.

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, all came up with a couple of projects 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 we had been thinking about for the Upper Bayou Folse backwater protection project. A letter along with project details for the application has been submitted and noted as received and completed.

C. Lockport - Larose Project Area:

Lockport to Larose Reach B Levee Project: D. Bourgeois and A. Ostheimer reported NLLD will be receiving CPRA reimbursement of \$1M available for this project to move forward with Phase 1 of the Reach B Improvements to increase stability and raise the protection elevation to +8'. NLLD has started the advertisement for the project and will have a pre-bid meeting on January 19th here at the NLLD office with the bid opening currently scheduled for January 31st. If the schedule of holds, NLLD plans on having a recommendation for award. D. Bourgeois said NLLD had great cooperation with a local landowner regarding access and material for the project.

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 and consolidation, which was expected, the elevation lost approximately a foot of protection. NLLD was able to work with CPRA to move the excess funding of approximately \$800K from TLBB Element 2 to help fund this project. NLLD has received the draft IGA from CPRA and returned it so that they can prepare the final version and execute. The NLLD will be forwarding the plans and all relevant information to CPRA so they can begin their review process. NLLD is hoping to work through the review process to begin the advertisement as soon as the IGA is executed.

Lockport to Larose Reach D5 Levee Improvements: D. Bourgeois reported NLLD has been working with GIS for some time to develop a plan to provide flood protection from Allied Shipyard to Bayou Lafourche. GIS has submitted a report with multiple options and frankly, none are ideal. The options they considered include a sheet pile wall along the GIWW which is cost prohibitive (\$32M) to options that involve building an earthen levee which is significantly less (\$10M) but would mean having to buyout the residences along the GIWW. In an effort to find funding for this protection, NLLD worked with Delta Coast Consultants on the submission of a FEMA Building Resilient Infrastructure and Communities (BRIC) grant for this project that includes flood protection improvements from Allied Shipyard to Bayou Lafourche. Obviously, these grants take quite a bit of time to work through the federal process, but NLLD will continue to monitor the grant application and look for other options to

provide the needed protection for this area. T. Allen asked how many residences would have to be relocated for building a levee. D. Bourgeois said about a dozen residences. D. Bourgeois said NLLD will talk to the residents soon to consider their thoughts on the potential projects in the area.

D. Choupic Project Area:

West Choupic & St. James Project Area Backwater Flood Protection: D. Bourgeois reported NLLD is working with 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. The goal is to establish that alignment and have a Pre-App meeting with the Corps to get approved. NLLD is drastically re-thinking the options on this project which is taking a bit more effort in development. NLLD has had some conversations with USACE Regulatory about some of the ideas by making this an open system and they are receptive.

Bowie Forced Drainage System Levee Improvements: D. Bourgeois and A. Ostheimer reported NLLD is working with LCI on a design to improve and repair the current protection from Bayou Onion to Grand Bayou. This will require letters of no objection for 5 pipeline crossings and all work is planned in the footprint of the existing levee. LCI is performing the surveys for the project need for the design. LCI has also began discussion with the pipeline companies to begin the determination of what they will require for the levee crossings. NLLD has a little way to go on this project since NLLD will have to work on access RoWs but are hopeful to have it ready to go this summer.

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 has been able to execute two of the three needed rights of ways for the project. LCI is working on the design that will include this system with the existing Boudreaux FDA. We will be working on finalizing the final RoW for the project over the next month. In the meantime, NLLD has mobilized the TAZ unit to clear an existing drainage ditch in this area to help with the existing drainage.

F. Lake Bouef Watershed Project Area:

Zeller/Larousse Forced Drainage Area Systems Improvements: D. Bourgeois and A. Ostheimer reported LCI has submitted a formal application on NLLD's behalf to LA Statewide Flood Control for Phase 3 of this project that would elevate and improve the earthen levee structures and forced drainage system that protects Kraemer/Bayou Bouef community, more specifically, approximately 2,500 linear feet along Kraemer Bayou Road. DOTD has started the review process and has requested some additional information. NLLD will be working with LCI ahead of the February due date to get this information submitted and keep the application moving forward. The NLLD is looking into building a concrete T wall incorporated with some stop log structures at a cost estimate of \$6.5 million. D. Bourgeois said it is a good sign that DOTD is asking questions in the application process. It has likely caught their attention because the area flooded for Hurricane Ida. Discussion ensued on other alternative cost-efficient ways to complete a project in the area for hurricane protection, especially if the grant is not approved. For example, lifting the 20 homes along Kraemer Bayou Road and building the levee at a shorter distance. D. Bourgeois said NLLD has to think of the greater area when framing a project in this section of this project area.

LBW Backwater Protection Project/308 Farmers Meeting: D. Bourgeois reported there are some federal rule changes being contemplated that would impact this potential project that have not yet been changed. NLLD will have to wait to see how this shakes out before re-grouping unless the local landowners are willing to locate the levee much further to the front of the property. NLLD hosted an informational forum for the local landowners and farmers last week where optimism ran pretty low. All

did agree to establish an alignment that would not get NLLD into trouble with wetland impacts and identify the impacted property owners and begin preliminary discussions based on that. There is one case pending on this at the SCOTUS for a ruling on early this year; but, expectations for that would still be quite some time before the definition of a WOTUS change to the point of impacting these properties. Commissioners Rodney Foret, Robert Pitre, Adley Peltier and Tim Allen attended the meeting and tried to help the landowners/farmers understand that if they do not act now to accept an alignment that the CORPS will approve, it will only waste time and create more land loss. The Landowners who attended are reluctant but do understand the dilemma the NLLD is in. The few landowners who attended the meeting will be presented with the alignment that LCI will finalize first and then NLLD will present to the rest of the landowners along 308 with an attempt to get them to accept it.

60 Arpent Canal Clearing and Maintenance Project: D. Bourgeois and A. Ostheimer reported the NLLD's deepwater 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 70%. NLLD has been slowed with the weather which has had a significant impact on the project access.

G. Gheens Project Area:

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. All are tracking and waiting for that work to be complete.

H. Valentine - East Project Area:

Industrial Ave Floodwall-North American Shipyard to Bayou Lafourche: D. Bourgeois and A. Ostheimer reported this project will improve protection along the Intracoastal Waterway along Industrial Park Road to Bayou Lafourche to approximately 9' elevation. NLLD is working with Picciola and Associates to develop this protection. At this time, NLLD is approaching the project in four phases based on the type of construction. NLLD has approached North American to discuss a right of way around their yard that is cost beneficial and will allow them to operate independently from the NLLD's system. As this is an area that flooded during Hurricane Ida, and NLLD has advanced the protection concept designs. NLLD has made a hard press to get funding for the beginning phases. The CPRA draft Annual Plan will be presented for the first time tomorrow and D. Bourgeois said he is confident NLLD will be getting some funding to help address these areas. NLLD has been working on a plan to improve and create flood protection with Picciola and Associates that is a mix of earthen levee, raising the existing sheet pile wall, installing a new sheet pile wall, and raising the road. NLLD has met with North American regarding the rerouted levee and they are currently discussing in their organization.

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. LPG is planning on funding a new bridge across the Blackwater Canal for the Eunice Allemand residents. NLLD met with LPG and based on that discussion, NLLD will draft a CEA so the NLLD can construct both projects and have LPG reimburse us for their portion of the work. NLLD believes this will be mutually beneficial for both the NLLD and LPG based on the connectivity of the projects and similar construction. It will provide some controllable interconnectivity to the two FDAs. NLLD will continue to work with Picciola to finalize the project and will be working with Pat to have the CEA drafted so it can be approved by LPG Council. Once approved, NLLD will move forward with incorporating the designs for the projects into one.

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 January 10th here at the NLLD's office. Dynamic is still behind schedule, but they have made some field adjustments by removing a subcontractor and seem to be making progress on completing sections. They currently have close to 10,000LF of the project close to template which leaves approximately 8,800LF that still requires multiple lifts to get to elevation. It's currently estimated they have a minimum of 30-45 workdays remaining on the project. A. Pelter motioned, seconded by T. Allen to approve Change Order No. 9 to increase the contract time by an additional 9 days related to December 2022 adverse weather conditions as requested by Dynamic Group, LLC and recommended by the project engineer. No discussion or public comment. Motion passed unanimously. R. Pitre motioned, seconded by R. Foret to approve payment of pay request #13 in the amount of \$53,607.66 from Dynamic Group, LLC as recommended by the project engineer. No discussion or public comment. Motion passed unanimously.

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 plans on continuing the meetings with the USACE regarding the alignment of Reach 3 and the MtoG Eastern tie-in as a whole. NLLD expects that process to take some time but is 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. Intracoastal Consultants has drafted a RoW map and NLLD plans on meeting with Raceland Sugars as the whole of the common alignment is on their property. DCC via IC is drafting the permit application for the project.

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 committed an initial \$2.8M in the annual plan for construction of this project. 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 and NLLD is waiting on the executed amendment. CPRA has closed out all comments and GIS is currently working on a IFB set of drawings. Once they are ready, NLLD will allow LPG to have a final review along with the NLLD before beginning advertising. NLLD expects to be ready to begin advertising the project in February.

I. Maintenance and other Regional Projects: A. Ostheimer reported Sealevel has completed the maintenance work on the St. Charles Bypass levee. Outer Limit has completed the lift of LtoL Reach D4 through Allied Shipyard. NLLD will be working with GIS to look at some drainage improvements around Allied Shipyard to remove the connectivity to the GIWW. The TAZ unit has completed the work in Acadia Woods and is moving to Woodland Heights. NLLD is also moving forward with replacing four culvert crossings of the 28 Arpent Canal

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. NLLD is 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 to match efforts and needs with the Corps. Even with funding coming, all involved needs to continue staying ahead of which projects are a priority and which other MtoG projects can be funded through other opportunities. D. Bourgeois said he will be in DC next week meeting with LA legislators and a possible meeting with the ASA's office.

J. Equipment: Travis Colombel gave an update on equipment for this month. MBI picked up the FECON chipper just before the holidays after the operator noticed some irregularities in its performance. Technicians with MBI discovered the bearings on the drum were worn. They have since replaced those bearings and they are back operational.

K. General Items:

Photo Presentation: A. Ostheimer presented photos and gave explanations of the following projects: Acadia Woods; Allied Shipyard; Hollywood Canal; Reach 2

Morganza Action Coalition (MAC), continued funding: D. Bourgeois reported NLLD has been participating in this association since 2016 and he feels that it is providing substantial benefits to the District at the State and Federal level. Terrebonne Levee District is still participating equally with NLLD. While MAC continues to look for and is receiving other funding, NLLD is at the point to consider ongoing funding for the efforts during this year. R. Foret motioned, seconded by T. Allen to approve payments up to the amount of \$110,000.00 to the Morganza Action Coalition for continued financial support in the interest of the NLLD for the efforts during this calendar year (2023). No discussion or public comment. Motion passed unanimously.

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: 1/9/23

Governor's Advisory Commission meeting: 1/10/23

SCIA Luncheon: 1/17/23

Finance & Priority Committee: Committee member Cory Kief reported that the Finance and Priority Committee conducted a meeting on December 14, 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 committee also reviewed the final Revised 2022 Budget and the Proposed 2023 Budget that were both recommended to the board for adoption in the meeting that followed.

Accounts Payable: A motion was made by C. Kief, 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 at 5:15 pm) on Tuesday, February 28, 2023, at the District's office located at 3862 Highway 1, Raceland, LA.

D. Kiffe motioned, seconded by R. Pitre to enter Executive Session, pursuant to LA R.S. 42:17A (2) to discuss the Procurement Contract with Marsh Buggy's Inc. for the Linkbelt 130 Marsh Buggy. No discussion or public comment. Motion passed unanimously. R. Pitre motioned, seconded by T. Allen to return to regular session. No discussion or public comment. Motion passed unanimously. A. Peltier motioned, seconded by R. Foret 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 7:00 PM on motion by R. Foret, seconded by R. Pitre.

/s/Cory Kief, President

/s/Dwayne Bourgeois, Executive Director

