

**Minutes of the Regular Monthly Board meeting of the North Lafourche Conservation, Levee & Drainage District, August 17, 2021**

The Regular Monthly meeting of the North Lafourche Conservation, Levee and Drainage District Board of Commissioners was called to order on August 17, 2021, by Mr. Cory Kief, Board President, at 5:32 PM. The meeting was held at the district's office at 3862 Highway 1 in Raceland. The pledge was led by Percy Gasery, and the invocation was given by Robert Pitre. President Kief called roll. Commissioners present were Cory Kief, Timothy Allen, Darcy Kiffe, Adley Peltier, Elmo Pitre, Percy Gasery, Robert Pitre, Rodney Foret, Louis Andolsek, and Kenney Matherne. Commissioner Susan Testroet-Bergeron was absent. Others present were NLLD Executive Director Dwayne Bourgeois; NLLD Project/Program Manager Arthur Ostheimer; NLLD Field Coordinator Glenn Bourgeois; NLLD Attorney Pat Amedee; NLLD Administrative Assistant Madonna Viguerie; Executive Assistant Katie DeRoche and various engineering professionals. Public Hearing for consideration of the revised 2021 Budget: A Public Hearing was opened for the purpose of considering the proposed revised 2021 Budget. The Finance and Priority Committee previously met to review in detail the proposed 2021 Revised Budget based on the year-to-date figures and estimated remaining expenditures for this year and future reserves. No discussion or public comment upon three calls for public comment on consideration of the proposed revised 2021 Budget. R. Pitre motioned, seconded by E. Pitre to close Public Hearing. No discussion or public comment. Motion passed unanimously.

Approval of Minutes: Motion was made by R. Pitre, seconded by D. Kiffe, to approve the minutes of the following meetings: July 20, 2021, Regular Board Meeting and July 20, 2021 Finance & Priority Committee. No discussion or public comment. Motion passed unanimously.

Audit Report for December 31, 2020: Ms. Lenora Krielow, CPA provided audit services through the LA Legislative Auditor for the year ending December 31, 2020. Ms. Krielow has provided the commissioners with the report that was also submitted to the State. Ms. Krielow gave a positive report on the financials and controls in place and stated the NLLD has a wonderful staff.

Adoption of the Revised 2021 Budget: The Finance and Priority Committee met earlier to review the budget and proposed revisions by the Director. It is the Committee's recommendation that the Board adopts the 2021 Revised Budget as provided this evening. R. Pitre motioned, seconded by P. Gasery to adopt the Revised 2021 Budget. No discussion. 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 try to sweep then possibly maintenance dredge the St. Louis Canal. The objective of this project is to bring improved drainage to the Acadia Woods area of Lafourche Parish and the City of Thibodaux. It is the first step in considering an approach to appropriate back water flooding protection for this area of Lafourche Parish / City that drains directly into Terrebonne Parish. Thus far, cooperation with Terrebonne Parish has been very good. T. Baker Smith, who handles the St. Louis Bayou drainage for Terrebonne Parish performed a visual survey for obstructions to support LPG and TPCG's work to dredge the St. Louis Bayou. NLLD is currently discussing the requirements for this work to begin with TBS and plan on meeting with them later this week.

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. The appraiser is continuing to work on the valuation report for this property. Once NLLD has that, NLLD will present that information to the T-RAD Committee.

**B. Thibodaux - Lockport - Bayou Blue Project Area:**

NSU Drainage Study: D. Bourgeois reported in the future, updates on the project will be based on whatever the Committee wishes to report for the project each month. But there are some possibilities of portions of this being advanced along with some work on the Coastal Center.

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. Leonard Chauvin P.E., Inc. has been working with the state on the final design, while working on the bid documents. NLLD has been in a holding pattern while waiting for the Geotech consultant to respond to CPRA’s comments. They had requested some additional work that had to be performed which now has been completed and submitted to CPRA for review. NLLD can hopefully begin advertising the project later this month.

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. Phase 2 of this project is looking very good as Lemoine is continuing to perform the work authorized in the change order. With the dry weather in July, they were able to make good progress. If the weather holds, they can complete the majority of the work by October. D. Kiffe motioned, seconded by R. Foret to approve payment of pay request #19 in the amount of \$272,460.60 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: A Ostheimer reported Sealevel has completed the levee work and installation of rip rap along the canal bank. NLLD will meet with Sealevel and TBS onsite Wednesday morning to review any remaining items on the project.

Butch Hill and Twin Oaks Pump Station and FDA Improvements: D. Bourgeois and A. Ostheimer reported this property which was owned by the Sugarland Country Club and sold at LPSO Sheriff’s Sale is a large project that would combine the Twin Oaks and Butch Hill Pump Stations which are both in disrepair along with improving the overall FDAs and performing levee maintenance on the surrounding levees. It was sorted through at the T-RADS April 27 meeting and determined by the board at May’s Regular meeting that the proposed approximately 100 Acre tract of land would have economic benefits to the Butch Hill / Twin Oaks FDA, would be beneficial to the Replacement / Consolidation of the Butch Hill and Twin Oaks Pump stations and would provide needed material for the Raceland Prairie Levee System Rehabilitations. NLLD had received the revised appraisal which came in at \$445K. NLLD has the raw land division being preliminarily reviewed by LPG Planning, and the attorney performing the title work and preparing the sale documents. It is ready once LPG gives the administrative approval for the division of the land. NLLD is also working on implementing the plans for the property to start finalization of the purchase.

Raceland Prairie District 2 of 12 Seepage Repairs: D. Bourgeois and A. Ostheimer reported Low Land Construction Company, Inc. is the contractor on this project to address seepage areas. Low Land has completed the dredging and finalizing the working of the material on the land. It is expected to be completed very soon. NLLD has met with LCI last week to discuss the next area of high need of maintenance in the Raceland Prairie area and to begin some general planning based on the possibility of receiving funding through Capital Outlay next year. R. Foret motioned, seconded by E. Pitre to approve payment of pay request #1 in the amount of \$359,755.20 from Low Land Construction Co., Inc. as recommended by the project engineer. No discussion or public comment. Motion passed unanimously.

**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. Unfortunately, not much work has been performed on the project. The contractor has not been onsite since June 22nd and currently the contract time expired on June 3rd. NLLD met with Onshore earlier this week. Neil addressed the Board regarding the current status of the project. He will continue addressing the Board each month. It was reported that Onshore's marsh buggy excavator has been down since mid-June and expected to be back in service in September. There were some issues with keeping the continuity of drainage for working near the drainage crossing at the pipeline and Onshore was waiting on Neil's direction. This temporarily slowed down the work. D. Bourgeois stated Onshore could have gone further with the project without the direction of Neil because it was already in the contract. R. Pitre expressed his disappointment with the marsh buggy excavator being nonfunctional. D. Kiffe asked if Onshore attempted to use another marsh buggy. C. Kief stated there are a lot of excuses with this project overall and there needs to be clarity of how this project will be completed within the proper timeframe. Neil mentioned Onshore does have a path forward and Neil will present this to the Board. The Board agreed that Neil needs to bring details of the status of the project with a financial report.

Lockport to Larose Reach B Levee Project: D. Bourgeois and A. Ostheimer reported Picciola & Associates continues to work on acquiring a ROW for a pipeline crossing for this levee reach. A bit more money came to CPRA via local legislators (Zee) that was allocated to NLLD for this project. NLLD will be receiving \$1M available this year for this project. So, NLLD thanks CPRA and Zee for that. NLLD will be working with Picciola to finalize the plans for the project in an effort to get them ready to review by CPRA as soon as the IGA is executed. The process with the IGA has typically taken 2-3 months. Hopefully NLLD can have this ready to bid by the end of the year.

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. LCI was engaged to advance the design and ROW requirements on this to help the Town pursue funding during the coming year. NLLD also asked the Parish and LP DD#1 to get involved in the search for funding. Additionally, NLLD has sent preliminary plans and cost estimates for the work north of Hwy 1, to the Town for their review. The mayor's office is working to coordinate a follow-up meeting.

#### **D. Choupic Project Area:**

East 80 Arpent (Dixie Canal): D. Bourgeois and A. Ostheimer reported the Linkbelt/Wilco Deep-water Marsh Buggy is being used for some long term and long overdue maintenance dredging. The deep-water buggy has completed the first phase of dredging of the Dixie. Sealevel is currently clearing the next section and installing the retaining dike. NLLD's machine is working with them to complete these tasks. This work is expected to take a few more weeks, then will begin dredging the canal.

West Choupic Storm Water Protection Project: D. Bourgeois reported as mentioned in the last meeting, NLLD decided to host another meeting at the Choupic Fairgrounds on June 29 to give the community another opportunity to form a decision to place a backwater flood protection levee in the area. From that meeting, NLLD believes the majority of the landowners now understand their need for a levee. To move forward, 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 see if NLLD can get them to give a nod. NLLD will then continue notifying and working with the Choupic community impacted landowners until all can agree on a fair proposed project in order for the community to receive the flood protection they deserve.

**E. St. James Project Area:** D. Bourgeois and A. Ostheimer reported NLLD is developing items in the PA via this drainage study by Duplant Design Group. NLLD has the findings from DDG and it is pending the review of the T-RADS Project Committee when scheduled. NLLD will also be working with the Parish and the Lafourche Parish School Board along with local property owners to review some drainage concerns

that were made evident during the recent high-water events.

**F. Lake Bouef Watershed Project Area:**

Zeller/Larousse Forced Drainage Area Systems Improvements: D. Bourgeois 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. NLLD held the pre-construction meeting with Sealevel last week. LCI will be issuing the NTP this week with the expectation they will start the following Monday.

LBW Backwater Protection Project: 308 Farmers Meeting: D. Bourgeois reported NLLD, along with R. Pitre and R. Foret had a meeting with a collection of farmers, landowners, concerned citizens and others from Hwy 308 above Raceland, along with Archie Chaisson, Brian Fontenot, Craig with the Mill and Brian with Louisiana Farm Bureau to discuss how far the CORPS will or will not allow a levee on their properties. The meeting went well and ultimately, all of them accepted what the next steps would have to be. If NLLD were to proceed with a project now it would be too far towards the bayou to avoid impacts to lands that currently would be considered wetlands by the Corps. However, there is at least a possibility that approaching the area from an agriculture agency point of view may yield an opportunity to get the land re-classified, potentially allowing NLLD to build a levee further back. There was an IGA signed last year that would make that ag determination easier; but it is getting some environmental pushback. Simultaneously, the Administration is looking to consider changes to the definition of the WOTUS that may open the door for a bit of revision to consider the definition against "Environmental Justice and Climate Implications" which might be justifiable in this situation. NLLD is asking for the State (CPRA and AG) to weigh in on this once again. NLLD will be trying to form a committee with NRCS, American Sugarcane League, Louisiana Farm Bureau, Senator Brett Allain, Representative Brian Fontenot, the Hwy 308 Farmers and landowners. R. Foret mentioned at the meeting this will take a long time at attempting the farmers'/landowners' goals. R. Pitre stated he received a lot of good feedback from those who attended the meeting, and he thinks they have a better understanding of the process.

**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. NTP was issued back on June 14th but this project is getting off to a slow start. It took a while to finalize the approval of the dirt pit which is now complete. It is expected they will begin processing material from their dirt pit in preparation to haul onto the levee

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 reported Onshore Materials, LLC is the contractor for this project to stabilize about 5,500 feet of the levee running from Hamilton St. in Larose towards the Ludevine Pump Station along the Blackwater Canal. Onshore is continuing to install material in the levee template and the project is looking good. They have installed the material onto the worst areas of the levee which have now been elevated and stabilized. They are installing levee lifts working towards Hamilton Street but still have a few thousand feet to go. If they have good weather, they will be close to completion in approximately 6 weeks. L. Andolsek motioned, seconded by A. Peltier to approve payment of pay request #15 in the amount of \$17,615.85 from Onshore Materials, LLC as recommended by the project engineer. No discussion or public comment. Motion passed unanimously.

T-Bois Levee FDA: D. Bourgeois and A. Ostheimer reported Circle LLC is the contractor on this project

that includes maintenance work on the area of the levee from Hamilton St. to North American Shipyard. Circle cleared the levee and installing material when weather permits. They are working the levee in the first 3,500 LF of the project which is roughly half the length of the overall project. The work looks good.

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 will take advantage of the property off of Hamilton Street that will be purchased to provide the material for this project and will hopefully be able to perform the earthen work as a proposal. Picciola has submitted a preliminary plan and estimate for this project. NLLD plans on performing the earthen portion of the work as a proposal. Picciola has submitted a preliminary plan and estimate for this project. NLLD is reviewing the project but expects to perform the earthen work this year. LPG has budgeted the funding for the bridge replacement on Hamilton, so NLLD will be working with them to coordinate the raising of the Hamilton across the levee and the tying in the T-Bois to the Ludevine FDA.

Morganza to the Gulf Eastern Tie-in, reach 2 Interim Improvements: D. Bourgeois reported Dynamic Group, LLC is the contractor on this project that 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. It was awarded in June. However, NLLD has been served with an Injunction filed by the lowest bidder (Rigid Construction) who is contesting the award to the second lowest bidder (Dynamic) due to deficiencies in their (Rigid's) bid proposal. NLLD will be in court to address this on Friday and will have more to report later or, if it is the desire of the Board, NLLD can discuss the particulars a bit more in Executive Session at the end of this meeting.

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. NLLD has been working with GIS Engineering on the development of this project. They are working on their preliminary design. NLLD plans to have them work on completing the design by the end of fall with hopes of beginning advertising at the end of this year or early next year.

Morganza to the Gulf Eastern Tie-in, Reach 3 Interim Improvements: A. Ostheimer reported NLLD is meeting with T. Baker Smith tomorrow to discuss the alignment of the project. They had performed a delineation earlier this year. Once NLLD determines an alignment, NLLD will begin discussing the permanent right of ways with the landowners. NLLD is also expecting to file a permit with the USACE.

#### **I. Maintenance and other Regional Projects:**

Maintenance Projects: D. Bourgeois and A. Ostheimer reported Outer Limit is continuing maintenance on the Four Point Levee to stop some leaks and restore the elevation. They are close to completing this work. They plan to move to the St. Charles Bypass levee to perform maintenance as soon as NLLD completes Four Point. The NLLD also has LCI working on a prioritized list of maintenance projects in the Chackbay/Choupic areas that NLLD can perform this fall.

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. DNR has inspected the project. DCC will continue to monitor the project.

Morganza to the Gulf: D. Bourgeois reported the Morganza to the Gulf project has received its federal "new start" funding of \$12.46 million to begin construction of the replacement of the Humble Canal flood control structure. The Construction Kick-off meeting was done on this and is progressing well.

\$19.3 million will be in MR&T for Morganza to the Gulf, which is more than initially asked in the Congressionally Directed Spending and has been agreed upon on the House side. This came as a joint appropriation request from Congressman Scalise and Graves who have put in tremendous work at making this ask possible. This still needs to go through the process. There is a MtoG tour tomorrow with Lt General Spellmon, the Chief of the USACE. Everyone involved with this process is pleased that the head of the Corps is taking such interest in the Morganza to the Gulf Project. All involved are working to best be positioned to receive additional federal funding for this project year to year from several directions in addition to the expected Corps / Congressional Appropriations process now that there is a new start designation for the project. There are Morganza weekly calls established with the State to be sure all are rowing in the same direction.

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 is progressing on schedule with the barge being recently installed.

**K. General Items:**

Equipment: Glenn Bourgeois reported there were no equipment issues for the month.

TAZ machine: D. Bourgeois reported as previously discussed, this new machine was delivered with an issue with the power unit causing it to not properly operate and that is still being addressed by MBI. To date, MBI is suffering from a nonavailability of key parts that have an exceptional long lead time these days. Between this and some past COVID issues that struck their organization, much of this was beyond their control. But not all. The last component they were waiting on arrived late on Friday and NLLD made a site visit this morning. NLLD wanted MBI to rearrange some parts in the TAZ machine. They have a Hydraulic designer guiding them. D. Bourgeois said they are waiting to get it back and working properly.

Recent Excessive Rainfall: D. Bourgeois reported it started raining on Monday May 17th and did not really stop until sometime on Friday the 21st. NLLD has been working to frame up some levee rehabilitation projects in the 6th Ward of the Parish, Forced Drainage Areas north of Thibodaux, Chackbay, Choupic, Choctaw and Kraemer as a result of the rain. NLLD has engaged LCI to do the following: 1) Get the centerline elevations of all these levees in the area and document all locations where overtopping occurred. 2) From 1) above, develop a prioritized list of maintenance projects to consider addressing the biggest concerns. 3) Advance levee rehabilitation projects for all of these levees to the study and report phase to run these projects through NOPET and pursue funding. The Zeller / Larousse project, that is currently working on the 2nd of three planned phases is a good example of what ultimately needs to be done for these levees. This will all take a considerable amount of time and NLLD will be reporting back to the Board on all of this as things develop. NLLD should have the initial surveys in a few more weeks. But the continued wet weather has made this challenging.

NFIP: There is not much happening with NFIP except a new program coming out with FEMA and 40,000 LA residents will see their flood insurance rates significantly increase.

Photo Presentation: A. Ostheimer presented photos and gave explanations on the following projects: Dredge project of Raceland 2 of 12 Seepage repairs; Dixie Canal; New Ludevine/Valentine Levee; T-Bois; LtoL Reaches C4, C5, D1

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: 7/21/21**

**NFIP & Morganza to the Gulf meeting in BR: 7/22/21**

**West Shore LPD Groundbreaking: 7/26/21**

**Meeting with Renee Turner USACE/ MAC Call: 7/27/21**

**Washington DC Trip: 7/28-7/30/21**

**Phone Call with Natalia from Kennedy's office: 8/4/21**

**BIG Virtual meeting: 8/9/21**

Finance & Priority Committee: Committee Chair K. Matherne reported that the Finance and Priority Committee conducted a meeting on July 20, 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 accepted by the full board in the Regular meeting that followed. During the committee meeting prior to this board meeting, the F&P Board reviewed the 2021 Revised Budget and recommended it for adoption by the board earlier in this meeting.

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, September 21, 2021 at the District's office located at 3862 Highway 1, Raceland, LA. The meeting was unanimously adjourned at 7:38 PM on motion by R. Pitre, seconded by D. Kiffe.

/s/Cory Kief, President

/s/Dwayne Bourgeois, Executive Director