

Minutes of the Public Hearing and Regular Monthly Board meeting of the North Lafourche Conservation, Levee & Drainage District, April 19, 2022

The Regular Monthly meeting of the North Lafourche Conservation, Levee and Drainage District Board of Commissioners was called to order on April 19, 2022, by Vice President Tim Allen at 5:28 pm. The meeting was held at the district's office at 3862 Highway 1 in Raceland. The pledge was led by Louis Andolsek and the invocation was given by Tim Allen. Vice President Allen called roll. Commissioners present were Adley Peltier, Louis Andolsek, Tim Allen, Rodney Foret, Percy Gasery, Tory Hebert, Robert Pitre, and Elmo Pitre at 5:36 pm. Commissioners Darcy Kiffe and Cory Kief were absent. Others present were NLLD Executive Director Dwayne Bourgeois; Program/Project Manager Arthur Ostheimer; NLLD Administrative Assistant Madonna Viguerie; Field Coordinator Travis Colombel; Executive Assistant Katie DeRoche; Project/Accounting Assistant Brandy Theriot, and various engineering professionals.

Introduction of new employee: D. Bourgeois introduced Travis "Bucky" Colombel as the Filed Coordinator who is taking the place of Glenn Bourgeois, who will be retiring in June.

Approval of Minutes: Motion was made by L. Andolsek, seconded by A. Peltier, to approve the minutes of the following meetings: March 15, 2022, Regular Board Meeting and March 15, 2022, Finance & Priority Committee. No discussion or public comment. Motion passed unanimously.

Committee Assignments: The following vacant committee positions were considered and voted on by the board. Robert Pitre volunteered as the Vice Chair for the Thibodaux and Raceland Area Drainage Study (TRADS) Project Committee. Percy Gasery volunteered as the Chairman of the Legal/Development Committee and Tory Hebert volunteered to be a member of the same committee. Rodney Foret volunteered to be a member on the Finance and Priority Committee. President Cory Kief gave approval before the meeting if there were no objections to the considerations. T. Hebert motioned, seconded by R. Pitre to approve the four vacant positions of the committees mentioned. No discussion or public comment. Motion passed unanimously.

Adoption of Millage Rates for the 2022 Tax Roll: Vice President T. Allen stated each year NLLD has to pass a resolution adopting NLLD's millage rates and send it to the Parish Assessor's Office for submission to the Louisiana Legislative Auditor's Office. It is proposed that NLLD's millage rates remain the same as were assessed in 2021 and as follows: Constitutional millage rate for 2022 at 5 mills and the Voter approved millage for 2022 at 6 mills. NLLD attorney Pat Amedee read the full resolution to the board. Upon roll call vote with a quorum present, 8 yays, 0 nays, 2 absentees and no abstentions voted in favor to approve the Constitutional millage rate for 2022 at 5 mills and the Voter approved millage for 2022 at 6 mills. No discussion by the board or public comment upon three calls. 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. TBS has been engaged to run some hydraulic modeling. From that, NLLD has found that a protracted dredging project would not likely provide the protection from flooding that's needed; so, NLLD is shifting things a bit. TBS has begun a focused drainage study and performed the additional survey work. They are currently processing the information and expect them to have at least a preliminary report on the findings sometime next month.

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 TRADS Committee agreed to meet on May 17 at 4:15 to consider the issue.

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 and NLLD has addressed its funding needs with CPRA and the Governor's office. Heather with DDG is looking to help set up a meeting. The Coastal Center looks like they will be getting some additional P2 funding from last year.

Bayou Blue – Hollywood Backwater Flood Protection Project: D. Bourgeois and A. Ostheimer reported this project was awarded to Sealevel Construction, Inc. last month and the contracts are being executed. The project is designed to protect the areas around the Hollywood canal from storm surge by way of the GIWW. CPRA will be providing a little over \$6.5M GOMESA reimbursement for the construction. The NLLD Board awarded the project in March and contracts issued to Sealevel. Sealevel has returned the contracts to the NLLD. LCI will be scheduling a preconstruction meeting with Sealevel at which time NLLD will determine when the NTP will be issued. NLLD does expect the NTP to be delayed allowing time to give them a procurement period for the materials.

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 and the project is complete with the retainage paid last month.

Raceland Prairie District 2 of 12 Seepage Repairs: D. Bourgeois and A. Ostheimer reported last year NLLD had Low Land Construction Company, Inc. as the contractor on a project to address seepage areas. The Substantial Completion Certificate was accepted in January and they have now provided the Clear Lien Certificate to request the payment of retainage. Based on LCI's need assessment and expectation for funding NLLD is developing an improvement project for the 2 of 12 project that will extend into 1 of 12 to Hwy 182. LCI is working on the design of the capital project. In preparation for work in this area, NLLD is continuing the site preparation and excavation on the Sugarland property owned by the NLLD. NLLD is continuing to coordinate with LPG on the new Butch Hill Pump Station with NLLD's development of Sugarland. NLLD was also able to finalize the RoW with Allen Company for the property that will complete and tie in the Element 2 Levee at the new Butch Hill Pump Station. The goal is to remove enough material this year for use on the capital outlay project along with maintenance projects as moving forward. A. Peltier motioned, seconded by P. Gasery to approve payment of pay request #3 for the project retainage in the amount of \$55,258.26 from Low Land Construction Co., Inc. as recommended by the project engineer. D. Bourgeois mentioned 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. Last year, NLLD did receive Capital Outlay Appropriations in HB2 for these projects. NLLD received a P2 appropriation of \$750K and a P5 Appropriation of \$3.75M of the \$6M ask. D. Bourgeois said he has been in touch with LA representatives and senators and plan to continue to meet with them and others moving forward. No further discussion or public comment. Motion passed unanimously.

C. Lockport - Larose Project Area:

Lockport – Larose Levee Project Reaches C4, C5, and D1: D. Bourgeois reported Onshore Materials, LLC is the contractor on this project that is phase 1 and 2 of the improvements to the levees in these reaches. Neil Angelette with Angelette Picciola reported Onshore has completed hauling all material from the borrow pit from Edgar Guidry Pump Station to the powerline area and is completing shaping in that area and to the north end of the project on the return structure. They are making substantial progress on southern end of the project working north. Work is also going well on the south end of the project and a lot of the area is shaped to the 8.5 ft objective and based on the current progress, Mr.

Angelette expects they will be completed in early June. The last pre-approved payment for the project should be for the Curole borrow pit at \$5,896.00. The board was pleased with the amount of positive progress.

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. NLLD will be receiving CPRA reimbursement of \$1M available this year for this project and working with CPRA to finalize the documents for execution. CPRA has drafted the final version of the IGA and is circulating it for signature. NLLD forwarded a review set of plans to CPRA for and provided some additional geotechnical information per their request. NLLD met with a landowner that is optimally located to provide dirt for the project and he was receptive to the idea. NLLD plans on working through some details, but NLLD does believe by providing the dirt for the project there will be some economic benefits.

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 and is continuing to dredge the second section of the canal. NLLD is planning the next working location for the machine. There are a few other maintenance items to address with the machine after this project.

West Choupic Storm Water Protection Project: 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 see if they will give a nod and then continue notifying and working with the Choupic community's impacted landowners until a fair proposed project is agreed upon.

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 have a project that will meet the needs of the area and prevent future flooding. LCI delivered a conceptual layout and project report to define the area of benefit and overview of the project. The plan is to turn and use the spoil from a new and existing drainage ditch to build a levee from the back of Woodland Heights along the 80 Arpent Canal that will extend North behind public housing and tie into Hwy 20. As part of the project the owner of Woodland Heights has allocated an area to provide borrow material as needed for 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 is being partially reimbursed with GOMESA funding through CPRA. Sealevel has almost completed the Zeller side of the project and is moving to the Larousse Side. NLLD also contracted to have the trees (232) removed from the Forced drainage channel on the Larousse side of the project, which has been completed. T. Hebert motioned, seconded by A. Peltier to approve Change Order No. 1 to increase the contract time by an additional 25 days to extend the construction period to June 23, 2022, due to adverse weather conditions as requested by Sealevel Construction, Co., Inc. and recommended by the project engineer. The board questioned the adverse weather since the weather has been extremely dry. Tre Chauvin with Leonard Chauvin stated these days are within a 4-month period back from December and believe the contractor are justified in these days. L. Andolsek mention there needs to be consistency with using rain days for change orders. R. Foret expressed his frustration in delays with using rain days. Mr. Chauvin said he understood the frustration; however, they would not approve these rain days if they were not justified. A. Ostheimer stated NLLD does rely heavily on the engineers' recommendations for these change orders. Discussion ensued with possible

inconsistencies with using rain days or adverse weather as proper terminology for delays. No further discussion or public comment. Motion passed. A. Peltier motioned, seconded by L. Andolsek to approve payment of pay request #4 in the amount of \$116,749.30 from Sealevel Construction, Inc. as recommended by the project engineer. No discussion or public comment. Motion passed unanimously. 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. Discussion ensued about blockage in Theriot and Halpin Canals. Dwayne stated this affects navigational passage but since there is no blockage of drainage, it is not an issue the levee district can take on. If the issue does start to impact drainage and flood protection, then the NLLD would have jurisdiction to solve the problem.

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 met with ASCE and Clark Construction on March 24th to discuss the project. This month they have installed the sheet pile and drainage on the Golden Ranch side of the project. They also began increasing the elevation of the levee, and NLLD has requested they continue. T. Hebert motioned, seconded by A. Peltier to approve Change Order No. 3 for an additional 8 days to extend the contract time to April 24, 2022 due to rain/wet condition days as requested by Clark Construction Enterprises, LLC and recommended by the project engineer. Discussion ensued again on the inconsistencies and concerns with determining rain/wet conditions. A. Ostheimer mentioned he will begin to better explain these adverse weather condition days in the monthly reports. No further discussion or public comment. Motion passed unanimously. R. Pitre motioned, seconded by E. Pitre to approve payment of pay request #7 in the amount of \$499,119.84 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 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. The project received some good news, getting a favorable Chief's report even before its full authorization by congress. But, the project, via the Corps, did receive \$8M in funding for PED.

H. Valentine - East Project Area:

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 has contracted with Low Land to haul material for the project and restarted hauling on March 17th. To date they have completed approximately 4,000 LF to final grade. Currently it is expected they have two more work weeks of hauling and shaping to complete the project. E. Pitre motioned, seconded by T. Hebert to approve payment of pay request #7 in the amount of \$76,016.15 from Circle, LLC as recommended by the project engineer. No discussion or public comment. Motion passed unanimously.

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. NLLD has Outer Limit continuing to excavate and process material. They have removed and processed enough material for the levee tie-in. Based on some of the future work we have planned, we have them continuing to stage and process excavated material for future use. If needed the material for the tie in could be pushed up very quickly.

Morganza to the Gulf Eastern Tie-in, reach 2 Interim Improvements: D. Bourgeois and A. Ostheimer reported Dynamic Group, LLC that 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 provide \$3M for this project available through Capital Outlay / State Surplus funds. NLLD met with Dynamic on April 12th to discuss the project. Dynamic is continuing to excavate, process, haul, and install material. They are still a bit behind schedule, but they are making good progress. They have a good bit of material staged on the levee that will be installed over the next month. L. Andolsek motioned, seconded by E. Pitre to approve Change Order No. 2 to increase the contract time by an additional 10 days due to adverse weather conditions as requested by Dynamic Group, LLC and recommended by the project engineer. Discussion ensued on the number of additional days allowed. No further discussion or public comment. Motion passed unanimously. E. Pitre motioned, seconded by P. Gasery to approve payment of pay request #5 in the amount of \$86,833.84 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. NLLD is working with CPRA to finalize the documents for execution and seeking additional funds to cover project cost increases. NLLD has been working with GIS Engineering on the development of this project. Currently the IGA is being circulated through CPRA for signature. NLLD met with GIS to discuss the pump station design on March 24th and also discussed it on April 12th. GIS has a good portion of the design complete and is currently working on drafting the review drawings. NLLD is planning on having everything ready to bid by the end of this year.

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 Intracoastal Consultants on March 29th to discuss the project status to review the additional pipeline identification work. As suspected, there is a lot of pipelines, mostly flow lines that will have to be worked around. NLLD met with the pipeline representatives on April 14th. NLLD also met with RRS regarding the alignment in order to discuss a potential right of way on April 14th. NLLD received a lot of information to move forward with the project.

I. Maintenance and other Regional Projects:

Maintenance Projects: D. Bourgeois and A. Ostheimer reported NLLD has DDG sent plans to review for St. Charles bypass and are finalizing a couple of revisions based on NLLD's comments. NLLD should be ready to request proposals for this project this week. Sealevel has completed tying in the Legendre Canal Levee to the Choctaw Road. NLLD issued a contract for maintenance work on Reach D4 through Allied Shipyard. This was done so the contractor can procure the materials to modify the stoplogs. NLLD would like to start the earthen work next month on D4. There is also a project in Raceland Prairie 3 of 12 to address some seepage issues. LCI has developed a plan and NLLD has met with the landowners who have stated a willingness to execute RoWs for the NLLD to perform the work. This is planned to start in the next couple of months.

Morganza to the Gulf (MTG), Larose to Lockport Feasibility Report: D. Bourgeois reported Delta Coast Consultants (DCC) is working on the design of the actual alignment of the levee within the district and to file the permit application. 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. DCC has modified the Reach 1 permit and resubmitted to USACE to blend with projects permitting through the Corps CW.

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 IJJA. All involved are also pursuing additional ongoing funding from the Federal Government and are encouraged in what everyone is hearing. Everything is falling into place; but, there is still the need to keep pushing for ongoing funding and to match the Morganza’s efforts and needs with the Corps. The U.S. Senate approved \$19.333 million for the Morganza to the Gulf Hurricane Protection Project (MtG) with passage of the federal omnibus spending bill. The House is expected to follow based on the House Appropriations Committee release. There is already work starting on the 2023 Appropriations. The funding is specifically included in the FY2022 Energy and Water Development and Related Agencies Appropriations measure that was part of the larger budget package. NLLD, the State and TLCD have an established priorities list based on the largest vulnerabilities along the MtoG alignment for any funding received. It includes. 1)Humble (~\$44.25 Million, finishing the work from the new start) 2) GIWW-East Closure (~\$121 Million, closure and tie in near North American) 3) GIWW-West Engineering and Design (~\$13.25 Million,) 4)Reach A south – Minors Canal to Marmande Ridge (~\$119.5 Million) 5) Eastern Tie-In (~\$93.75 Million) 6) Minors Canal Flood Gate (~\$29.5 Million) 7) GIWW-West Construction (~\$112 Million) 8) F/L/I/H Levee Lifts (~\$82.75 Million) 9) Required Mitigation (~\$60 Million). Note that the highest priority after finishing what has been started at Humble is the Eastern GIWW closure. For economy, it made sense to work on the design of the GIWW western closure structure but its construction would come after the work on the western and eastern tie in (4 & 5) which are to be worked simultaneously. The Eastern tie in are projects known as Reach 1 from the GIWW to where starting Reach 2 is. It also includes what is called Reach 3 and 4 on the East side of Bayou Lafourche; With funding coming, everyone needs to continue staying ahead of which projects are a priority and which other MtoG projects can be funded through other opportunities. The MAC presented to the MRC and will have a flyover of the Morganza this week with ASA (civil works), Michael Conner.

Morganza to the Gulf (MTG), Reaches K & L and Structures: D. Bourgeois reported NLLD will be responsible for some clearing work on reach L as was discussed previously. NLLD is working with ASCE and FEMA as required to receive reimbursement for most of this effort.

K. General Items:

Equipment: A. Ostheimer gave an update on equipment for this month. The big marsh buggy is working fine. The machine in Sugarland needs some turntable bearings. The Taz machine has a few electrical and hydraulic issues that are being worked on. The Legal and Development Committee will have to meet on the issues with the Taz machine.

Photo Presentation: A. Ostheimer presented photos and gave explanations on the following projects: Dixie Canal; LtoL C4,C5,D1; Natural Gas Levee; MtoG Reach 2; Ludevine Pump Station; T-Bois Levee FDA

Louisiana Board of Ethics Reporting Requirements: D. Bourgeois reminded each Commissioner they are required to complete a Tier 2.1 Personal Financial Disclosure Statement (Form 417) on or before May 15th each year. The electronic version can be found at: <http://ethics.la.gov/Pub/FinDiscl/F417s.pdf>.

Please let Katie know if a printed version is preferred for submittal.

NFIP: D. Bourgeois reported there is currently not much unexpected movement with NFIP and RR2.0, or the RFI they recently put out. D. Bourgeois stated he gave a presentation on RR 2.0 and its impacts to the Bayou region at BIG on April 11. The response was eye-opening. The best approach now is to educate the public on these drastic changes and have them contact LA congressmen/senators, who are already addressing this.

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:

SCIA Luncheon: 3/15

MAC Meeting: 3/15

CPRA Board Meeting: 3/16

Rotary: 3/29

FirstNet Meeting: 4/1

Coastal Day: 4/5

SCIA Bayou Region Breakfast: 4/6

USACE High Water Inspection Trip: 4/8

BIG Luncheon: 4/12

MAC Board Meeting: 4/12

Finance & Priority Committee: Committee Chair Louis Andolsek reported that the Finance and Priority Committee conducted a meeting on March 15, 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 E. Pitre to accept the Payables Report as given. No discussion or public comment. Motion passed unanimously.

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

The Vice President called for additional public comments; there were none. The Vice President announced the next Regular Monthly Board Meeting will be at 5:20 PM (or immediately following the 5:15 PM F&P Committee meeting) on Tuesday, May 17, 2022, at the District's office located at 3862 Highway 1, Raceland, LA. The meeting was unanimously adjourned at 7:20 PM on motion by R. Foret, seconded by R. Pitre.

/s/Cory Kief, President

/s/Dwayne Bourgeois, Executive Director