

Minutes of the Regular Monthly Board meeting of the North Lafourche Conservation, Levee & Drainage District, March 21, 2023

The Regular Monthly meeting of the North Lafourche Conservation, Levee and Drainage District Board of Commissioners was called to order on March 21, 2023, by Vice President Tim Allen at 5:19 pm. The meeting was held at the District's office at 3862 Highway 1 in Raceland. The invocation was given by Tim Allen and the pledge was led by Louis Andolsek. Vice President Allen called roll. Commissioners present were Tim Allen, Rodney Foret, Darcy Kiffe, Adley Peltier, Louis Andolsek, Tory Hebert, and Robert Pitre. Commissioners Percy Gasery, Cory Kief, Elmo Pitre 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 Administrative Assistant Madonna Viguerie; NLLD Executive Assistant Katie DeRoche; NLLD Project/Accounting Assistant Brandy Theriot, and various engineering professionals.

Approval of Minutes: Motion was made by A. Peltier, seconded by T. Hebert to approve the minutes of the following meetings: Tuesday, February 28, 2023, Finance & Priority Committee and Tuesday, February 28, 2023 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 used the TAZ machine to clear out some of the outfall canals and blocked drainage outlets in the area that all flows to Terrebonne Parish. NLLD will monitor the drainage and re-group with the City of Thibodaux, LPG, and TPCG on any proposed projects. NLLD had its maintenance contractor remove the debris from the outfall ditches, install several culverts in these ditches, and sweep ditches all in effort to allow water to flow freely. NLLD has wrapped up this maintenance work but will continue to monitor this area over the next several months to better analyze the long-term improvements.

B. Thibodaux - Lockport - Bayou Blue Project Area:

NSU Drainage study: D. Bourgeois reported there is some upcoming work on the Coastal Center through Capital Outlay; however, funding for the drainage improvement work may be in excess of the allocated funds. 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, which includes drainage and levee improvements, along with closure and pumping structures. CPRA is providing a little over \$6.5M GOMESA reimbursement for the construction. Sealevel has poured the concrete slab for the sump and begun the installation and grouting of the cap sills. Work is continuing to progress, and NLLD expects them to continue working on the pump station over the next few months of the project. R. Pitre motioned, seconded by D. Kiffe to approve payment of pay request #8 in the amount of \$309,895.58 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 and 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 NLLD's \$6M ask. NLLD is trying to get this to priority 1 this year. 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. LCI is working towards final design which is expected to be completed and ready for review in the next few weeks. NLLD plans assisting on the necessary right of way acquisitions that will be needed for project access. NLLD plans to meet with LPG to discuss access and some project coordination with the Butch Hill Access Bridge and Twin Oaks Pump Station Repairs which both should be completed prior to starting the capital project.

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 proposed project 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. NLLD has ASCE framing something along US90 near Des Allemands as a breakwater protecting US90. While such a project may ultimately be needed, its large cost (>\$11.6M) sort of makes it impractical to pursue through this avenue. But, a letter along with projects details for the application for Upper Bayou Folse has been submitted and noted as received and completed and well done. As a back-up, and because it remains the right thing to do for a large part of the District, and NLLD has submitted funding requests for this project through State Capital Outlay.

C. Lockport - Larose Project Area:

Lockport to Larose Reach B Levee Project: D. Bourgeois and A. Ostheimer reported this project was awarded to Low Land Construction Company, Inc. last month and the contracts are in the works. The project is designed to increase the stability and the protection elevation to +7' for about 6,400 LF of the levee. CPRA will be providing \$1M State Surplus reimbursement for the construction. The contracts have been executed and NLLD will be scheduling a pre-construction meeting 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. The NLLD received the IGA from CPRA and NLLD has executed it. NLLD is still waiting on comments from CPRA but are working with them to get this resolved. Since this is a maintenance lift, NLLD is not expecting a lot of comments.

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.

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 of making this an open system and they are receptive more so than previous approaches. NLLD attended a pre-app meeting with the Corps that went pretty well and they are receptive to an open system design, in general.

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 continuing with processing of the survey data and design for the project. The Geotech still has not been onsite to perform the field work so we are probably two or three months away on this one.

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. LCI will be gathering additional survey information now that the TAZ unit has cleared the existing levee in the area. The TAZ unit is continuing to clear the areas around the Sugar Ridge East Pump. NLLD expects this to take an additional two or three weeks. At that point NLLD can finalize the project plans and specifications.

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. The application has been moving through the process. D. Bourgeois said he and Tre Chauvin attended the Joint Legislative Committee yesterday and he spoke in support of the project, as it was not a vote but a hearing. NLLD will be continuing to monitor the progress through Statewide Flood and answer any questions that arise. They have accepted 4 out of the 6 applications, with this project being one of them. NLLD will definitely get some funding from this process and probably will be finalized later next month.

LBW Backwater Protection Project/308 Farmers Meeting: D. Bourgeois reported NLLD hosted an informational forum for the local landowners and farmers on January 10th where optimism ran pretty low. Everyone who attended did agree that we should 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.

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 complete with dredging the canal and NLLD will be performing some maintenance on the machine to keep it working. NLLD expects this to take approximately two or three weeks. At that point, NLLD will be moving to the Legendre Canal for some clearing and maintenance work.

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 oversight 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. However, they would rather remain inside the protection and this, notwithstanding its significantly increased cost, is the better protection option overall. As this is an area that flooded during Hurricane Ida, and NLLD has advanced the protection concept designs, D. Bourgeois said he made a hard press to get funding for the beginning phases. The CPRA final draft of the Annual Plan will be presented to Legislators and D. Bourgeois said he is confident NLLD will be getting some funding to help address these areas but will have to press hard for the larger portions of this funding at the State level this year and in future years. NLLD has been in touch with State, Regional and Parish Grant writers to see if there may be Grants of any type that can help. While they were optimistic NLLD could get some funding, it would likely be on the smaller side and take a while to get. NLLD will be pursuing those opportunities, nonetheless. NLLD has been coordinating this effort with the Parish who has agreed to contribute some funding for work they were looking to do in this general area for road stabilization if the combined efforts, flood protection and road stabilization can be blended into one project. NLLD is continuing to scope out the contract for this work with Picciola and Associates. NLLD wants to progress the design work to preliminary design based on the phased approach that has been recommended.

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. Pat has revised and resubmitted the draft of the CEA with LPG. NLLD needs to review and if acceptable, will forward to LPG for their review.

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 March 14th here at the NLLD's office. Dynamic is still behind schedule, but their work product has certainly improved. After the meeting on March 14th, NLLD went onsite to review an app 2,800 LF section that was submitted for partial acceptance. All parties agreed that the section was acceptable for partial acceptance. L. Andolsek motioned, seconded by A. Peltier to approve Change Order No. 11 to increase the contract time by an additional 3 days to extend the construction period to December 23, 2022 related to February 2023 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 #14 in the amount of \$208,827.29 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 had originally met with the USACE on November 7th of last year regarding the Eastern alignment including Reach 3 and NLLD had the follow up meeting with them on March 13th well after four months. NLLD is continuing to move forward with the permit application, design, and Row's for the portion of the Reach 3 alignment in which the PAC alignment and NLLD alignment were consistent. Intracoastal Consultants drafted a RoW map and Raceland Sugars presented it to their Board last week, so NLLD is waiting for feedback on that meeting. DCC via IC is drafting the permit application for the project which should be ready for submittal.

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. CPRA has forwarded the executed amendment of the IGA that increases the available state funding to \$4.42M for the project to the NLLD so all the funding for the project is now in place. CPRA has closed out all comments. NLLD gave the final design drawings to LPG and are waiting to see if they have additional comments at this time and expecting to begin advertising the project ASAP.

I. Maintenance and other Regional Projects: A. Ostheimer reported NLLD is continuing to work with GIS and LPG to look at some drainage improvements around Allied Shipyard/Ledet Drive to remove the connectivity to the GIWW in the system. Four culvert crossings were replaced and the dredging of the 28 Arpent Canal was completed. In a few months, NLLD will dress the spoil material that was placed on the adjacent landowners. NLLD sent out an RFP for repairs to Cane Lane asphalt which was something to do upon completion of the Natural Gas project. They came in very high, and NLLD has rejected these bids. NLLD will work with ASCE to get this started. NLLD was finally able to get the USACE permit and begin the bidding for removal of downed trees from drainage canals as a result of Hurricane Ida in the Sixth Ward. NLLD received the NRCS financial commitment approximately a year ago. The project is being reimbursed with approximately \$775,000 from NRCS and will address previously identified debris and trees within drainage canals. NLLD held a pre-bid meeting on March 16th and there was interest. The bid will close on March 30th and anticipate the project's completion 120 days after award. NLLD should have a recommendation for award at next month's meeting. T. Allen mentioned the regulations in this process from NRCS for the tree removal are extreme.

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. So, along with biweekly PDT meetings, work on the project is advancing. 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 need to continue staying ahead of which projects are a priority and which other MtoG projects can be funded through other opportunities.

J. Equipment: Travis Colombel gave an update on equipment for this month. Services were conducted on the powerpack of the Taz unit. On Friday, the Linkbelt 350/Deepwater buggy was removed from the 60 Arpent Canal. General maintenance/service will be conducted on the Deepwater buggy as well.

K. General Items:

Photo Presentation: A. Ostheimer presented photos and gave explanations of the following projects: 60 Arpent Canal Dredge; Acadia Woods; Hollywood Canal; Reach 2; Sugar Ridge East; Woodland Heights CPRA Fiscal Year 2024 Draft Annual Plan and 2023 State Master Plan (every six years): D. Bourgeois

suggested if the board is interested in reviewing these plans and / or making a comment on either or both, please note that public comments may be submitted for the plan now through March 25, 2023 via email, regular mail. To Submit Feedback for the 2023 DRAFT Coastal Master Plan or the FY 2024 DRAFT Annual Plan, send an email to masterplan@la.gov or fill out the online public comment form at the CPRA website. WWW.coastal.la.gov/our-plan/2023-coastal-master-plan/. Send comments in writing to CPRA Master Plan Comments, 150 Terrace Avenue, Baton Rouge, LA 70802.

Louisiana Board of Ethics Reporting Requirements: D. Bourgeois stated as a reminder, each Commissioner of the NLLD is 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> and let Katie know if anyone would prefer a printed version for the submittal.

Association of Levee Boards of Louisiana: D. Bourgeois reported the ALBL will host its 36th annual workshop on Thursday and Friday, April 27-28, 2023 in Baton Rouge. Please let Katie know if anyone is planning to attend. The block-off date to reserve hotel rooms at a discounted rate is Monday, March 27.

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:

ALBL Executive Meeting: 3/3/23

MVFC Spring Meetings in DC: 3/6/23-3/8/23

BIG Luncheon: 3/13/23

CPRA Board Meeting: 3/15/23

USACE GIWW East Charrette: 3/20/23-3/23/23

NSU Coastal Center Search Committee Meeting: 3/20/23

SCIA & MAC Meeting: 3/21/23

Finance & Priority Committee: Committee Chairman L. Andolsek reported that the Finance and Priority Committee conducted a meeting on February 28, 2023. 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 Vice President called for other engineering reports; there were none.

The Vice 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) on Tuesday, April 18, 2023, at the District's office located at 3862 Highway 1, Raceland, LA. The Finance & Priority meeting will be at an earlier time next month.

A. Peltier 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. Hebert to return to regular session. No discussion or public comment. Motion passed unanimously. R. Foret motioned, seconded by D. Kiffe to take action authorized by the board in executive session. No discussion or public comment. Motion passed unanimously. R. Foret motioned, seconded by R. Pitre to enter executive session pursuant to LA R.S. 42:17A (2) to discuss the Legal action by the Louisiana AG Office against FEMA pertaining to FEMA's implementation of its Risk rating 2.0 rating methodology as was requested by the Association of Levee Boards of Louisiana. No discussion or public comment. Motion passed unanimously. R. Pitre motioned, seconded by R. Foret to return to regular session. No discussion or public comment. Motion passed unanimously. As discussed in the Executive Session, A. Peltier motioned with a unanimous second to approve the read aloud resolution in the packet to join

the Attorney General of Louisiana and other entities in Louisiana in litigation against FEMA to challenge Risk Rating 2.0. No discussion or public comment. Motion passed unanimously. The meeting was unanimously adjourned at 7:23 PM on motion by R. Foret, seconded by D. Kiffe.

/s/Cory Kief, President

/s/Dwayne Bourgeois, Executive Director