

Minutes of the Regular Monthly Board meeting of the North Lafourche Conservation, Levee & Drainage District, June 20, 2023

The Regular Monthly meeting of the North Lafourche Conservation, Levee and Drainage District Board of Commissioners was called to order on June 20, 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 Tory Hebert and invocation given by Elmo Pitre. President Kief called roll. Commissioners present were Tim Allen, Rodney Foret, Darcy Kiffe, Adley Peltier, Louis Andolsek, Tory Hebert, Cory Kief, and Elmo Pitre. Commissioners Percy Gasery, Monique Crochet, and Robert Pitre were absent. Others present were 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. Executive Director Dwayne Bourgeois was absent. Therefore, Arthur Ostheimer presented the director's report.

Approval of Minutes: Motion was made by R. Foret, seconded by A. Peltier to approve the minutes of the following meetings: Tuesday, May 16, 2023, Finance & Priority Committee and Tuesday, May 16, 2023, Regular Board Meeting. No discussion or public comment. Motion passed unanimously.

Public Request for Agenda Items to be discussed: C. Kief called up Mr. Ray Cheramie, who had questions/concerns related to Lockport-Larose and Valentine Project Areas, to address the board. Mr. Cheramie, who resides at 118 Serville Lane, Larose, first asked about the condition and replacement of the Edgar Guidry Pump Station and then asked about the size and condition of the pump reservoir to the Larose Pump Station. Mr. Cheramie expressed his concerns. C. Kief requested to A. Ostheimer that NLLD meet with LPG President Archie Chaisson on these broader issues to see what can be addressed. T. Allen suggested a committee be formed for the purpose of considering all Pumps in the District. Those commissioners willing to sit on it are Rodney Foret, Darcy Kiffe, Elmo Pitre and Cory Kief. The board will approve the creation of the committee at the board's next regular meeting.

A. Thibodaux – West Project Area:

A. Ostheimer stated there is nothing to report in this project area. However, NLLD is working with the High Tide Consultants and City of Thibodaux to potentially identify some projects moving forward.

B. Thibodaux - Lockport - Bayou Blue Project Area:

NSU Drainage study: A. Ostheimer reported the bid opening for the NSU Coastal center was June 13th. NLLD will see what the bids look like when that is complete and what options are included at the end of June. It also looks like NSU got \$2M in capital outlay funding specifically to address some of the drainage issues we had identified.

Bayou Blue – Hollywood Backwater Flood Protection Project: 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 is working toward completing the pump station. The structure of the station is close to completion with the pumps and engines being installed. NLLD expects them to continue working on the pump station over the next couple weeks of the project and be ready for startup sometime near the end of the month. A. Peltier motioned, seconded by T. Allen to approve payment of Pay Request #11 in the amount of \$443,981.71 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: A. Ostheimer reported NLLD requested and received Capital Outlay funding for levee improvements in these FDAs, including a P1

appropriation of \$1.225M, a cash line from Capital Outlay Savings Fund of \$3M, and a P5 appropriation of \$2.75M. Available funding to start this project is \$4.225M. As of the most recent legislative session information, the \$2.75M P5 funding was moved to P1 this year, bringing NLLD's total to \$6.975M. This funding will be administered by the Office of Facility Planning and Control and NLLD has executed the CEA. Sea level has installed the access bridge across Butch Hill pump station that will be used for access for the levee improvement project and LPG will use it for construction of the new Butch Hill pump station. NLLD will acquire right of ways for the project needed for access. LCI has completed the design and NLLD was able to meet with FP&C last week and request a preliminary project review. Advertising is planned in the next 45-60 days.

Upper Bayou Folsom Watershed Backwater Flood Protection: A. Ostheimer reported NLLD explored the synergy between its efforts and that of Lafourche-Terrebonne Soil and Water Conservation District to submit projects for funding assistance. After meeting with stakeholder groups, NLLD identified projects to pursue funding for farmland within the district. Now that NLLD is working on the Prairie levees and the Hollywood Canal project, NLLD has also submitted a funding request through State Capital Outlay for a project that benefits this large part of the district.

C. Lockport - Larose Project Area:

Lockport to Larose Reach B Levee Project: A. Ostheimer reported Low Land Construction Company, Inc. is the contractor on this project 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. Low Land is off to a good start on this project. They have backfilled a majority of the ditch that ran parallel to the levee and are working on completing the pipeline crossings in the project. Once this portion of the project is complete then everything else is pretty straight forward. E. Pitre motioned, seconded by T. Hebert to approve payment of Pay Request #1 in the amount of \$417,742.93 from Low Land Construction Company, Inc. as recommended by the project engineer. No discussion or public comment. Motion passed unanimously.

Lockport to Larose Reach D2 & D3 Levee Improvements: 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 expected settlement in consolidation, the elevation lost approximately a foot of protection. NLLD was able to work with CPRA to move the excess funding app \$800K from TLBB Element 2 to help fund this project. NLLD received bids on June 15th. At that time, 4 bids were submitted. R. Foret motioned, seconded by D. Kiffe that NLLD awards the construction contract to Sealevel Construction, LLC, thus committing \$859,689.00 of NLLD's net assets towards NLLD Project No. 6300.66Z and authorizing the NLLD President to sign, execute, and administer a contract and any and all relevant documents. No discussion or public comment. Motion passed unanimously.

Lockport to Larose Reach D5 Levee Improvements: A. Ostheimer reported GIS has been working to develop flood protection options for Allied Shipyard to Bayou Lafourche, but none of the options in their submitted report are ideal due to high costs or the need for a buyout of residences. To secure funding, NLLD submitted a FEMA BRIC grant with Delta Coast Consultants and are exploring other options for protection and funding.

D. Choupic Project Area:

West Choupic & St. James Project Area Backwater Flood Protection: A. Ostheimer reported NLLD is working with LCI to realign the proposed levee to reduce negative impacts on landowners while meeting the Corps' wetland requirements. Reconsidering the options is taking a bit more effort. Both the Corps and DNR were receptive to an open system design at recent pre-application meetings, so LCI will move forward with preparing a permit application.

Bowie Forced Drainage System Levee Improvements: 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 progressing with design documents and rights of way and targeting the 3rd/4th quarter to begin advertising the project.

E. St. James Project Area:

Woodland Heights Levee: A. Ostheimer reported this project aims to prevent backwater flooding in the Woodland Heights Subdivision and Hwy 20 public housing. After collaborating with landowners, NLLD feels it's developed a solution to meet the area's needs and reduces the risk of future flooding. LCI is gathering additional survey information now that the TAZ unit has cleared the existing levee in the area. NLLD is sweeping the drainage ditch and expect to complete this work by the end of the week.

F. Lake Bouef Watershed Project Area:

Zeller/Larousse Forced Drainage Area Systems Improvements: A. Ostheimer reported LCI applied on NLLD's behalf to LA Statewide Flood Control for Phase 3 of this project to improve the levee structures and drainage system that protect the Kraemer/Bayou Bouef community. The application has been approved by the committees, and the \$5M funding award for the approximately 2500 linear feet along Kraemer Bayou Road was appropriated in the last legislative session. NLLD has issued an engineering contract to LCI to begin design for this work. NLLD wants to get the geotechnical analysis started as this will be a big part of the design.

LBW Backwater Protection Project/308 Farmers Meeting: A. Ostheimer reported at the informational forum for the local landowners and farmers on January 10th, NLLD agreed 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.

G. Gheens Project Area:

Upper Barataria Risk Reduction (UBRRP) Project: A. Ostheimer 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: A. Ostheimer reported NLLD is working with Picciola and Associates on a project to enhance protection along Industrial Park Road to Bayou Lafourche, raising the elevation to around 9'. NLLD divided the project into four phases based on the type of construction required and are confident to receive some funding for the initial stages. NLLD is pushing for more significant funding at the state level and exploring various grant opportunities. The parish has agreed to contribute some funding to the project for a combined effort of road stabilization and flood protection. 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.

Morganza to the Gulf Eastern Tie-in, reach 2 Interim Improvements: 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 June 13th at the NLLD's office. They have completed approximately 15,100 linear feet of levee which has been partially accepted based on completion of the 28-day settlement period. They have approximately 8,800 LF of levee that has been submitted and started the 28-day settlement period. They are close to finishing the southern

half of the project. Dynamic has submitted a schedule with a planned completion date of July 15th. E. Pitre motioned, seconded by L. Andolsek, to approve payment of Pay Request #17 in the amount of \$238,024.55 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: 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 June 12. There have been positive movements from USACE taking into consideration the alignment suggested, and this project will be moving along. USACE had a site visit with NLLD on May 23 for the whole Eastern Tie-In and it was well received. NLLD has submitted the permit application and is continuing to move forward with the design and RoWs for the portion of the Reach 3 alignment. The PAC alignment and NLLD alignment were consistent. NLLD met with RRS regarding the right of way and was told that their board has approved it based on similar provisions NLLD had for the Natural Gas project. CPRA is circulating the IGA for review and signature.

Ludevine Pump Station Replacement: 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, then an additional \$1.62M in the annual plan for construction of this project. NLLD received bids for the pump station on June 13th. All three bids were over the project estimate, but the apparent low bidder which was in budget has notified the NLLD of a calculation error in their bid and has subsequently withdrawn it. NLLD plans on meeting with GIS ASAP to discuss the variation between the estimate and the two bids responsive bids received and revisit the design to determine the best path forward. In order to do this and with the low responsive bidder approximately \$2M over the budgeted funds by the NLLD, NLLD would ask the board to reject these bids. D. Kiffe motioned, seconded by T. Allen to reject all bids submitted for NLLD Project No. 6800.65Z due to the failure of any bidder to submit a bid below the engineer's probable cost of construction. No discussion or public comment. Motion passed unanimously.

T-Bois Ludevine Levee Tie In: A. Ostheimer reported this project will connect the T-Bois Levee to the Ludevine Levee and build a new bridge across the Blackwater Canal funded by LPG for Eunice Allemand residents. In March, the NLLD board approved a CEA for NLLD to construct both projects, with LPG reimbursing NLLD for their share of the work. This arrangement benefits both parties and provides controlled interconnectivity between the two FDAs. Picciola and Associates submitted the permit application to DNR and USACE for review. NLLD has finalized the draft of the CEA and plan on moving forward with the Geotech work ASAP.

I. Maintenance and other Regional Projects: A. Ostheimer reported NLLD is waiting on GIS to gather some additional information for drainage improvements around Allied Shipyard/Ledet Lane to be able to remove the connectivity to the GIWW in the system. The Linkbelt 350 is currently working in the Legendre Canal for some clearing and maintenance work which is progressing well. LCI is assisting by coordinating pipeline crossings and acquiring access over private properties. NLLD has started clearing 25' of the protected side of the interior drainage channel that parallels Reach 2. NLLD will need access along the canal to remove debris and spoil to open the channel back up once Reach 2 is complete. NLLD performed its annual prep for hurricane season with Outer Limits going through all of NLLD's gates and making sure everything is operational. NLLD will be mobilizing the TAZ unit to open back up the drainage canal through the Greenwood mitigation bank a little north of Thibodaux. NLLD had been working with the USACE to get that straight for a while and finally received their concurrence to perform this work. NLLD will begin some levee improvements on the north side of Des Allemands where the landowners

have given NLLD the right of way.

Morganza to the Gulf: A. Ostheimer reported all involved are pursuing additional ongoing funding from the Federal Government and are generally encouraged in what's being heard. Everything is falling into place; but everyone has to keep pushing for ongoing funding and to match efforts and needs with the Corps. Even with funding coming, there needs to be a continuing staying ahead of which projects are a priority and which other MtoG projects can be funded through other opportunities. All is continuing to work with the Corps on land rights issues to speed up the process of construction while keeping the cost down.

Drainage Canals Debris Removal: A. Ostheimer reported this project includes vegetative debris removal from canals in the Chackbay and Lockport areas. The fallen trees were a result of Hurricane Ida, and NRCS has agreed to assist in the funding through reimbursements. All South Consulting Engineers has been the program manager for the Ida claims, and they handled all project specifications for public bid. Notice to proceed was issued for May 23rd. Grillot construction has been working on clearing various FDA channels in the Choupic area and moving along pretty well. A. Peltier motioned, seconded by E. Pitre to approve payment of Pay Request #1 in the amount of \$27,943.30 from Grillot Construction, LLC as recommended by the project engineer. No discussion or public comment. Motion passed unanimously.

J. Equipment: Travis Colombel gave an update on equipment for this month. An element, distribution block, several fittings and hoses were replaced to repair the automatic degreaser on the LB 350 Deepwater buggy and the machine is now around the Legendre Canal. Gussets were added to the interior drive axles at the sprockets of the LB 130 after identifying cracks in the welds. The LB 130 is finishing drainage sweeping behind the Sugar Ridge community. The exhaust muffler on the CAT 330 was replaced because it was leaking from rust, wear, and age. The AC system also underwent repairs and the machine is at the 2 of 12 drainage area.

K. General Items:

Photo Presentation: A. Ostheimer presented photos and gave explanations of the following projects: Butch Hill Pump Station; Hollywood Canal; Element 2; Reach 2; Reach B; Sugar Ridge Pump; tree removal in Kraemer.

NLLD Funding in this Legislative Session: A. Ostheimer reported that while it is not over until the veto period has passed, NLLD is happy to have done pretty well in getting supplemental funding for projects this session. NLLD is receiving as new funding: \$8M From CPRA in Surplus Funds for MtoG Eastern Tie in and related work, \$5M From DOTD Statewide Flood Control for Phase 3 Zeller / Larousse Flood Protection, and \$2.75M From Capital Outlay (HB2) for Raceland Prairie Levee Improvement. This brings the total new money to \$15.75M. Also important in all of this is that all of NLLD's unspent (old) money is additionally still in the approved spending plans to be spent as expected totaling an additional \$19.3M being GOMESA and Surplus funds from CPRA and capital outlay funding via the Legislators and the Administration. So, by the work of the NLLD, with the help from the CPRA, the State Legislative Delegation and the Governor, NLLD is currently augmenting the funds from its local taxpayers by some \$35M in state and federal funds in the implementation of projects in the district.

NLLD Joined Lawsuit against FEMA on RR2.0: C. Kief stated there were no current updates.

NLCLDD Declaration of State of Emergency: A. Ostheimer reported generally, what an Emergency Declaration from the LPG and the NLLD would accomplish is that if there is an "imminent threat" caused by some tropical event, NLLD could get permission from the Corps to move forward with projects in design and ready with funding without having to wait for a final decision from the Corps on permitting and the like. NLLD still has to reconcile those things, but it would be done after the fact. The following action mirrors a similar tack that Terrebonne Parish and Terrebonne Levee have taken regarding a

specific reach of the MtoG system. NLLD's, and that of the parish is a bit broader as to include areas where both had flooding during Hurricane Ida. Discussion ensued about the vague language and the level of authority given to a levee district director with this state of emergency declaration. Although the board members see the positives of moving projects quicker with this declaration, some were also concerned about the negative consequences that could come from making these swift decisions on private property. Kenney King with Delta Coast Consultants reported to the board that with this declaration there is still an emergency request process that needs to be filed with the USACE. The board is largely in favor of moving projects quicker during hurricane season to prevent flooding from happening such as Hurricane Ida brought. However, a few board members agree the resolution to sign for this declaration needs more discussion time. No motion was made to approve the resolution for the declaration. The board agreed to bring this issue up with more information in a public special meeting the following week.

Other Meetings this Month: A. Ostheimer stated in addition to the regular monthly meeting circuit and those previously discussed, he participated in the following meetings:

CPR Board Meeting: 5/17/23

RRS Right of Way Discussion (Arthur): 5/23/23

CSFI Meeting with Senator Cassidy: 5/23/23

State of the Coast (Dwayne gave two presentations and moderated): 5/31/23-6/2/23

BIG Luncheon (Katie): 6/12/23

MAC Board Meeting: 6/13/23

CPR Board Meeting: 6/14/23

NSU Coastal Center Search Committee Meeting: 6/14/23

Terrebonne Parish Coastal Day (Dwayne on Panel): 6/15/23

Finance & Priority Committee: Committee Chairman L. Andolsek reported that the Finance and Priority Committee conducted a meeting on May 16, 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 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) on Tuesday, July 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.

The meeting was unanimously adjourned at 7:38 PM on motion by R. Foret, seconded by D. Kiffe.

/s/Cory Kief, President

/s/Dwayne Bourgeois, Executive Director