

**Minutes of the Regular Monthly Board meeting of the North Lafourche Conservation, Levee & Drainage District, August 15, 2023**

The Regular Monthly meeting of the North Lafourche Conservation, Levee and Drainage District Board of Commissioners was called to order on August 15, 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 Rodney Foret and invocation given by Tory Hebert. President Kief called roll. Commissioners present were Tim Allen, Rodney Foret, Darcy Kiffe, Adley Peltier, Tory Hebert, Cory Kief, Robert Pitre, Louis Andolsek, and Elmo Pitre. Commissioners Percy Gasery and Monique Crochet were absent. Others present were: NLLD Executive Director Dwayne Bourgeois, NLLD Administrative Assistant Madonna Viguerie, NLLD Executive Assistant Katie DeRoche, NLLD Project/Accounting Assistant Brandy Theriot, Program/Project Manager Arthur Ostheimer, NLLD Field Coordinator Travis Colombel, and various engineering professionals.

Approval of Minutes: Motion was made by D. Kiffe, seconded by T. Hebert to approve the minutes of the following meetings: Tuesday, July 18, 2023, Finance & Priority Committee and Tuesday, July 18, 2023, Regular Board Meeting. No discussion or public comment. Motion passed unanimously.

C. Kief deviated from the agenda to recognize the Lafourche Parish Assessor, Wendy Thibodeaux. She requested to give a public statement that she is seeking re-election for tax assessor.

Chairman of the Lafourche Parish Game and Fish Commission Phillip Goaux also requested to give a public comment to the board. He would like the NLLD to consider clearing the debris from Hurricane Ida in Bayou Folse to improve drainage. D. Bourgeois said he would like to and plans to help the Lafourche Parish Game and Fish Commission when our resources become available. He said NLLD will need help with where to place the debris and suggested to Mr. Goaux that the commission help with providing a container or barge to place the debris on. D. Bourgeois asked Mr. Goaux to inform him of their next meeting and he will attend to address this if possible.

**A. Thibodaux – West Project Area:**

D. Bourgeois 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: D. Bourgeois reported the bid opening for the NSU Coastal Center came in under budget and NSU was able to accept some alternates. NSU got \$2M in capital outlay funding specifically to address some of the drainage issues NLLD had identified. But, there remain some questions as to where those funds can be spent. So, between the project being under budget and the additional funds, NLLD will be working with NSU to see how much of their Drainage issues NLLD previously worked with DDG to identify and propose solutions might be taken care of in this process.

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. NLLD met on August 2nd for the pump station startup. The pumps ran well, and everyone agreed at that time the pump station was substantially complete. LCI generated a punch list and Sealevel will be completing these items over next month. The biggest item outstanding is the fuel pump/scrubbing system and generator which are on order but are not expected for several more weeks. Currently the station is operable as a gravity fuel system, and NLLD could operate the closure structure if needed for a storm. R. Pitre motioned, seconded by A. Peltier to approve Change Order No. 3 to increase the contract time by an additional 16 days and extend the construction period to August 2, 2023 in order to complete modifications to the fuel tank as requested by Sealevel Construction, Inc. and recommended by the project engineer. No discussion or public comment. Motion

passed unanimously. T. Hebert motioned, seconded by E. Pitre to accept the Certificate of Substantial Completion from Sealevel Construction, Inc. as recommended by the project engineer. No discussion or public comment. Motion passed unanimously. R. Foret motioned, seconded by L. Andolsek to approve payment of Pay Request No. 13 in the amount of \$124,427.28 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 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. LCI has finalized the bidding documents for the project and FP&C has given concurrence, so NLLD plans to begin the bid advertisement on Thursday, August 18th and accept bids here at the NLLD office on September 19th. If all goes as planned, NLLD will have a recommendation for award for the Board's consideration at September's meeting.

Upper Bayou Folse Watershed Backwater Flood Protection: D. Bourgeois 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: D. Bourgeois and 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 has backfilled a ditch that ran parallel to the existing levee and built the entire project on the flood side to a +1 elevation. They have now started installing the first couple of lifts across the entire project. They have also installed the materials around both the pipeline crossings in the project. They will have to continue to periodically place material on the Shell pipeline based on the LON agreement. Overall, the project is going really well. D. Kiffe motioned, seconded by T. Hebert to approve Change Order No. 3 from Low Land Construction Company, Inc. to increase the contract time by 6 days due to adverse weather conditions in July 2023 as 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 No. 3 in the amount of \$294,607.54 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: D. Bourgeois and A. Ostheimer reported Sealevel Construction Inc. is the contractor on this project designed to improve the elevation of the Lockport to Larose Reach D2 & D3 Levee to an 8' elevation. CPRA will be providing \$827K reimbursement for construction. Sealevel was awarded the project and NTP was issued for Monday, August 18th so they are just getting started on the project.

Lockport to Larose Reach D5 Levee Improvements: D. Bourgeois 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: D. Bourgeois 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. D. Bourgeois said he had a conversation about the status and approach with a couple of residents in the area.

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 progressing with design documents and rights of way and targeting the 3rd/4th quarter to begin advertising the project. They are still waiting for the final geotechnical report to complete the design template for the levee. At this point the design path forward is dependent on receiving the geotechnical report.

**E. St. James Project Area:**

Woodland Heights Levee: D. Bourgeois and 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 reduce the risk of future flooding. LCI has collected some additional survey information and will be working on the project design. Since NLLD would be increasing the size of the area for the existing Sugar Ridge East pump, NLLD decided to perform some additional analysis to ensure the pumps and ability to flow to the pump will still be adequate.

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

Zeller/Larousse Forced Drainage Area Systems Improvements: D. Bourgeois and 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. They are developing a design plan and working with the necessary subconsultants to get the project started.

LBW Backwater Protection Project/308 Farmers Meeting: D. Bourgeois reported at NLLD's informational forum for the local landowners and farmers on January 10<sup>th</sup>, 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. Subsequently, NLLD has had some conversations with the Mill who is working with the farmers to see if they might be able to advance the project through their processes. So, NLLD remains committed to working with them and NLLD will report back more as this effort develops.

**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. MVP will help support MVN with this project as it moves along.

**H. Valentine - East Project Area:**

Industrial Ave Floodwall-North American Shipyard to Bayou Lafourche: D. Bourgeois and 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 had Picciola do a detailed survey of the elevation protection in the area. NLLD will be concentrating its efforts on the areas with the lowest elevations which appear to be along Industrial Park Road. There are also some culverts installed that allow flow into the system during Ida that NLLD wants to address. NLLD is working with Picciola and LPG to make sure that none of the residents are negatively affected by eliminating these culverts and flowing the drainage to the pump system.

Morganza to the Gulf Eastern Tie-in, Reach 1 Eunice Allemand: D. Bourgeois and A. Ostheimer reported NLLD has been working with Delta Coast on a project to improve some existing inside flood protection levees that allowed some flooding of homes and property in this FDA during Hurricane Ida. Due to its location, NLLD is having to look at this protection project as it might have future benefits to the adjacent alignment of future reach 1 of the MtoG Eastern Tie In. DCC is working on a plan to raise the elevation around Eunice Allemand to a +5' elevation. DCC had to capture a few more survey elevations, which have been completed so NLLD should be able to finalize a maintenance plan for this project.

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 August 8th here at the NLLD's office. They have completed approximately 11,500 linear feet of levee which has been partially accepted based on completion of the 28-day settlement period. They have approximately 6,000 LF of levee left to complete. At the August 8th meeting Dynamic notified GIS and NLLD that they expect the project to extend into October and they believe the project will need an additional 6,000 cy in place material which would convert to approximately 9,000 to 10,000 CY of additional qty for the project. The NLLD had requested in March a detailed review of the quantity with GIS ahead of the previously accepted change order to the Board. At that time all agreed 10,000 to 12,000 CY would be needed to complete the project and 18,000 CY was added to the project to make sure there was ample material to complete the project. It will be a Board decision, but in discussion with Dwayne and CPRA, NLLD's position is that it is not supportive of any additional change orders for this project based on the poor performance of the contractor. The project is 180 days into liquidated damages and the work performed is, in NLLD's opinion, inefficient and the absolute minimum required. As of now, NLLD has directed GIS to review the progress and determine how much material is required to finish the project to the design elevation of 7.5' and determine what elevation can be achieved with the remaining material on the existing contract. T. Hebert motioned, seconded by L. Andolsek to approve Change Order No. 15 from Dynamic Group, LLC to increase the contract time by 1 day due to adverse weather conditions in July 2023, 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 June 12. There have been positive movements from USACE taking into consideration the alignment suggested, and this project will be moving along. NLLD has submitted the permit application and are continuing to move forward with the design and RoWs for the portion of the Reach 3 alignment in which the PAC alignment and NLLD alignment were consistent. NLLD met with the design team on August 9th to discuss the status and path forward. Basically, NLLD is full speed ahead with the plan to push everything to USACE as moving forward to keep pressure on them to continue to make progress on the MtoG Eastern Tie-In alignment. NLLD has received the finalized

exhibits for the RoW for RRS and will be meeting with them to execute it ASAP. CPRA is circulating the IGA for review and signature.

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, then an additional \$1.62M in the annual plan for construction of this project. We met with GIS, LPG, and CPRA on August 3rd and again on August 10th to review items that could possibly reduce the overall estimate of the project so that we can move forward with rebidding the project. As of now, NLLD is looking to find a few additional savings on the project and are cautiously optimistic NLLD will be able to move forward with the project. NLLD has a meeting scheduled on August 22nd that should allow the NLLD to decide as to the best path forward.

T-Bois Ludevine Levee Tie In: D. Bourgeois and 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. The USACE has issued the permit and NLLD is waiting on DNR to do the same. NLLD has finalized the draft of the CEA and forwarded it to LPG for review and execution. The geotech is moving forward with their work so that once the CEA is executed, NLLD is expecting to move to final design quickly.

**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 has cleared the Legendre Canal and is going through some routine maintenance prior to moving toward Grand Bayou for continued clearing. NLLD has completed 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 also met with the landowner regarding a RoW to open the Humble Canal drainage to the Valentine forced drainage system. NLLD will also be installing a 48" culvert to interconnect the Old and New Valentine FDA so they can assist each other as needed. NLLD has mobilized the TAZ unit to open back up the drainage canal through the Greenwood mitigation bank a little north of Thibodaux. NLLD is continuing the levee improvements on the north side of Des Allemands. NLLD performed some emergency repairs on LtoL Reach B3 along Bayou LeBleu based on a recommendation from Joe Picciola. This work looks like it will need to be expanded to some additional areas to make sure the levee is stable in this location. NLLD has staged an emergency stockpile of material at the Sugarland property for emergency use as needed. On Sugarland they are also continuing to excavate the Butch FDA channel in preparation for the new Butch Hill pump station which expected to be advertised in the 4th qtr of this year. NLLD contracted with Andy's Tree service to remove the trees along Reach D2 in the FDA channel ahead of the NTP for the project.

Morganza to the Gulf: D. Bourgeois 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. Finally, through MAC and working directly, all are looking for legislation to do more of the work in parallel with the Corps to be in a position to complete this vital flood protection as rapidly as possible.

Drainage Canals Debris Removal: D. Bourgeois and 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. (They were in fact THE funding source available to NLLD for completing this recovery work.) All South Consulting Engineers performed a substantial completion inspection at which time all parties believed the project was substantially complete. They have generated a punch list, which is minimal, that the contractor will be completing over the next couple of weeks. E. Pitre motioned, seconded by D. Kiffe to approve Change Order No. 2 to decrease the contract amount \$2,484.00 and to decrease the contract time by 45 days, changing the construction period to August 4, 2023, in order to balance the contract quantities and costs as requested by Grillot Construction, Inc. and recommended by the project engineer. No discussion or public comment. Motion passed unanimously. T. Allen motioned, seconded by T. Hebert to accept the Certificate of Substantial Completion from Grillot Construction, Inc. as recommended by the project engineer. No discussion or public comment. Motion passed unanimously. D. Kiffe motioned, seconded by L. Andolsek to approve payment of Pay Request No.3 in the amount of \$36,766.40 from Grillot Construction, Inc. as recommended by the project engineer. No discussion or public comment. Motion passed unanimously.

**J. Equipment:** Travis Colombel reported on equipment for the last month. Following the detection of a leak in the hydraulic system, a seal kit was installed on the CAT 330's boom. The machine is now operational at the Butch Hill Channel Improvements Project, post repairs. After clearing debris from in and around the Legendre drainage canals, the LB 350 was removed from the water. It's undergoing general maintenance before its next deployment. Persistent design issues with LB 130's main drive assemblies led to recurring cracks, requiring repeated welder intervention and delayed progress. These breakdowns inflate project costs by \$2,000 to \$3,000 per repair. Talks are ongoing for a complete drive assembly rebuild, while the LB 130 operates at Green Wood Mitigation Bank.

**K. General Items:**

Photo Presentation: A. Ostheimer reported and presented photos on the following projects: Des Allemands; Greenwood Mitigation Bank; Hollywood Canal; Reach 2 Blackwater Canal; Reach B; and Sugarland.

Bayous Lafourche, LeBleu & Grand Water Flow Discussion: There were six agencies represented at this meeting held this morning: NLLD, Terrebonne Levee District, South Lafourche Levee District, Bayou Lafourche Fresh Water District, Terrebonne Parish, and Lafourche Parish. C. Kief wanted everyone to convene to figure out a way to actively manage water in the system. The name of this group will be Lafourche-Terrebonne Freshwater Management Project workgroup to start finding funding to manage the water that is in the basin. C. Kief stated this came about to try and see how/where to take the new waterflow from Bayou Lafourche into the marsh. C. Kief said if nothing is done, this area will look like the LSU map predictions in 2075 and it does not look good. C. Kief also mentioned he resigned from the MAC board meeting to focus on this waterflow initiative. For the next NLLD regular meeting, there will be a vote to choose another member from the NLLD board to sit on the MAC board.

NLLD Joined Lawsuit against FEMA on RR2.0: D. Bourgeois updated the board on the recent lawsuit on FEMA. He gave details about the upcoming legal case to take place.

Association of Levee Boards of Louisiana Annual Meeting: D. Bourgeois reported ALBL will host its annual meeting on December 6-7, 2023 in New Orleans for whoever is interested in attending.

USACE Low Water Tour Reception: The Port of Morgan City is hosting a reception at Nico Bella for Thursday, August 24th from 6 PM to 8:00 PM after the USACE's annual low water tour if anyone is interested.

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:

NFIP Virtual Meeting: 8/7/23 and 8/8/23

Mid-Barataria Sediment Diversion Groundbreaking Ceremony: 8/10/23

BTNEP Management Meeting: 8/11/23

BIG Luncheon: 8/14/23

Bayous Lafourche, LeBleu and Grand Water Flow Discussion: 8/15/23

SCIA Luncheon: 8/15/23

MAC Luncheon: 8/15/23

Finance & Priority Committee: Committee Chairman L. Andolsek reported that the Finance and Priority Committee conducted a meeting on July 18, 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.

Pump Station Assessment (PSA) Committee: Committee Chair Tory Hebert reported with the recent formation of this committee to gather and study information regarding the condition of the LPG pumps within our district, he proposes to schedule the first meeting to get things rolling. The committee agreed to schedule a meeting for 4 pm the same day as the next regular board meeting.

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.

C. Kief stated the next Regular Monthly Board Meeting will be at 5:20 PM (or immediately following the F&P Committee meeting) on Tuesday, September 26, 2023, at this office located at 3862 Highway 1 in Raceland. The meeting was unanimously adjourned at 7:11 PM on motion by R. Pitre, seconded by T. Hebert.

/s/Cory Kief, President

/s/Dwayne Bourgeois, Executive Director