

Minutes of the Regular Monthly Board meeting of the North Lafourche Conservation, Levee & Drainage District, September 26, 2023

The Regular Monthly meeting of the North Lafourche Conservation, Levee and Drainage District Board of Commissioners was called to order on September 26, 2023, by President Cory Kief at 5:35 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 Rodney Foret. 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: The minutes of Tuesday, August 15, 2023, Finance & Priority Committee and Tuesday, August 15, 2023, Regular Board Meeting were tabled and will be approved at the next board meeting on October 17, 2023 along with the September meeting Minutes.

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. CPRA is reimbursing a little over \$6.5M GOMESA funds for the project that includes drainage & levee improvements along with a closure and a pumping structure. The project is currently in the clear lien period as substantial completion was approved by the Board last month. Sealevel is continuing to work through some punch list items but is making progress. The final completion may not occur until November due to supply delays for the fuel pump system and the generator. The structure is operable as is if needed. T. Allen motioned, seconded by T. Hebert to approve payment of Pay Request No. 14 in the amount of \$104,090.76 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 this project for levee improvements in these FDA's will ultimately receive a total of \$6.975M in state reimbursements through Capital Outlay. The project was recently advertised for Public Bid, and the bid opening took place this morning. The bids came in, however, D. Bourgeois said NLLD will present this to the board for the next regular meeting to properly consider our options on the award regarding our available funding. This is within the required time to make our award.

Upper Bayou Folse Watershed Backwater Flood Protection: D. Bourgeois reported NLLD collaborated with the Lafourche-Terrebonne Soil and Water Conservation District to seek funding assistance for projects benefiting NLLD's districts. Following discussions with stakeholder groups, NLLD identified projects that focus on farmland benefits. Now that there is active engagement in the Prairie levees and

Hollywood Canal project, NLLD will continue to submit funding requests through State Capital Outlay to support this project benefiting a substantial part of its 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 is continuing to install material into the levee template. Currently the majority of the levee is approximately 3'. The project is going really well, and they have continued to make really good progress each month. We did have Picciola do a quantity review on the project to make sure that is inline and at this time it appears to be consistent with the project's progress. A. Peltier motioned, seconded by E. Pitre to approve payment of Pay Request No. 4 in the amount of \$543,055.16 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's NTP was August 18th and they have gotten off to a good start on the project. They are currently hauling material in and installing it on the area where D2 begins. They also have been working on the area closest to the Larose Pump Station when unable to reach the other end of the project. L. Andolsek motioned, seconded by E. Pitre to approve payment of Pay Request No. 1 in the amount of \$364,313.12 from Sealevel Construction, Inc. as recommended by the project engineer. No discussion or public comment. Motion passed unanimously.

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 for this project but were recently notified that the application was not chosen for funding. However, NLLD did receive guidance from GOHSEP on improving NLLD chances for future award, including further development and definition of the project scope and cost benefit analysis. NLLD plans to work with Delta Coast to improve the application for future submission and will resubmit when the next grant cycle is announced.

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' and DNR wetland requirements. This re-evaluation is a bit more involved, but both agencies have shown openness to an open system design in recent pre-application meetings. LCI will proceed 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 still waiting for the final geotechnical report to complete the design template for the levee. LCI has continued to move forward with the design but will need the final report prior to issuing the final design documents. NLLD is working on finalizing as much as possible to be prepared to advertise ASAP.

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, it was 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 is secured for the approximately 2,500 linear feet along Kraemer Bayou Road during the last legislative session. LCI is starting the design process for the project. NLLD is waiting for the CEA to be issued which should be in the next couple of months.

LBW Backwater Protection Project: D. Bourgeois reported at NLLD's informational forum for the local landowners and farmers on January 10th, NLLD reached a consensus to establish an alignment that avoids wetland impacts, identify the affected property owners, and initiate preliminary discussions based on those findings. Subsequently, NLLD has engaged in conversations with the Mill, which is collaborating with the farmers to explore the possibility of advancing the project through their processes. NLLD remains committed to working closely with them and will provide further updates as this collaborative effort progresses.

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 segmented the project into four phases based on construction needs and is optimistic about securing funding for the initial stages. NLLD is also actively advocating for more substantial state-level funding and investigating various grant opportunities. In a collaborative effort, the parish has committed to contributing funding to support both road stabilization and flood protection aspects of the project. NLLD is working with Picciola to move forward with raising Industrial Avenue based on it having the lowest elevation of protection for the area. Picciola will be moving forward on preliminary design for this project.

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 captured the remaining survey information, and we are currently evaluating the options based on the MtoG alignment. We will be working on a smaller scoped project for the area to raise the protection level along the Blackwater Canal. The landowner has offered to provide the material for this work at no charge to the NLLD.

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. Based on a multitude of factors NLLD believes that the NLLD's project contract be concluded with Dynamic. At this time, they have exhausted all the usable material from the pit, and NLLD does not believe that adding additional quantity to be hauled in offsite is in the NLLD's best interest under the current contract with Dynamic. As it stands today, the levee is built to +7.5' for 16,100 LF and 2,600 LF is between +5.3' and +6.5'. NLLD will have to complete this to 7.5' as a small contract in the future. Based on a completion date on the contract time of September 12th Dynamic will finish 184 days beyond contract time. E. Pitre motioned, seconded by T. Hebert to approve Change Order No. 16 from Dynamic Group, LLC to increase the contract time by 7 days for the increased pit material quantity and increase the contract amount by \$16,928.28 to balance all the final contract quantities, as recommended by the project engineer. No discussion or public comment. Motion passed with C. Kief opposing. L. Andolsek motioned, seconded by A. Peltier to approve payment of Pay Request No. 19 in the amount of \$402,016.86 from Dynamic Group, LLC as recommended by the project engineer. No discussion or public comment. Motion passed with C. Kief opposing. T. Allen motioned, seconded by R. Pitre to accept the Certificate of Substantial Completion 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 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. Intracoastal Consultants submitted the 35% plans which were forwarded to the USACE 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 met with them on September 14th to review. NLLD will be working on finalizing this over the next couple of weeks. 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. NLLD met on August 22nd with GIS and believe at this time NLLD has value engineered the project to an extent to readvertise. GIS is currently working on the revisions and incorporating them into the project plans. Once this is finalized by GIS NLLD will have to submit the changes to CPRA for review and concurrence to readvertise the project. NLLD is hoping to move this forward in the next four to six weeks.

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. NLLD has received the permits for the project from DNR and USACE. NLLD 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 GIS gathered some additional information for drainage improvements around Allied Shipyard/Ledet Lane to remove the connectivity to the GIWW in the system. NLLD will be scheduling a meeting to discuss the recommended improvements with GIS and LPG. The Linkbelt 350 has moved into Grand Bayou for continued clearing.

NLLD finalized the RoW with the landowner to open the Humble Canal drainage to the Valentine forced drainage system. NLLD also began work to install two 36" culverts to interconnect the Old and New Valentine FDA so they can assist each other as needed. The TAZ unit is continuing to work on opening back the drainage canal through the Greenwood mitigation bank a little north of Thibodaux. NLLD has completed this phase of the levee improvements on the north side of Des Allemands. NLLD is performing some emergency repairs and improvements on LtoL Reach B3 levee which runs along Bayou LeBleu based on a recommendation from Joe Picciola. NLLD is continuing to excavate the Butch FDA channel in preparation for the new Butch Hill pump station which is expected to be advertised in the 4th qtr of this year. NLLD will be moving some of this material to Element 2 around the Fantastic Acres pump station where NLLD needs to raise some of the berm sections. NLLD is working with Intracoastal Consultants to identify areas to obtain borrow along Reach D1 to fix an area where the material was having accelerated settlement.

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 is assisting in the funding through reimbursements. (They were in fact THE funding source available to NLLD for completing this recovery work.) The clear lien period is up. NLLD is waiting for Grillot to submit clear lien certificate and request for retainage.

J. Equipment: Travis Colombel gave an update on equipment within the last month. The CAT 330 is back to work on the Butch Hill Channel Improvements after replacing several ruptured hydraulic lines. It is suspected that wear and high heat, both external and internal, may have led to some of those issues. After losing one of its main drive chains, while clearing debris in the Grand Bayou Canal, the LB 350 is again operational. Wilco Manufacturing technicians were called to replace the lost chain and found significant wear in the pins and linkages, in the other, leading to the replacement of both drive chains. Scheduled 1000- hour maintenance was completed on the LB 130, which is currently clearing vegetation in the Greenwood mitigation bank.

K. General Items:

Photo Presentation: A. Ostheimer reported and presented photos on the following projects: seepage ditch in the Raceland Prairie area; Reaches B1, B2, and B3; Butch Hill forced drainage channel; Golden Lane; Reach D1, D2, and D3; Linkbelt working in the Grande Bayou; and Reach 2.

NLLD Joined Lawsuit against FEMA on RR2.0: D. Bourgeois gave an update on the legal hearing that happened on September 14. C. Kief stated this is a positive first step but there is a long way to go with this process. D. Bourgeois said he gave a presentation to the Bayou Board of Realtors with a great attendance. It is good that realtors are beginning to understand the gravity of this.

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.

Morganza Action Coalition: D. Bourgeois reported as mentioned last month, Cory resigned from his seat on the MAC Board. The MAC Board make-up allots two seats be filled from the NLLD Board of Commissioners. Tim Allen is still active with MAC, leaving MAC with one seat to fill. E. Pitre and T.

Hebert are two board members interested in serving on the MAC board. C. Kief nominated these two board members and after a vote, Elmo Pitre was elected to serve on the MAC board.

Training for Board members: D. Bourgeois stated Katie would like to remind everyone of the annual ethics and sexual harassment mandated training. She will soon email everyone specific dates to choose from to come into the office and watch the videos. A board member can also watch the ethics training on his/her own if preferred. She will send the link to that as well. And the Lafourche Parish District Attorney's Office will also be sponsoring a live ethics training at 2:00 p.m. on Wednesday, October 11 at the Warren J. Harang Jr. Municipal Auditorium located at 310 N. Canal Blvd. in Thibodaux.

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:

CPR Board Meeting: 8/16/23

Morgan City to Lafitte Water Management Discussion: 8/22/23

ALBL Executive Committee Meeting: 8/25/23

MtoG LERRDS, Structures, Levee Lifts Funding Status Meeting: 8/30/23

RR 2.0 Presentation to Bayou Board of Realtors: 8/31/23

Danos Cajun Coral and Oyster Break Meeting: 9/5/23

MVFC Executive Committee Meeting: 9/8/23

RR 2.0 District Court Hearing Preparations: 9/11/23

CPR Board Meeting: 9/12/23

RR 2.0 District Court Hearing: 9/14/23

MVFC Fall Congressional Meetings: 9/17/23 – 9/20/23

Finance & Priority Committee: Committee Chairman Louis Andolsek reported that the Finance and Priority Committee conducted a meeting on August 15, 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 the PSA Committee met before today's meeting. During the meeting, the committee briefly reviewed a report done by GIS post Ida of damages of the pump stations and cost estimates of approval. The committee determined there needs to be a more detailed report and for the Lafourche Parish Government to also give an update of the pump stations. The committee will first focus on pump stations below the Company Canal and will update the board when additional information is provided to the committee. Minutes of this meeting will be presented for consideration at next month's board meeting.

Legal and Development Committee: D. Bourgeois stated the Legal and Development Committee will need to meet for the next board meeting to address a liquidated damages concern.

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.

T. Hebert motioned, seconded by T. Allen 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 D. Kiffe to return to regular session. No discussion or public comment. Motion passed unanimously. R. Foret motioned, seconded by T. Hebert to approve the action authorized by the board in Executive Session. 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, October 17, 2023, at this office located at 3862 Highway 1 in Raceland. The meeting was unanimously adjourned at 7:28 PM on motion by E. Pitre, seconded by R. Pitre.

/s/Cory Kief, President

/s/Dwayne Bourgeois, Executive Director