

**Minutes of the Public Hearing and Regular Monthly Board meeting of the North Lafourche Conservation, Levee & Drainage District, December 19, 2023**

**Public Hearing:** The Board of Commissioners of the North Lafourche Conservation, Levee and Drainage District met in a Public Hearing at its regular meeting place, 3862 Highway 1, Raceland, Louisiana, on Tuesday December 19, 2023 at 5:30 PM, pursuant to the provisions of a notice of public hearing duly promulgated and posted in accordance with the law. The Public Hearing was called to order by President Cory Kief, the invocation was led by Dwayne Bourgeois, and the pledge was led by Darcy Kiffe. President Kief called roll. Commissioners present were Cory Kief, Tim Allen, Adley Peltier, Rodney Foret, Robert Pitre, Elmo Pitre and Darcy Kiffe. Commissioners Percy Gasery, Monique Crochet, Tory Hebert, and Louis Andolsek were absent. Others present were NLLD Executive Director Dwayne Bourgeois; NLLD Administrative Assistant Madonna Viguerie; Executive Assistant Katie DeRoche; Field Coordinator Travis Colombel; Project/Accounting Assistant Brandy Theriot and various engineering professionals. C. Kief announced the public hearing was being held to consider the 2023 Revised Budget and the 2024 Proposed Budget. The Finance and Priority Committee's recommendation to this board is for adoption as written for both. C. Kief called three times for any discussion from the board on the 2023 Revised Budget. There were none. He called three times for public comments on the 2023 Revised Budget. There were none. He called three times for discussion from the board on the 2024 Proposed Budget. There were none. He called three times for public comment on the 2024 Proposed Budget. There were none. With no comments from the public or board, T. Allen motioned, seconded by E. Pitre to close the public hearing to consider the 2023 Revised Budget and the 2024 Proposed Budget. No discussion or public comment. The motion to close the Public Hearing passed unanimously. The Public Hearing was closed at 5:30 pm.

**Regular Meeting:** The Regular Monthly meeting of the North Lafourche Conservation, Levee and Drainage District Board of Commissioners was called to order on Tuesday, December 19, 2023, by President Cory Kief at 5:37 pm. The meeting was held at the District's office at 3862 Highway 1 in Raceland. President Kief called roll. Commissioners present were Cory Kief, Tim Allen, Adley Peltier, Rodney Foret, Robert Pitre, Elmo Pitre and Darcy Kiffe. Commissioners Percy Gasery, Monique Crochet, Tory Hebert, and Louis Andolsek were absent. Others present were: NLLD Executive Director Dwayne Bourgeois, NLLD Administrative Assistant Madonna Viguerie, NLLD Executive Assistant Katie DeRoche, Program/Project Manager Arthur Ostheimer, NLLD Field Coordinator Travis Colombel, Project/Accounting Assistant Brandy Theriot, and various engineering professionals.

**Approval of Minutes:** R. Pitre motioned, seconded by A. Peltier to approve the minutes of Tuesday, November 21, 2023, Legal & Development Committee meeting, Finance & Priority Committee meeting, and the Regular Board meeting. No discussion or public comment. Motion passed unanimously.

**Adoption of the 2023 Revised Budget:** D. Bourgeois stated the Finance and Priority Committee met for review of the budget and proposed revisions by the Director. E. Pitre motioned, seconded by R. Foret to recommend that the Board adopt the 2023 Revised Budget as provided this evening. No discussion or public comment. Motion passed unanimously.

**Adoption of the 2024 Proposed Budget:** D. Bourgeois stated the Finance and Priority Committee met for review of the proposed budget by the Director. E. Pitre motioned, seconded by R. Pitre to recommend that the Board adopt the 2024 Budget as provided this evening. No discussion or public comment. Motion passed unanimously.

**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 construction contract for the NSU Coastal Center came in under budget and NSU was able to accept some bid 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.

Bayou Blue – Hollywood Backwater Flood Protection Project: D. Bourgeois and A. Ostheimer reported Sealevel Construction, Inc. is the contractor for this storm surge protection project for areas around the Hollywood Canal. CPRA is reimbursing over \$6.5M in GOMESA funds for the project that includes drainage & levee improvements along with a closure and a pumping structure. Sealevel is working on completing the installation of the fuel scrubbing system which is the last item to be completed on the project.

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 receive a total of \$4.225M in state reimbursements through Capital Outlay. The additional P1 award of \$2.75M did not receive a cash line of credit this year, so NLLD has resubmitted the request through Capital Outlay and according to the latest from the Bond Commission is coming into this session as a P5. The project was awarded to Onshore Material, LLC and concurrence was received from FP&C. NLLD held the preconstruction meeting on December 5th. LCI is issuing the Notice to Proceed for January 2<sup>nd</sup>.

Upper Bayou Folsé Watershed Backwater Flood Protection: D. Bourgeois reported now that NLLD is actively engaged in the Prairie levees and Hollywood Canal project, he will continue to submit funding requests through State Capital Outlay to support this project benefiting a substantial 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 is continuing to install material into the levee template. Low Land has hauled the plan quantity from the pit (150k cy) and is now working on shifting the material over from the old levee and incorporating the material into the new levee. NLLD has asked Picciola to continue monitoring the quantity monthly to make sure that the quantities are consistent with the project's progress and plan quantity. Right now, it looks like NLLD will need 5-7K CYs over plan quantity to complete the project. A. Peltier motioned, seconded by E. Pitre to approve payment of Pay Request No. 7 in the amount of \$130,741.66 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 has completed the project with the exception of installing the material across the pipelines. NLLD is still working with the pipeline company to cross the lines. NLLD submitted the requested information and is waiting on them to approve the work plan. In the meantime, Sealevel has staged the material on either side of the pipeline so that it is ready for installation. With only the installation of the pipeline material remaining a substantial completion inspection was held on December 7th at which time all parties agreed the project was substantially complete. T. Allen motioned, seconded by R. 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.

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. To secure funding, NLLD submitted a FEMA BRIC grant for this project but was recently notified that the application was not

chosen for funding. However, NLLD did receive guidance from GOHSEP on improving NLLD's 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. NLLD is also submitting a funding request for this project through the Capital Outlay Request process. Depending on how these funding requests shake out, next year NLLD will have to make some hard decisions for the protection of this area.

**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.

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. All work is planned in the footprint of the existing levee. Sealevel is just about done clearing the trees off the levee and out of the drainage channel. LCI is finalizing the bid documents and NLLD plans on starting the bidding process at the start of next year.

**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. NLLD is working on the design and construction estimates for the project which will take a couple of months. Once this is done, NLLD will reevaluate moving the project forward to construction with the Board.

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

Zeller/Larousse Forced Drainage Area Systems Improvements: D. Bourgeois and A. Ostheimer reported LCI applied to LA Statewide Flood Control for Phase 3 of NLLD's project, aimed at enhancing the levee structures and drainage system safeguarding the Kraemer/Bayou Bouef community. The application has been approved by the committees, securing a \$5 million funding award 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 still waiting for the CEA to be issued, which should occur once DOTD receives the project number.

LBW Backwater Protection Project: D. Bourgeois reported at NLLD's forum for the local landowners and farmers on January 10<sup>th</sup>, 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.

**G. Gheens Project Area:**

Upper Barataria Risk Reduction (UBRRP) Project: D. Bourgeois reported this project, via the Corps, received \$8M in funding for PED and MVP is working on the PED under the oversight of MVN. As it stands, the Corps will probably not provide reasonable protection for this area in any reasonable time frame. NLLD has been meeting with the LBLD and have spoken to CPRA and Corps leadership at MVN. After some discussion about better communications, standards, and things NLLD and LBLD were wanting to do, progress was made with the Corps expediting some things (Agreements) that need to be modified or completed to improve protection while waiting for them to complete their parts.

**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 by elevating it to approximately 9 feet. NLLD segmented the project into four phases based on construction needs and are 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. NLLD will be using approximately \$1.25M in surplus funding from CPRA for the project and they are currently drafting the IGA for the project. 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. In that regard, D. Bourgeois is working to see if NLLD can advance the MtoG Reach 1 with some Surplus funds NLLD received as part of this project with a potential haul road to push the Corps in NLLD's direction and advance their ability to have meaningful protection when the Sector Gate is installed in the GIWW. NLLD is working on the RoWs for the landowners to move forward with construction of a maintenance project to raise the lowest areas along Hamilton Street in Eunice Allemand. NLLD is also working on permitting Reach 1 which will eventually tie into the GIWW Sector Gate. NLLD's plan is to move forward with sections along Reach 1 that can have immediate benefits while also better establishing the MtoG alignment with available surplus funding from CPRA for the MtoG 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. Now that NLLD has completed the contract for the initial levee improvements, NLLD is moving forward with the next phases in this area. First, NLLD has been excavating the Humble Canal Chanel to tie this FDA to the Ludevine/Valentine system with a right of way from the Harang family. As part of this, NLLD will use some of the excavated material to complete the section of Reach 2 being it is so proximal to where the material is needed. NLLD is also working with GIS on designing a new canal and backfilling the old canal so that there is enough interior area to build the MtoG Reach 2 levee and capacity to support the pump systems. NLLD is feeling good about the alignment being the USACE engineers' alignment and the environmental alignment are pretty much on the NLLD's alignment in this area. Based on this, NLLD will have funding for the interior channel project from CPRA for this work. There are still a lot of moving pieces, but NLLD is certainly going to push forward to continue making the alignment as obvious as possible while making necessary improvements.

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 is 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 had submitted most of the responses to the 35% plan review to the USACE.

Intracoastal will continue to move the design forward based on those comments and NLLD plans to submit the 65% plans for review by February.

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. GIS has submitted the value engineered redesign for the project and NLLD has forwarded the plans to CPRA for concurrence and LPG to allow them an opportunity to comment. NLLD is still planning on readvertising ASAP in 2024.

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. NLLD has received the permits for the project from DNR and USACE. NLLD has finalized the draft of the CEA and forwarded it to LPG for review and execution. LPG is in agreement with the CEA language but they would like to present it along with a couple of other CEAs NLLD has pending with them. LPG has told NLLD they are working on the CEA review and are considering some revision requests.

**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 which NLLD will try and work on with LPG. Linkbelt 350 is continuing to clear Grand Bayou. NLLD has cleared the RoW for Humble Canal and has begun the excavation to improve this drainage artery to the Valentine FDA. The TAZ unit should be completing the work to open back the drainage canal through the Greenwood mitigation bank a little north of Thibodaux over the next couple of weeks. It was slowed up a bit this month for maintenance on the Fecon. 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 identified areas to obtain borrow along Reach D1 to fix an area where the material was having accelerated settlement. NLLD has a dragline excavating material from the canal for future installation on the levee.

Morganza to the Gulf: D. Bourgeois reported the MtoG team is pursuing additional ongoing funding from the Federal Government and is generally encouraged in what's being heard. Everything is falling into place; but everyone must keep pushing for ongoing funding and to match efforts and needs with the Corps. MtoG received \$8M in surplus funds more or less directed towards the MtoG project. So, the MtoG team is working to try to advance that effort by looking at projects that can be credited at some point or otherwise provide MtoG with improvements in protection immediately. D. Bourgeois said he is actively ramping up efforts in this regard with the Corps. The team had a meeting last month with Corps PMs just after the bi-weekly PDT meeting, specifically to address the need for alignment lockdown. The meeting went well and there will be some final actions on that in the next couple of weeks. The team has another meeting with Corps leadership on Wednesday afternoon to get answers / updates to things the team have been pushing on. Finally, through MAC and work directly, the team is looking for legislation in allowing to do more of the work in parallel with the Corps to be able to complete this vital flood protection as rapidly as possible.

**J. Equipment:** Travis Colombel gave an update on equipment within the last month. There were reoccurring issues with the Fecon, mulcher forced it out of service once more. Quest Construction Equipment is currently addressing the issues with a lag time of several days pending parts assess ability. A complete assessment is currently being conducted on the CAT 330 to address items associated with

long-term wear. Currently the CAT has near 13,000 hours. More information will be available in the upcoming days/weeks.

**K. General Items:**

NLLD Insurance Renewal: D. Bourgeois reported NLLD received the Insurance Proposal from AJG for 2024, the total premium has increased substantially from this expiring year. A copy of the proposal summary is in the meeting packets and my recommendation is for the board to authorize the renewal of the policies as listed. C. Kief motioned, seconded by E. Pitre to renew the insurance generally the same as the expiring coverage, not exceeding the total cost of \$ 214, 586.65 and to authorize the Executive Director to sign any and all documents and to pay the invoices as presented for payment. No discussion or public comment. Motion passed unanimously.

Sales/Use Tax Ordinances: Lafourche Parish Sales and Use Tax Ordinances were last updated in May of 2015. As such, they are missing quite a few updates in the Louisiana Uniform Local sales Tax Code, not to mention NLLD's Sales and Use Tax beginning just after the last set of Ordinance was updated. The Lafourche Parish Sales and Use Tax Department has prepared and proposes the attached set of consolidated collection ordinance for the board's consideration. The Memo they prepared explains a few of the updates and Pat Amedee worked extensively on this via the School Board. C. Kief motioned, seconded by A. Peltier to approve the Lafourche Parish Consolidated Sales and Use Tax Ordinance as proposed by the Lafourche Parish Sales and Use Tax Department. No discussion or public comment. Motion passed unanimously.

Amendment of NLCLDD By-Laws on Act 393: D. Bourgeois reported the Legal and Development Committee last month reviewed and recommended changes to the NLCLDD By-Laws to bring them into accordance with Act 393 of the Louisiana 2023 Regular Session regarding meeting access and participation for persons with ADA qualified disabilities. They also reviewed and approved the process we proposed for implementation of this law. Because NLLD has in the By-Laws a requirement for the Board to have any proposed changes to the By-Laws at least one week before such changes are considered, NLLD had to wait until tonight to consider those changes mandated by State Law. If approved, they would go into effect on January 1, 2024. R. Pitre motioned, seconded by E. Pitre to amend the NLCLDD By-Laws and accept an open meeting law process to bring our meetings into compliance with Act 393 of the 2023 Regular Legislative Session. No discussion or public comment. Motion passed unanimously.

Photo Presentation: A. Ostheimer reported and presented photos on the following projects: LtoL Reach B1; Bowie clearing; Butch Hill; LtoL Reach D1 and D2; Grand Bayou; Greenwood; and Humble Canal.

NLLD Joined Lawsuit against FEMA on RR2.0: D. Bourgeois reported there is no feedback from the judge on this case yet.

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:

Meeting with Hugh Caffery: 11/17

FEMA Region 6 Meeting: 11/27

HTV-Going Public: 11/28

ALBL/MVFCA meetings: 12/5-12/9

BIG Luncheon (Katie): 12/11

Flood Management Committee Meeting: 12/12

CPRA Board Meeting: 12/13

MAC Meeting: 12/14

Coast Center Executive Director Meeting with Lace Melancon: 12/18

Finance & Priority Committee: Committee Vice Chairman Elmo Pitre reported that the Finance and Priority Committee conducted a meeting on November 21, 2023 and there are a copy of those minutes

in the meeting packet. During that meeting, the committee reviewed and approved the Payables report that was recommended and accepted for approval by the full board during the Regular Board meeting that followed. In November NLLD had its first review of the 2024 Proposed Budget, and just before this meeting the committee reviewed the final 2023 Revised Budget and the 2024 Proposed Budget which were both recommended for adoption by the full board.

Legal and Development Committee: Committee Chairman Tory Hebert reported that the board has a copy of the minutes from the Legal & Development Committee meeting on November 21, 2023. During that meeting the committee approved the recommendation of amending the NLCLDD By-Laws and to accept an open meeting law process to bring NLLD's meetings into compliance with Act 393 of the 2023 Regular Legislative Session to the full board at this meeting today. The board approved the motion this evening.

Accounts Payable: A motion was made by L. Andolsek, seconded by A. Pitre to accept the Payables Report as given. No discussion or public comment. Motion passed unanimously.

With no other engineering reports or additional public comments, the President stated the next Regular Monthly Board Meeting will be at 5:20 PM (or immediately following the F&P Committee meeting) on Tuesday, January 16, 2024, at this office located at 3862 Highway 1 in Raceland.

The meeting was unanimously adjourned at 6:43 PM on motion by R. Pitre, seconded by E. Pitre.

/s/Cory Kief, President

/s/Dwayne Bourgeois, Executive Director