

**OFFICIAL PROCEEDING
OF
SOUTH LAFOURCHE LEVEE DISTRICT
OCTOBER 14, 2024**

The Board of Commissioners of the South Lafourche Levee District met in a regular session at its regular meeting place, 17904 Highway 3235, Galliano, Louisiana, on Monday, October 14, 2024, at three (3:00) o'clock p.m., pursuant to the provisions of a notice of regular session duly promulgated and posted in accordance with the law.

The regular meeting for the month of October was called to order by President Keith Guidry. Commissioner Brian Marts led the Pledge of Allegiance.

President Guidry directed the secretary to call roll.

Board members in attendance: Keith Guidry
Roland Curole
Mitch Danos
Brett DeRoche
Brian Marts
Mc Neely Rome
Scott Theriot
Monty Vegas
Gavin Callais (after Oath)

Board members absent: None

Also in attendance were:

Executive Director Nicholas Matherne
Executive Assistant Mary Punch
Administrative Assistant Amy Gisclair
Operations Manager Drake Baudoin
Engineering Personnel:
Joe Picciola, Picciola & Associates
Neil Angelette, Angelette Design
Nicholas Angelette, Angelette Design
John Plaisance, GIS Engineering
Kevin Dezarn, GIS Engineering

CPR A Daniel Dearmond
Lafourche Parish Councilman Daniel Lorraine
Daisy Camardelle
Governor's Office Doug Cheramie
Elaine Callais and family
News media

READING OF THE MINUTES

The minutes of the September 9, 2024, Regular Meeting were approved unanimously upon a motion by Monty Vegas and seconded by Mitch Danos.

PRESIDENT'S REPORT

OATH OF OFFICE – GAVIN CALLAIS

President Guidry announced that it was an honor to have Mr. Gavin Callais, son of the late Vice President Ronald Callais, join the SLLD Board of Commissioners. Mr. Guidry directed Attorney Ryan Collins to administer the Oath of Office. After the swearing-in, the board congratulated Mr. Callais and welcomed him aboard.

NOMINATION OF VICE PRESIDENT

President Guidry stated that the Executive Committee had discussed the nomination of Vice President and recommended the nomination be postponed until December. President Guidry recommended the board pass a resolution to postpone the nomination until December 2024 meeting.

Moved by McNeely Rome and seconded by Mitch Danos, the board unanimously agreed to postpone the Nomination for Vice President until the December 2024 Regular Meeting of the Board.

NOVEMBER MEETING DATE CHANGE (NOV. 12TH)

President Guidry announced that due to the scheduled meeting date of November 11th being Veteran’s Day holiday, the November meeting would be moved to the following day, Tuesday, November 12, 2024.

ALBL CONFERENCE – DECEMBER 4-5 AT HILTON RIVERSIDE, NOLA

President Guidry announced that rooms had been reserved for all Commissioners, and that if anyone had any questions or needed to cancel, they should contact Executive Assistant Mary Punch.

EXECUTIVE COMMITTEE REPORT

EXECUTIVE COMMITTEE MEETING OF OCTOBER 9, 2024

Executive Director Nic Matherne briefly reported on the following items:

- Resolution in Support of Constitutional Amendment
- MVFCA Recap
- Levee Slide on C-North
- HMGP Update
- IGA with CPRA for A-West Levee Improvements
- Regional Water Management Working Group
- ERDC Site Visit of Levees
- USACE SQRA Workshop
- November Executive Committee Date (Election Day-Nov 5)
- SLLD Policies on FMLA and Continuation of Benefits

AUDIENCE COMMENTS

There were no audience comments.

EXECUTIVE DIRECTOR’S REPORT

Executive Director Nic Matherne updated the Board on the events from Hurricane Francine and showed slides of areas that received minor debris from the storm. He added that the SLLD crew was able to push the marsh grass back into the marsh. He stated that our levees sustained minimal debris and would not warrant filing a claim with FEMA. However, Reaches K and L of the Morganza system had larger amounts of debris, and a claim would be filed on TLCD’s behalf.

CONSIDER AND ADOPT RESOLUTION 2024.04 IN SUPPORT OF CONSTITUTIONAL AMENDMENT

Mr. Matherne presented Resolution 2024.04 in support of the Renewable Energy Constitutional Amendment and explained that the amendment was on the November 5th election ballot. He explained that the amendment would allow money coming from alternative energy sources offshore to go into Louisiana’s CPRA funds and would be used for Coastal Protection and Restoration Projects in areas most impacted by energy production. The following resolution was unanimously adopted as follows:

RESOLUTION 2024.04

A resolution in favor of the constitutional amendment proposed by HB 300, introduced on February 28, 2024, by Representative Joe Orgeron and passed in both the Louisiana House and Senate by over 2/3’s vote thus being passed to the Secretary of State to become Act 408 and placed before the voters of Louisiana as a proposed Constitutional Amendment at the statewide election to be held on November 5, 2024.

WHEREAS, the present constitution requires that the treasurer deposit annually into the Coastal Protection and Restoration Fund the federal revenues received by the State from Outer Continental Shelf oil and gas activity, and

WHEREAS, the proposed constitutional amendment retains the present constitution requirements and adds federal revenues generated from Outer Continental Shelf alternative or renewable energy production sources, including wind energy, solar energy, tidal energy, wave energy, geothermal energy, and any other alternative or renewable energy production or sources, and

WHEREAS, the proposed constitutional amendment would amend Article VII, Section 10.2(E)(1) of the Constitution of Louisiana to require federal revenues received by the state and generated from Outer Continental Shelf oil and gas and alternative or renewable energy production be deposited into the Coastal Protection and Restoration Fund, and

WHEREAS, the proposed constitutional amendment does NOT:

- a) Take money from the state General Fund or away from other state projects and programs, or
- b) slow or disincentivize oil and gas production or increase the cost of doing business for any type of energy company in the Gulf of Mexico, or
- c) provide a subsidy for alternative or renewable energy in the Gulf of Mexico, and

WHEREAS, passing this proposed constitutional amendment means that if and when federal revenue sharing for all types of energy production becomes a reality for the gulf coast states currently participating in the Gulf of Mexico Energy Securities Act (GOMESA) federal revenue sharing, that Louisiana WILL commit those dollars to our Coastal Trust Fund to protect and restore our coast and the communities that live there, and

WHEREAS, the South Lafourche Levee District currently relies heavily on federal revenues received by the state which have been generated from Outer Continental Shelf Oil and Gas activity (GOMESA funds) to provide drainage and flood protection projects for the residents and businesses within our District, and

WHEREAS, if and when federal funds generated from Outer Continental Shelf alternative or renewable energy production would become available it would increase our resources to provide drainage and flood protection projects for the residents and businesses within our District, and

WHEREAS, Louisiana has made and continues to make its case to the federal government and others that this arrangement makes sense because Louisiana's coast, communities, workers and protective levee infrastructure provides huge benefits to the entire State of Louisiana and the Nation.

NOW, THEREFORE, BE IT RESOLVED that the South Lafourche Levee District Board of Commissioners hereby declares that it is in support of passage of the proposed Constitutional Amendment amending Article VII, Section 10.2(E)(1) of the Constitution of Louisiana to require federal revenues received by the state and generated from Outer Continental Shelf oil and gas and alternative or renewable energy production be deposited into the Coastal Protection and Restoration Fund for the above stated reasons and benefits.

BE IT FURTHER RESOLVED that a copy of this resolution be incorporated in the minutes of the Board.

The foregoing motion was offered by J. McNeely Rome, seconded by Mitch Danos.

MVFCA RECAP

Mr. Matherne announced that he had met with various congressional delegates in mid-September during his trip to Washington, DC concerning language pertaining to our recertification efforts included in the upcoming Water Resources Development Act. He explained that we made it into the draft version of the House and Senate side, with differing language. Mr. Matherne stated that he was asked to combine verbiage from the two bills to propose the best supporting language. After doing so, Mr. Matherne resubmitted the adjusted language to the staffers, and it would now be recommended for adoption in the House and Senate committees.

LEVEE SLIDE ON C-NORTH

Mr. Matherne gave an update on a levee slide that occurred on September 26th on Section C-North. The likely assumption was that the slide was due to an abundance of rainfall from recent rain events and then Hurricane Francine. The area was de-grassed, rip rap was added for support at the base of the slide, and earthen material was filled in at the slide location. We will continue to monitor the area and fill as needed.

Commissioner Brian Marts stated that the Parish had added culverts for drainage along the highway a few years back that might have contributed to the abundance of water going into that area.

IGA WITH CPRA FOR A-WEST LEVEE IMPROVEMENTS

Mr. Matherne stated that \$4.4 million would be available through an IGA with CPRA for the A-West Levee Improvement project. He stated that the board's attorney had reviewed the agreement and found no

issues. Mr. Matherne recommended the board accept the agreement and authorize the Board President or Executive Director to sign and execute upon receipt from the State.

Moved by Brett DeRoche and seconded by Brian Marts, the board unanimously accepted the Intergovernmental Agreement (TE-0180) with CPRA for A-West Levee Improvements in the amount of \$4,400,000.00 and authorized the Board President or Executive Director to sign and execute the document.

IGA WITH TLCD FOR FRANCINE DISASTER REMOVAL

Mr. Matherne presented an Intergovernmental Agreement with Terrebonne Levee and Conservation District for the funding of debris removal associated with Hurricane Francine. Mr. Matherne explained that SLLD levees fared well for the storm, but parts of the Morganza to the Gulf's Reaches K & L projects had sustained a good amount of debris. He added that since those affected areas were on the Lafourche side, the cleanup would fall within the jurisdiction of the South Lafourche Levee District. He stated that the agreement would be like the one with TLCD after Hurricane Ida, and that SLLD would be responsible for all documentation while TLCD coordinated cleanup efforts. He stated that the agreement had been reviewed by legal counsel and it was recommended the board accept and authorize its execution.

On a motion by Monty Vegas and seconded by Scott Theriot, the board unanimously accepted the Intergovernmental Agreement with Terrebonne Levee and Conservation District to provide assistance for disaster clean up from Hurricane Francine on Reaches K & L of the Morganza to the Gulf project and authorized it's President or Executive Director to sign and execute the agreement.

ERDC SITE VISIT OF LEVEES AND USACE SQRA WORKSHOP

Mr. Matherne explained that the USACE did a site visit of the levee system at the end of August as part of their Semi-Quantitative Risk Analysis (SQRA), which is part of the overall process in our efforts for recertification and reinstatement into the Rehabilitation Program. They were here to assess the risk across our entire levee system and structures. Mr. Matherne further explained that the Engineering Research and Development Center (ERDC) from the Vicksburg district visited the prior Thursday to get an idea of how similar the levee sections are in different areas in determining the spacings of geotechnical borings they will need to conduct.

The SQRA's next phase of the project will start on Wednesday at the New Orleans District with a week-long workshop reviewing the results of the risk analysis that they assessed back in August. Mr. Matherne stated that, at the request of the Corps, he would be attending the workshop on days that he was available. He stated that he would give an update on the process at the November meeting.

D-SOUTH CF FLOODWALL, PH III – ACCEPTANCE OF CONSTRUCTION CONTRACT, SEALEVEL

Mr. Matherne explained that the third phase of the D-South Floodwall project would be to remove the Hesco baskets and tie into the existing wall by raising and armoring the levee on either side. Mr. Matherne explained that we were granted surplus funding through CPRA in the amount of \$821,470.00. The low bid from Sealevel was in the amount of \$883,880.00. Mr. Matherne stated that the agreement had been reviewed by legal counsel, and recommended the board accept the low bid from Sealevel Construction as submitted.

Moved by McNeely Rome, seconded by Mitch Danos and unanimously approved, the board awarded the project of D-South Crawfish Farm Floodwall, Phase III to Sealevel Construction the low bid amount of \$883,800.00 and authorized the President or Executive Director to sign and executive the agreement as presented.

ENGINEERING REPORT

OFFICE OF COASTAL PROTECTION AND RESTORATION

Mr. Daniel Dearmond stated that the IGA for A-West Levee Improvements was progressing.

CORPS OF ENGINEERS

There was no one in attendance from the Corps.

PROJECT ENGINEERS

PICCIOLA & ASSOCIATES

Engineer Joe Picciola gave the following report:

- **Larose Lock Project**
Project Plans and Specifications are 95% complete. All permitting is complete. We are now preparing the Final Plans and Specifications for Issuance to Bid and Right of Way Plans.
- **Section E-North Levee Improvements Southeast Corner to Northeast Corner**
Construction Site Specialties, LLC is the contractor. The Notice to Proceed was issued on June 19, 2023. The contractor is on-site moving material when the weather permits. Construction Site Specialties, LLC has submitted Pay Application No. 9 in the amount of \$36,377.40.

Moved by Roland Curole, seconded by Brian Marts and unanimously accepted, the board approved Pay Request No. 9 in the amount of \$36,377.40.

- **A-East Interim Levee Improvements**
Project Plans and Specifications are complete. They have been submitted to CPRA for approval. We spoke to CPRA and requested Eustis Engineering provide a proposal for additional geotechnical analysis. Eustis has completed all of the fieldwork and is complete with the engineering analysis. We submitted the engineering analysis to CPRA for review and approval.
- **Repairs to Timber Fender at Larose Floodgate**
Project Plans are complete. Crosby is expected to move on site to perform the repairs later this month.
- **Emergency Gate Closure at Larose Floodgate**
We are working on the project plans and designing the winch system.

GIS ENGINEERING, LLC

Engineer John Plaisance reported the following:

- **A-East Bayou Water Retention – GIS# 39130-1251/1252**
Plans and specifications for the project have been completed. We can begin advertising for bids once the servitudes are acquired.
- **D-North Ramp Lift (Material Stockpile) – GIS# 39130-1249/1457**
Outer Limit has excavated 14,621 CY of material from the southwestern bank of the triangular pit.

Balancing Change Order No. 2 is being presented to the board for a total increase to the project in the amount of \$15,995.60 for the additional material excavated from the Owner provided on-site borrow pit.

Moved by Brett DeRoche, seconded by Roland Curole and unanimously accepted, the board approved Balancing Change Order No. 2 for a total increase in the amount of \$15,995.60.

Pay application No. 2 is being presented to the board for a total of \$41,197.86.

Moved by Scott Theriot, seconded by Mitch Danos and unanimously accepted, the board approved Pay Request No. 2 in the amount of \$41,197.86.

This project is substantially complete and we are asking for a resolution to accept the Certificate of Substantial Completion.

Moved by Gavin Callais, seconded by Mitch Danos and unanimously approved, the board accepted the Certificate of Substantial Completion for D-North Ramp, Material Stockpile.

- **D-North Ramp Lift – GIS# 39130-1249/1457**
GIS completed final design of ramp lift to EL. +18', and is currently under internal review. GIS to meet with LOOP for additional requirements prior to advertisement.
- **Breton Canal Weir (Reconnection of Breton Canal to Bayou Lafourche) – GIS# 39130-1329**
SLLD has awarded the construction contract to Garden Environments, Inc., in the amount of \$999,000.00.

Dredging of Breton Canal has been completed, material was brought to the stockpile site where it is being spread. Steel sheet piles and timber piles have been driven.

Pay Application No. 2 is being presented to the board for approval in the amount of \$429,081.00.

Moved by Mitch Danos, seconded by Brett DeRoche and unanimously accepted, the board approved Pay Request No. 2 in the amount of \$429,081.00.

- **D-South Floodwall at Crawfish Farms, Phase III Improvements – GIS# 39130-1485**
The partially executed contracts, bonds and insurance documents were received from Sealevel Construction, Inc. and submitted to SLLD for execution.

A Pre-Construction meeting will be scheduled in the coming weeks.

LEVEE IMPROVEMENTS – ANGELETTE-DESIGN, LLC

Engineer Neil Angelette reported the following:

- **C-North Levee Improvements**
The contractor, Compeaux & Sons Construction, LLC has completed work on the project to shape the levee to +13.5’.
- **C-South Floodside Repairs**
The contractor, Compeaux & Sons Construction, LLC is continuing work on the project to rebuild the flood side berm of the levee as well as hauling materials from the area behind the shooting range. We are recommending approval of Invoice #1316 in the amount of \$60,065.00 and Invoice #1317 in the amount of \$39,032.50.

Moved by Mitch Danos, seconded by Scott Theriot and unanimously accepted, the board approved Invoice No. 1316 in the amount of \$60,065.00.

Moved by McNeely Rome, seconded by Mitch Danos and unanimously accepted, the board approved Invoice No. 1317 in the amount of \$39,032.50.

- **Larose Floodwall Vessel Impact Barrier**
The contractor, Low Land Construction Company, Inc. has completed the project and we have received the Clear Lien Certificate. We are recommending approval of Change Order No. 2 for a decrease of \$11,911.00. We are also recommending acceptance of the Clear Lien Certificate and approval of the Application of Payment No. 8 (retainage) in the amount of \$105,750.45.

Moved by Roland Curole, seconded by Brett DeRoche and unanimously accepted, the board approved Change Order No. 2 in the amount of \$(11,911.00).

Moved by Brett DeRoche and seconded by McNeely Rome the board unanimously accepted the Clear Lien Certificate.

Moved by Monty Vegas and seconded by Gavin Callais, with one objection by Mitch Danos, the board approved Pay Request No. 8 in the amount of \$105,750.45.

- **Section F Berm Improvements**
The contractor, Sealevel Construction, Inc. is continuing with work on the project to improve the protected side berm. We are recommending approval of Application for Payment No. 12 in the amount of \$268,660.00.

Moved by Mitch Danos, seconded by Scott Theriot and unanimously accepted, the board approved Pay Request No. 12 in the amount of \$268,660.00.

MORGANZA TO THE GULF

DELTA COAST CONSULTANTS

Program Manager Report (Mitch Marmande)

No one was in attendance

ALL SOUTH CONSULTING ENGINEERS

Engineer Report (Stevie Smith)

Reach K Terraces Repairs

Terrace repair work completed last week. Approximately 9800' of terraces have been repaired.

All South will conduct post construction surveys next week for necessary documentation to submit to FEMA.

Reach K Levee (Project #041-10-01)

○ **South**

Reach K South (Floodgate to south Water Control Structure) is complete to 11'.

○ **Center**

Reach K – Center is between South Water Control Structure (Station 105) and the north water control structure (Station 209).

Mats were installed so trucks can cross the South Water Control Structure and Discovery Pipeline.

The contractor has made significant progress in the last two weeks, with over 20 trucks hauling regularly.

Work is focused north of Discovery pipeline. Goal to achieve 11' there before moving south.

LEGAL, PERMITS, AND RIGHT-OF-WAYS COMMITTEE REPORT

Chairman Mitch Danos announced that no permit requests were received for review.

BOARD ATTORNEY

Attorney Ryan Collins updated the board on LA Contracting Enterprise, LLC v SLLD, et al – Docket No. 148539.

FINANCE COMMITTEE

INVOICES

Commissioner Monty Vegas announced that the Finance Committee had reviewed the invoices and recommended they be paid.

On the motion of Brett DeRoche, seconded by Roland Curole, and unanimously carried, the board approved the payment of the invoices as presented.

OLD BUSINESS

There was no new business.

NEW BUSINESS

There was no new business.

With no further business to discuss, the board unanimously adjourned the meeting on a motion of McNeely Rome and seconded by Scott Theriot.

/s/Keith Guidry, President

/s/Nicholas Matherne, Executive Director