

OFFICIAL PROCEEDING
OF
SOUTH LAFOURCHE LEVEE DISTRICT
AUGUST 10, 2009

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, August 10, 2009, 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 August was called to order by President Ronald Callais. He directed the secretary to call roll.

Board members present: Ronald Callais
 Clarence "CJ" Marts, Jr. (arrived at 3:07)
 Roy Gisclair
 Ernest J. "E.J." Gremillion
 Monty Vegas
 Bob Faulk
 Lula Auenson
 Robert "Bobby" Eymard, Sr.

Board members absent: Mitch Danos

Also present were: Executive Secretary and General Manager Windell Curole; Administrative Assistant 5 Mary Punch; Clerical Assistant Amy Randazzo; Levee Maintenance Superintendent Jimmy Badeaux; Engineering Personnel Joe Picciola, Ben Hodson, Neil Angelette, Larry Picciola and John Plaisance; Attorney Bryce Autin; ULL Mark Hester and Lauren Alleman; CREST Representative Doug Daigle; and news media.

READING OF THE MINUTES

The minutes of the July 13, 2009 Regular Meeting were approved unanimously upon a motion of Roy Gisclair and seconded by Bobby Eymard.

PRESIDENT'S REPORT

RESOLUTION 09-09

President Ronald Callais read the following resolution aloud:

WHEREAS, Reggie Dupre, as our Louisiana State Senator for District 20 , has represented the flood protection and restoration needs of the people of South Lafourche; and

WHEREAS, he has led the Senate and entire Louisiana Legislature on these issues; and

WHEREAS, he has created the CPRA (Coastal Protection and Restoration Authority) as a central authority to maximize our ability to protect and maintain our community; and

WHEREAS, he has authored legislation which has assisted this Board in performing its duty to provide our essential flood protection projects; and

WHEREAS, Reggie will now assist flood protection in our region as the Director of the Terrebonne Levee and Conservation District;

NOW BE IT RESOLVED, that the Board of Commissioners of the South Lafourche Levee District does officially thank Reggie P. Dupre, Jr. for his dedicated work in the Legislature, especially in the critical years after Hurricane Katrina, and for his support of this Board, this District and of its work.

UNANIMOUSLY ADOPTED on this 10th day of August 2009.

President Callais praised former Senator Dupre for his accomplishments while in office and thanked him on behalf of the entire board for his service. Mr. Dupre thanked the board for their graciousness and complimented General Manager Windell Curole for his part in helping all levee districts while serving as Interim Regional Director. Mr. Dupre spoke about future plans for the Terrebonne Levee and Conservation District as well as the Terrebonne-Lafourche region. Mr. Curole added to the comments and complimented Mr. Dupre on his accomplishments while in State office.

EXECUTIVE COMMITTEE

Vice President Lula Auenson gave the following report:

The Executive Committee met before the regular meeting to discuss the need to lift the older set of Golden Meadow floodgates in December for repairs. We will need to hire an engineer to survey the gates for elevating 5'. The Executive Committee has agreed to these issues. Mr. Curole explained that the gates were designed to be built 14', but are only about 11.5'. He then explained the process and need of raising the gates. The committee recommended hiring Picciola & Associates, Inc. as the engineers for this project.

Moved by Bobby Eymard, seconded by CJ Marts, and unanimously accepted, the board approved the recommendation of the Executive Committee to hire Picciola & Associates, Inc. to survey the floodgates for lifting 5' for repairs.

A brief discussion pursued.

AUDIENCE COMMENTS

CREST PRESENTATION

Mark Hester, Lauren Alleman and Doug Daigle presented a slide show presentation on the use of mangroves for erosion control. Black mangroves have been increasing their range. They are susceptible to freezing weather.

GENERAL MANAGER'S REPORT

HURRICANE SEASON REVIEW

A slide show presentation by General Manager Windell Curole showed water elevations and new work that has been accomplished for the coming hurricane season.

FY 2009 AUDIT – AUG. 11-13, 2009

Mr. Curole announced that it was time for the fiscal year 2009 audit and that the auditors would be coming down this week.

2009 DODGE RAM PU - \$21,257

Levee Maintenance Superintendent Jimmy Badeaux reviewed trucks and found one on State Contract. Mr. Curole recommended the purchase of the truck for Levee District use.

Moved by EJ Gremillion, seconded by Bobby Eymard and unanimously approved, the board authorized the purchase of a 2009 Dodge Ram pickup for the Levee District.

CLOVELLY PUMP STATION - DISCHARGE PIPES

Mr. Curole explained that the levee near the Clovelly Pump Station has been raised, but the discharge pipes are still low. This issue will need to be discussed at the Scully meeting next week.

THREE BRIDGES - CORPS LETTER

Mr. Curole presented a letter from the Corps stating that the Levee District needs to get ratings on three bridges that the Corps will be using to haul truckloads of rocks to do work at the floodwall in Golden Meadow and at the LL&E farm. The cost for each rating could cost as much as \$30,000 to \$50,000 per bridge. We will discuss other options with the Corps that may be more cost effective.

CPRA ISSUES WITH US CORPS OF ENGINEERS

Mr. Curole presented a CPRA letter of concerns with the Corps' getting things accomplished. Mr. Curole stated that we must move quickly to protect ourselves. Louisiana is only place in the United States with a delta. There are environmental laws that prevent us from protecting our communities and our natural environment.

ED PREAU RETIREMENT

Mr. Curole stated that DOTD's Ed Preau has been a good friend to the South Lafourche Levee District. He has played important part in helping us get things accomplished. A retirement dinner will be held for him on Thursday evening in Baton Rouge. Mr. Curole, along with President Ronald Callais and his wife, plans to attend.

COL LEE LETTER – UNACCEPTABLE COMPLIANCE

Mr. Curole presented a letter from Col. Alvin Lee that stated that the South Lafourche Levee District has been issued an interim Unacceptable O & M Compliance rating. This rating will remain in effect until all work is approved. During this time, the levee system may be ineligible for Federal rehabilitation assistance if damaged by a storm or hurricane.

Engineer Neil Angelette, who has been working closely with the Corps on this, stated that we are not getting a good response from the Colonel. At some point in the future, the Levee District will have to decide how we build levees; whether we build to Corps standards and hope someday to get certified, or build at half the cost and be able to save ourselves now. Engineer Larry Picciola added that the methods we now use are much better than the Corps original method for building levees. We are currently following all Corps requirements except for compaction. In the future, if we need to get in compliance, we can spend money to compact. A lengthy discussion pursued.

STATE FUNDING DELAY

Mr. Curole announced that the Levee District had been awarded \$20M from state for building levees. He added that the final agreement is on Garret Graves desk awaiting his return from vacation.

REACH K & L LEVEE – MORGANZA

We are in the process of obtaining the permits needed to start the Morganza project. Reaches K & L project will offer protection for portions of Terrebonne and North Lafourche Parishes, but is in our district. This project will also offer protection for the Larose area and will connect at Dufrene Farm. There is no construction involved for the SLLD, but only maintenance.

ENGINEERING REPORT

OFFICE OF PUBLIC WORKS

No one was in attendance from the Office of Public Works.

CORPS OF ENGINEERS

No one was in attendance from the Corps of Engineers

PROJECT ENGINEERS

LEON THERIOT LOCK PROJECT – PICCIOLA & ASSOCIATES

Program Manager Ben Hodson gave the following report:

- **Completion Phase**

The contractor is placing dredge material in the western levee and adjacent to the access roadway, coating the concrete control houses, blasting and painting the steel structure, installing the electrical systems, and forming and pouring the concrete sheet pile cap.

We anticipate substantial completion of the project in September or October.

- Change Order No. 3 – Increase price by \$9,249.56 for miscellaneous modifications
Contractor disagreed with C/O

The Contractor disagreed with the days on Change Order No. 3 so no action is needed at this time.

- LL&G Pay Request No. 20

We recommend payment in the amount of \$676,629.69 be made to the contractor for Pay Request No. 20.

Moved by Monty Vegas, seconded by Lula Auenson and unanimously carried, the board approved Pay Request No. 20 to contractor LL&G Construction in the amount of \$676,629.69.

We owe additional contract time of approximately 2 weeks. We will have liquidated damages. Items that are owed to them are minor items. The work is scattered and incomplete. There are no major items outstanding that could cause concern.

- Debris Removal Contract

The debris removal is complete and the substantial completion certificates have been issued to the contractor. The monitoring contractor is in the lien period, after which a clear lien certificate will be produced and the retainage will be paid

We are awaiting word on contract price negotiations between the district's attorney and the attorney for Lemoine Industrial Group.

- Pre-Position Debris Contract

We are in the process of advertising for bids. Bids will be opened publically at the SLLD office August 26, 2009.

J. WAYNE PLAISANCE, INC.

Engineer John Plaisance reported the following:

- **Discharge Pipe Repair PS #1**

We are currently working on renovations at Pump Station No. 1, discharge pipes. The contractor has started work and is going very well. Some pipes have had to be changed. We had received information that the pipe was 48" diameter on the outside, but was actually 48" inside. We are welding it in place to avoid slippage. We are working on the pipes in the water now, and we're trying to get the correct size pipe for the other pipes that need replacing.

There are no change orders, or pay requests at this time.

- The Lafourche Parish Water District is proceeding with the installation of a 36" pipe over the levee near the floodgate in Golden Meadow. Plans submitted to the Corps will bring the pipe up to 13' with an option to raise the pipe to 16' later. This pipe is not a replacement, but is an addition and backup to the two water lines already in place.

LEVEE IMPROVEMENTS – LARRY PICCIOLA, INC.

Engineer Neil Angelette reported the following:

- **Section A-East – Raising to +16' (Present elevation is 13')**
Weeks Marine, Inc. is proceeding with construction on this project which is expected to be complete by the spring of 2010. We are recommending approval of Pay Request No. 18 for \$571,422.58.

Moved by Bob Faulk, seconded by Clarence Marts and unanimously carried, the board approved Pay Request No. 18 for \$571,422.58.

- **Section B-North – Raising to +12' (Present elevation is 10-11')**
Civil Construction Contractors, LLC is proceeding with this project which is approximately 30% complete. This project should be complete in 3 to 4 weeks.
- **Section E-South – Raising to +11.5'**
Manson Gulf will complete this project in approximately 2 weeks. We are recommending approval of Pay Request No. 9 for \$385,650.65.

Moved by Bob Faulk, seconded by Roy Gisclair and unanimously carried, the board approved Pay Request No. 9 for \$385,650.65.

- **Section D-South – Raising to +13.5'**
Manson Gulf has completed the elevation improvements to +13.5' and is proceeding with the berm improvements. This project should be complete by the middle of 2010. We are recommending approval of Pay Request No. 5 for \$272,350.52.

Moved by EJ Gremillion, seconded by Bob Faulk and unanimously carried, the board approved Pay Request No. 5 for \$272,350.52.

- **Section C-North Pipeline Walls (Present elevation is 8,8 & 9')**
We are finalizing our design and are working with the pipeline companies and the Corps of Engineers for approval on this project. We anticipate advertising for bids in early October and completion of the construction in May of 2010.
- **Section E-North – Raising to +13' (Present elevation is 10')**
We are proceeding with the design for this section which will involve a levee shift away from the borrow canal. We are meeting with the land owners of Clovelly Farms next week to discuss the additional right of ways needed for these improvements.
- **Section C-South – Raising to +12'**
Phylway Construction, LLC has completed this project and we are waiting on the clear lien certificate to pay the retainage.

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

In the absence of Chairman Mitch Danos, General Manager Windell Curole announced that there were 3 permit requests received for review and that none interfered with the levee.

On a motion of Bobby Eymard, seconded by Roy Gisclair and unanimously carried, the board approved Letters of No Objection for the following requests:

1. GREATER LAFOURCHE PORT COMMISSION

CUP NO: P20071098

LOCATION: Lafourche Parish, LA, Lat. 29° 08' 21.61"N and Long. 90° 11' 49.00"W (in center of Phase II); Section 2, 11, 12 & 35; T23S-R22E; Section 34, 35, 36; T22S-R22E; Fourchon, LA.

DESCRIPTION: Proposed planned, phase expansion of Port Fourchon (Slip C development) consisting of dredging, fill, +/- 8,613' x 10' rip-rap, mooring bits (+/- 54), flotation canal, retainer levees, culvert re-location, Maritime Forest Ridge +/- 5,095' x 126' and mitigation. The proposed project is a component of the Port's northern expansion (Phase II) which began in 1999. Slip A and B were permitted in Phase I and have been constructed. Slip A is complete and fully utilized. Slip B is dredged; over 75% is under lease and in facility construction with the remaining 25% planned to be developed in 2008-09 time frame. In order to have continued orderly development of the Port, it is necessary to begin Slip C development in early 2008 as it is at a minimum, a 2 year process to create port facilities out of what is now shallow open water. Approximately 519,826 cubic yards of wetlands will be excavated. Approximately 6,479,691 cubic yards of non-vegetated water bottoms will be excavated. Approximately 157,500 cubic yards of non-wet area will be excavated. Approximately 6,245,441 cubic yards of fill will be placed on non-vegetated water bottoms. Approximately 747,676 cubic yards of fill will be placed in non-wet areas. Approximately 254,261 cubic yards of fill will be placed on wetlands. Approximately 7,157,017 cubic yards of fill will be native material. Approximately 9,465 cubic yards of fill material will be rock.

2. EXXONMOBILE PIPELINE COMPANY

CUP NO: P20090737

LOCATION: Jefferson, Lafourche Parishes, LA; Project POB: Lat 29° 24'25.01"N/Long. 89° 57' 34.45"W, POE: Lat. 29° 35' 12.68"N/Long. 90° 22' 11.44"W; Mid point of repair sites: Lat. 29° 29' 55.19"N/Long. 90° 04' 44.07"W.

DESCRIPTION: Proposed repair to existing 12' and 16' flow lines at 43 sites using 37 work areas (70' x 88'). Repairs include installing fully welded encirclement sleeve with zinc anode welded to the sleeve. A 12' marsh buggy right-of-way within the 120' construction right-of-way will be used to access shallow water repair sites. Approximately 5,620.7 cubic yards of native material will be displaced. The spoil will be placed adjacent to the excavation site and then used as backfill. No additional dredge or fill is required for this project. *Approximately 5 acres of non-vegetated water bottoms and 2 acres of marsh may be impacted as a result of the proposed project. This project is on/near oyster lease and is on productive oyster seed ground.

3. LOUISIANA TRANSPORTATION AUTHORITY

LA 1 Improvement Project; Golden Meadow – Fourchon

SP No. 829-32-0007 (Construction)

SP No. 700-29-0112 (Engineering)

LOCATION: Lafourche Parish, LA; Leeville, LA Hwy 1 Bayou Lafourche Bridge in Leeville; Lat 29° 14' 51"N, Long 90° 12' 31"W; Section 23 T12S-R22E; Section 26 T12S-R22E

DESCRIPTION: This project involves removal of an existing structure, Bayou Lafourche Bridge on LA Hwy 1 in Leeville, LA. No impacts to wetlands for this project. Any potential impact were accounted for and mitigated for under previous permits P20040146/P20041053 and MVN2004-1455.

BOARD ATTORNEY

Board Attorney Ray Collins announced that some of the property in C-North was not acquisitioned so we expropriated. Mr. Roland Ledet settled and took the money offered for his property. Work is commencing and all orange trees have been cleared.

Mr. Collins announced that he will step down from both North and South Lafourche levee districts for personal and professional reasons; mainly work overload. After meeting with President Callais and Mr. Curole, he stated that he had met with District Attorney Cam Morvant. Under state law the Levee District can hire an attorney of its choice. With this in mind, Mr. Collins agreed with President Callais and Mr. Curole to recommended Bryce Autin, attorney for Greater Lafourche Port Commission, to work for the SLLD. He added that Mr. Autin is already very familiar with a lot of issues that our board presently faces.

Mr. Collins thanked the board and complimented it on how well it has been run. President Callais spoke directly to Mr. Collins stating that he would be missed and that on behalf of the entire board, he would like to thank him for his service. Mr. Collins stated that he would still be available to assist the board if the need ever arose.

Others thanked Mr. Collins for his guidance and service. Mr. Curole recommended a motion be made to enter into a professional contract with Bryce Autin.

On a motion by Bob Faulk, seconded by Roy Gisclair and unanimously carried, the board authorized President Ronald Callais to sign a professional contract between the Board and attorney Bryce Autin for legal services.

Mr. Bryce Autin thanked the board for the opportunity to work for the Levee District. He commented how fortunate he was to have a flexible board and Executive Director at the Port Commission who has allowed him to explore this possibility. He also thanks Mr. Collins for suggesting him to the board, and stated that he looks forward to working with and getting to know the SLLD board better.

FINANCE COMMITTEE

INVOICES

Chairman Roy Gisclair announced that the Finance Committee had reviewed the invoices. He advised that the invoices were in order and recommended they be paid.

On a motion of Roy Gisclair, seconded by Bobby Eymard and unanimously carried, the board approved the payment of the invoices as presented.

OLD BUSINESS

There was no new business.

NEW BUSINESS

With no further business to discuss, the board unanimously adjourned the meeting.

/s/Ronald Callais, President

/s/Windell A. Curole, Executive Secretary