

OFFICIAL PROCEEDING
OF
SOUTH LAFOURCHE LEVEE DISTRICT
JULY 13, 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, July 13, 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 July was called to order by President Ronald Callais. He directed the secretary to call roll.

Board members present: Ronald Callais
 Clarence "CJ" Marts, Jr.
 Roy Gisclair
 Ernest J. "E.J." Gremillion
 Monty Vegas
 Mitch Danos
 Bob Faulk
 Lula Auenson
 Robert "Bobby" Eymard, Sr.

Board members absent: None

Also present were: Executive Secretary and General Manager Windell Curole; Administrative Assistant 5 Mary Punch; Levee Maintenance Superintendent Jimmy Badeaux; Engineering Personnel Joe Picciola, Ben Hodson, Neil Angelette, Larry Picciola and Andre Uzee; USACE Joey Wagner, Bill Foret and Maude Johnson; Lafourche Parish Councilmen Daniel Lorraine and Rodney Doucet; North Lafourche Levee District Dwayne Bourgeois; LL&G Eugene Chauvin; and news media.

READING OF THE MINUTES

The minutes of the June 16, 2009 Regular Meeting were approved unanimously upon a motion of Lula Auenson and seconded by Mitch Danos.

PRESIDENT'S REPORT

President Ronald Callais announced that commissioners Roy Gisclair and EJ Gremillion would be sworn in later in the week at the office of Attorney Ray Collins.

AUDIENCE COMMENTS

President Callais recognized North Lafourche Levee board member Dwayne Bourgeois, Lafourche Parish Council members Daniel Lorraine and Rodney Doucet, and offered the floor to them. Mr. Doucet stated he was interested in the stage we were in on the flood rate maps. Mr. Lorraine questioned the completion date of the lock. Engineer Ben Picciola stated that the final completion should take place in September. Mr. Lorraine offered his gratitude for the board's use in the 1% sales tax. He added that he has heard a lot of positive comments from the public regarding the use of the tax for levee improvements.

GOLDEN MEADOW FLOODWALL – CORPS REQUEST FOR RIGHT OF ENTRY

We placed rocks behind the floodwall for extra strength and stability. We had considered adding concrete around the rocks, but after speaking with the Corps, we decided that we would concentrate the money on placing sheet piling next year to a 13.5' elevation. The Corps will grout the rocks that are there for this season. The Corps has requested a ROE to do this work and we have agreed to grant this. There were no objections from the board. Next year's work will raise protection by 2 ½'.

SL CRAWFISH FARMS – CORPS REQUEST FOR RIGHT OF ENTRY

In this area, we have a floodwall (T-wall) that is much stronger than the I-wall at Golden Meadow, but height is a concern. The Corps would like to drive 45 ft. sheet piles behind the sheet pile wall raising it to 13.5' above sea level. The Corps has requested ROE. This work should only take a couple weeks to complete. There were no objections from the board for the granting of Right –of-Entry at the South Lafourche Crawfish Farms to drive sheet piles behind the floodwall.

D-FIRM MEETING

Mr. Curole presented the minutes of the July DFIRM meeting and explained that Mr. Dwayne Bourgeois had done investigations and found that there were some policy issues that might have prevented the computer models to be accurately reflect to what happens in the real world. The Parish Council is in charge of the agreement between the Parish and FEMA for the maps. President Randolph was asked to meet with the contractors, and possibly getting help from LSU in running the computer models for us. One issue is that if one of the models shows water going over the top of the system, they remove it from the map as if it doesn't exist.

Mr. Dwayne Bourgeois replied that our appeal is to let science run its course first and then apply policy if they want.

Mr. Curole explained that we have 90 days to appeal and that we believe this would be our best approach.

Councilman Rodney Doucet added that the council will do whatever it can to fight the maps because they are not feasible. Other parishes are watching what we are doing and will probably base their move from what we do.

CORPS LETTER ON QUALITY CONTROL

Mr. Curole presented a letter to the board on requests made by the Corps. The letter alleges that the district is doing unpermitted work and the requested a quality control report. Mr. Curole stated that he had not had time nor money do the items requested, but would meet with the engineers and prepare a QC report as soon as possible.

GATE REPAIR AT LLE ROAD

Mr. Curole explained that a subcontract for one of our contractors had hit the mechanical gate to Edison Chouest Offshore Farm causing around \$8,433.09 in damage. The subcontractor admits hitting the gate, but states that the gate was not operating property, so he feels the damage was not his fault. Mr. Curole explained that after speaking with our attorney, we should pay for the repairs and with hold those costs from the payments to the contractor. He could then recover the money from the subcontractor.

Moved by Lula Auenson, seconded by Clarence Marts and unanimously carried, the board agreed to pay for the repairs to the entrance gate to Edison Chouest Offshore Farm in the amount of \$8,433.09 and recoup those costs from the contractor.

GENERAL MANAGER'S TRAVEL EXPENSES – AUTHORITY TO APPROVE (PRES. CALLAIS)

Mr. Curole stated that all travel by the General Manager should be pre-approved by the board. However, sometimes issues arise suddenly and there is no time to call a meeting to get board approval. Mr. Curole requested the board authorize President Ronald Callais to approve all out-of-state travel expenses as necessary.

Moved by Bob Faulk, seconded by Monty Vegas and unanimously carried, the board authorized President Ronald Callais to approve out-of-state travel expenses for the General Manager when necessary.

CORPS LETTER: C-NORTH, HWY 24 & LA 1 - GATE VS. RAMP

Mr. Curole presented a Corps' letter on the road from the floodgate to LA 1 in Larose. He explained that DOTD will issue a permit to cross the right-of-way so the levee can be built across the road. Until relocation of the road is finalized, the road will still need to be closed off with baskets during storms. This relocated road will be built in lieu of a multi-million dollar gate.

ENGINEERING REPORT

OFFICE OF PUBLIC WORKS

No one attend for the office of public works.

CORPS OF ENGINEERS

Program Manager Joey Wagner reported the following:

C-North:

We need the State and SLLD to make a final determination on where to build the road. DOTD doesn't want to make a decision until after the post-authorization changes, which are still two years out. That would be too long so we need the board and DOTD to meet with us so a decision can be made and this work complete by the 2010 hurricane season.

Construction of the levee over the road should start this week.

GM Pump Station Floodwall:

After meeting with Neil Angelette and Windell Curole, we have determined that this structure is sound to begin interim repairs. We will begin grouting the rocks behind the floodwall.

Crawfish Farm Floodwall:

We will offset the existing I-wall with a new I-wall by about 5 ft. We will bring it up to about 13.5' and the only low place will be the T-wall. We will place concrete behind that wall for added protection.

Mr. Curole thanked the Corps for their cooperation in meeting with him and engineers in accomplishing these issues.

Mr. Wagner added that he hoped to have positive news soon so that the system could be brought up to 100-year level of protection. He then introduced Maude Johnson and stated that she would be the new Program Manager and he would be taking on Sr. Program Manager position and explained their new roles.

PROJECT ENGINEERS

LEON THERIOT LOCK PROJECT – PICCIOLA & ASSOCIATES

Program Manager Ben Hodson gave the following report:

- **Completion Phase**

LL&G Construction of Houma, LA is the Contractor. The installation of all sheet piling is complete and installation of the concrete sheet pile cap is approximately 60% complete. The dredging is complete and the contractor is continuing to process and place the dredged material in the levee. The riprap is 95% complete. The control house floors and walls have been poured and the roof has been installed. The contractor is installing the operating machinery for the gates. Work on the fenders and electrical systems continues. We anticipate substantial completion of the project in September or October.

We have two pay requests from LL&G; LL&G Pay Request No. 18 for \$282,421.93 and LL&G Pay Request No. 19 for \$2,071,106.67. We recommend the board approve both for payment.

Mr. Curole added that DOTD was issuing reimbursements for lock payments on a steady schedule, but that the process was transferred to another department and checks had been delayed. After contacting DOTD's David Miller, who is formerly from the Cut Off area, the money is now coming in again for the lock reimbursements. Mr. Curole stated that we were thankful to Mr. Miller for helping get those payments back on track.

Moved by Roy Gisclair, seconded by Bob Faulk and unanimously approved, the board authorized payment of LL&G Pay Request No. 18 in the amount of \$282,421.93 and Pay Request No. 19 in the amount of \$2,071,106.67.

- **Storm Debris Removal from Section D-South**

The debris removal is complete and the substantial completion certificates have been issued to the contractor. We are also requesting the approval from the board for completion and for the payment of invoices. The debris removal was completed faster than expected due to a sharp reduction in the estimated quantity of debris on site.

Moved by Lula Auenson, seconded by Monty Vegas and unanimously carried, the board approved Certificate of Completion for the monitoring and removal of debris from Section D-South, and also gave approval of J & S Resources Pay Request No. 1 in the amount of \$25,651.35 for the monitoring.

We are awaiting word on contract price negotiations between the Levee District's attorney and the attorney for Lemoine Industrial Group before presenting an invoice for the debris removal.

J. WAYNE PLAISANCE, INC.

In the absence of Engineer John Plaisance, Andre Uzee reported the following:

- **Discharge Pipe Repair PS #1**

The contractor for the discharge pipe repair at PS #1 is Blanchard Contractors of Cut Off. A Notice to Proceed for this work is ready to be issued. The Contractor is ready to move on site this week.

LEVEE IMPROVEMENTS – LARRY PICCIOLA, INC.

Engineer Neil Angelette reported the following:

- **Section A-East – Raising to +16'**

Weeks Marine 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. 17 for \$620,893.29.

On a motion of Bob Faulk, seconded by Bobby Eymard and unanimously carried, the board authorized payment of request no. 17 for \$620,893.29.

- **Section B-North – Raising to +12'**

This project has been awarded to Civil Construction Contractors, LLC for \$134,550.00. We are having a pre-construction meeting with the contractor on Wednesday and expect this project to be complete within 8 weeks.

- **Section E-South – Raising to +11.5'**

Manson Gulf is proceeding with construction on this project which will raise the levee height up to +11.5' and provide additional stockpiled material for future improvements. This project is expected to be complete within a month. We are recommending approval of Pay Request No. 8 for \$365,832.67.

On a motion of EJ Gremillion, seconded by Mitch Danos and unanimously carried, the board authorized payment of request no. 8 for \$365,832.67.

- **Section D-South – Raising to +13'**

Manson Gulf is proceeding with Phase I of this project which will raise the levee to +13.5' by August of this year from its previous elevation of +10.5'. Phase II of this contract will provide major berm improvements by the middle of 2010. We are recommending approval of Pay Request No. 4 for \$230,725.29.

On a motion of Bobby Eymard, seconded by Monty Vegas and unanimously carried, the board authorized payment of request no. 4 for \$230,725.29.

- **Golden Meadow Pump Station Flood Wall, Texaco Flood Wall & D-South Crawfish Farm Floodwall**

We have reviewed interim plans by the Corps of Engineers to reinforce the Golden Meadow Pump Station and D-South Walls and have provided our comments back to them. We are also continuing to work with the Levee District on long term solutions for all three of these structures.

- **Larose Flood Wall**

We are currently reviewing several options for future improvements to this wall with the Levee District and Corps of Engineers including a possible dredge project and wall height improvements.

- **LOOP Road Gate – Replacement with an Earthen Ramp**

We are proceeding with the design to replace the gate and wall with an earthen levee and roadway ramp in 2010.

- **Section C-North Pipeline Walls**

The proposed improvements will involve constructing braced sheet pile walls behind the existing walls to an elevation of +15'. We are meeting with the pipeline companies later this week to review our proposed improvements. Our design and drawings are also being provided to the Corps of Engineers for their review.

- **Section E-North – Raising to +13'**

We are proceeding with a design for this section which will involve a levee shift away from the borrow canal. We anticipate having a preliminary design and cost estimate later this month.

- **Section C-South – Raising to +12'**

Phylway Construction, LLC has completed this project to raise this levee section up to +12' from its previous elevation of +10'. We are recommending approval of Pay Request No. 2 for \$207,256.74. We also recommend issuing the certificate of substantial completion on this project as of July 3, 2009.

On a motion of Lula Auenson, seconded by Bob Faulk and unanimously carried, the board authorized payment of request no. 2 for \$207,256.74, and to issue the Certificate of Substantial Completion.

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

Chairman Mitch Danos announced that there were 4 permit requests received for review and that none interfered with the levee. Mr. Danos briefed the board on each of these requests.

On a motion of Clarence Marts, seconded by EJ Gremillion and unanimously carried, the board approved Letters of No Objection for the following requests:

1. **DISCOVERY GAS TRANSMISSION LLC
CUP NO: P20070488**

LOCATION: Lafourche Parish, LA; Bay Marchand Area; POB (Work Area #1): Lat 29° 13' 20"N, Long 90° 17' 02"W; POE (Work Area #1): Lat 29° 13' 07"N, Long. 90° 17' 01"W; POE (Work Area #2): Lat 29° 04' 36"N, Long 90° 16' 14"W; POE (Work Area #2): Lat 29° 04' 24"N, Long 90° 16' 04"W.

DESCRIPTION: Proposed lowering of two exposed sections of the 30" Discovery Pipeline (1,320' and 1,484'). Approximately 3,142 cubic yards of native material will be displaced via jetting and 71 cubic yards of rick bulkhead material will be temporarily displaced via bucket dredge. No additional dredge or fill are required for this project. *Approximately 0.39 acres of non-vegetated waterbottoms will be impacted by this project.

2. GREATER LAFOURCHE PORT COMMISSION

CUP NO: P20090468

LOCATION: Section 24, 25, T22s-R22E; Section 26, T22S-R22E; End of LA Hwy 3090 Golden Meadow, 70357 (POB (center) Lat 29° 06' 04.09"N, Long -90° 11' 26.04"W;

DESCRIPTION: Proposed Shoreline protection at Fourchon Beach as well as Port Fourchon. A total of 5,500 linear feet of geotubes will be installed along the beach. A 100' right-of-way will be required for equipment. A total of 15,000 cubic feet of sand will be suction-dredge to fill the tubes. An additional 2,000 cubic yards of material will be stacked as a base for a portion of the geotubes. The geotubes will be made permanent by the installation of 18' x 20' concrete mats over the tubing. EUA 09-022 was granted for the proposed geotubes. No additional dredge or fill is required. *Approximately 5.28 acres of non-vegetated shoreline may be directly impacted by the proposed work.

3. HOUSTON ENERGY, LP

CUP NO: P200900585

LOCATION: Jefferson, Lafourche Parish; Located in the open waters of Bayou Perot at a site approximately 4.65 miles South of the Intracoastal Waterway, LA; Delta Farms Field. T16S-23E. Lat 29° 38' 36.0"N, Long 90° 10' 25.9"W (NAD 83); X=3,649,148', Y=417,656' (NAD 27).

DESCRIPTION: Proposed prop-wash of a channel (70' x 5,198') and slip (160' x 345') for the purpose of placing a drill barge and appurtenances on location to drill the s. l. 19863 Well No. 1. Three existing pipelines which will be crossed will be lowered to a depth of 3-feet below the proposed access channel depth. Eight temporary 3-pile clusters will be installed to assist with barge location. A shallow draft rig will be utilized to drill the well. Upon completion of the well protection structure (7' x 16') will be installed. Drafts of vessels will not exceed 6-feet. Approximately 18,034 cubic yards of native material will be displaced for the slip, access route and pipeline lowering. *Approximately 9.718 acres of non-vegetated waterbottoms may be impacted as a result of this project.

4. HOUSTON ENERGY, LP

SHELL PIPELINE COMPANY

CUP NO: P200900406

LOCATION: Lafourche Parish (POB) Lat. 29° 02' 34.2"N, Long. -90° 11' 17.7"W. (POE) Lat 29° 28' 13.8"N, Long. -90° 15' 18.9"W.

DESCRIPTION: Proposed area-wide permit for maintenance and repair work for the Mars-Clovelly 24" Pipeline. No work will be authorized under this area-wide permit. *No impacts. No work is authorized under this permit.

BOARD ATTORNEY

Board Attorney Ray Collins was not in attendance.

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 EJ Gremillion and unanimously carried, the board approved the payment of the invoices as presented.

PERSONNEL COMMITTEE

NEW HIRE RATE FOR PART-TIME EMPLOYEES (DUE TO MINIMUM WAGE INCREASE)

Chairman Monty Vegas explained minimum wage was going up to \$7.25 per hour effective July 24, 2009. In order to keep the quality of employees we now have, we would like to raise the new hire rate for part-time employees from \$7.00 to \$8.00 per hour. He added that we have one employee that will be affected by this change.

On a motion of Monty Vegas, seconded by Bob Faulk and unanimously carried, the board approved a new hire pay rate for part-time employees of \$8.00 per hour.

OLD BUSINESS

No old business was discussed.

NEW BUSINESS

Mr. Curole stated that he had invited former State Senator Reggie Dupre to attend the meeting today, but was unable to do so. Mr. Curole expressed his desire to thank Mr. Dupre for the service he has provided the board over the years and stated that he had invited him to the August meeting for recognition.

Mr. Curole informed the board that Hugh Caffery is the new director of the Bayou Fresh Water District. That district is in charge of getting fresh water down the bayou and hopefully helping out the environment. They are currently trying to obtain rights-of way to try to get this project underway. Mr. Curole reminded the board that the Levee District had sent a letter to the Attorney General's office a few years back asking who owned the banks of the bayou. The A/G's opinion was that the State of Louisiana owns much of this property. This has allowed the Bayou Fresh Water District to be aggressive in obtaining the needed rights-of-way for this project.

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

/s/Ronald Callais, President

/s/Windell A. Curole, Executive Secretary