

# **Greater Lafourche Port Commission**

## **AGENDA**

**February 12, 2014 at 10:30 AM**

**Administration Building · 16829 East Main St · Galliano, LA**

(Revised: February 11, 2014 at 10:00 AM)

- I. Call to Order
- II. Pledge of Allegiance
- III. Roll Call
- IV. Consider approval of minutes for January 15, 2014 regular meeting
- V. Executive Director's Report
  - A. Northern Expansion**
    - 1. Northern Expansion Slip C Bulkhead (J. Wayne Plaisance)
    - 2. Adam "Ted" Gisclair Road – Phase III Asphalt (Picciola & Associates)
  - B. Airport Projects**
    - 1. Glide Slope (LPA/Baker)
    - 2. ODALS – Omni-Directional Approach Lighting System (LPA/Baker)
    - 3. Airport Master Plan Update (LPA/Baker)
  - C. FEMA Projects**
    - 1. Beach Repair Project (Picciola & Associates)
  - D. Port Security and Grant Projects**
    - 1. Multi-Agency Emergency Operations Center (2009)
    - 2. TWIC Implementation (2011)
    - 3. CCTV Additional Cameras (2012)
  - E. Other Port Projects**
    - 1. Assumption of Maintenance Study (URS)
    - 2. Storm Harbor Marina (J. Wayne Plaisance)
    - 3. N. J. Theriot Road Elevation & Improvements (Angelette-Picciola)
  - F. Update on NFIP Issues**
- VI. Committee Reports
  - A. Executive Committee**
    - 1. Consider approving the request from USA Environmental to lease site GLF204-1 along LA 3090
    - 2. Consider approving the request from Newpark Environmental Services to lease 1600 LF of waterfront property along Slip C
    - 3. Consider approving the Cooperative Endeavor Agreement with the Lafourche Parish Government for the Nerby Collins Marina Bulkhead Repairs project
  - B. Permits & Waterways Committee**
    - 1. Review permit applications by Tana Exploration, Energy XXI Onshore, Louisiana Delta Oil Company
  - C. Construction & Development Committee**
    - 1. Consider approving the Request for Qualifications for design/engineer for additional cameras for the CCTV System
  - D. Finance Committee**
    - 1. Consider approving payment of January invoices and recognize expenditures over \$10,000
    - 2. Consider approving the out of state travel requests
- VII. Any other business
- VIII. Public Comment
- IX. Possible Executive Session to discuss OPA Claim# N10036-1923  
Possible executive session to discuss final payment to Hamp's Construction on the Fourchon Beach Rehabilitation – Phase I project
- X. Any other business
- XI. Public Comment
- XII. Adjournment

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**OFFICIAL PROCEEDINGS OF THE GREATER LAFOURCHE PORT COMMISSION**  
**February 12, 2014**

The Board of Commissioners of the Greater Lafourche Port Commission met in regular session on Wednesday, February 12, 2014 at 10:30 AM at the Administration Building 16829 East Main Street, Galliano, LA.

President Gisclair called the meeting to order and Secretary Cheramie called roll.

ATTENDED: Chuckie Cheramie, Perry Gisclair, Kris Gaudet, Donald Vizier, Wilbert Collins, Larry Griffin, John Melancon Jr., Jimmy Guidry and Ervin Bruce

ABSENT: None

Upon motion by Melancon and second by Gaudet, the board unanimously approved the minutes for January 15, 2014 regular meeting.

**Executive Director's Report**

Northern Expansion – Engineer John Plaisance reported that Johnson Bros has completed the access roads and test pile program for the Northern Expansion Slip C Bulkhead project. We are waiting the results of the test piles from the geotechnical engineer. The steel sheet piles have been delivered to the coater in Alabama. Engineer Joe Picciola reported that the contractor is substantially complete for the Adam “Ted” Gisclair Road project. The remaining punch list item is the dirt work mainly along Harvey Gulf site. We will meet next week for final inspection.

Airport Projects – Airport Manager Joe Wheeler reported that E. P. Breaux expects deliver of the pre-cast building in 5 weeks for the Glide Slope project. Due to weather conditions, the contractor has not been able to do any construction layout work. There is a meeting scheduled for tomorrow to meet with the Corps of Engineers for the permit in regards to the ODALS – Omni-Directional Approach Lighting System project. We are waiting on the final framed graphics from LPA to close out the Airport Master Plan Update project. The airport operations for January were 1696.

FEMA Projects – Engineer Joe Picciola reported that the Fourchon Beach Repair Project is complete and the lien period is up. We were informed of one lien on the project however the contractor did submit a clear lien certificate since they posted a bond with the clerk's office. The contractor has also requested payment of retainage which will be discussed later in executive session. Executive Director Chett Chiasson stated that we are also working with Picciola to place more material on the geotubes and finish the project.

Port Security and Grant Projects – Davie Breaux reported that the contractor is completing all punch list items for the Multi-Agency Emergency Operations Center. The lettering on the building was delivered and will be installed by February 18<sup>th</sup>. Collins questioned if we will have a ceremony once the building is complete, which Chiasson replied yes we will have an open house and ribbon cutting event for public viewing. April Danos reported that the contract and notice to proceed for the TWIC Implementation has been processed with parts currently on order. The request for qualifications for the CCTV Additional Cameras have been received and reviewed and later on the agenda recommend award to Transportation Security Associates.

Other Port Projects – William Evans with URS reported that they are processing data for the cost estimate on dredging for the Assumption of Maintenance Study while waiting on the permit from the Corps. Engineer John Plaisance reported that the contracts with Southern Constructors have been signed and the pre-construction meeting is scheduled next week for the Storm Harbor Marina project. Chiasson stated that the N. J. Theriot Road Elevation & Improvements is on hold until we receive all the documents from the State for Capital Outlay funding.

Update on the National Flood Insurance Program (NFIP) Issues – Presentation by Dwayne Bourgeois the Executive Director of the North Lafourche Levee District. The NFIP was created in 1968 to provide flood insurance; the Biggert-Waters Act 2012 (BW12) was signed into law to fix some problems with the program in regards to financials; the Homeowners Flood Insurance Affordability Act which was to fix the fix; and finally the Omnibus Bill which was passed to put some delays on some parts of the BW12. The NFIP is the only place to buy flood insurance in exchange for communities adopting certain standards. Close to 6 million homes participate in NFIP. The key components of NFIP are to provide federal flood insurance, reduce the risk of future flood damage, and develop flood maps. The maps are very important to this area and have been appealed because of technical flaws. FEMA produces these maps which have long term consequences to us. Now that there are changes to the NFIP, we want a program that is long term sustainable, actuarial responsible, and protects homes and businesses that built to FEMA regulations.

BW12 passed and tacked on to the Restore Act gets rid of the grandfathering aspect that if you built a home before we had flood maps you were getting a rate that was subsidized. The BW12 takes that rate away on different triggers such as if you sell the home. Also people who built according to what FEMA required at the time this BW12 now phases that out if a subsequent map shows you should have built higher you would have to increase your rates. The worse part of it is that BW12 requirement that the actuarial calculations have to include these catastrophic loss years which is unfair to the program. An example is Hurricane Katrina which was a 400 year storm. The NFIP protects against the 100 year storm but with the BW12 they are trying to put the cost of 400 year storms in the calculations. In doing so, instead of having the 300% increase in rates in some cases we are having 2,000% to 3,000% rate increases. An example of NFIP residential rate increases show a \$200,000 home with \$100,000 of contents and \$1,000 deductible if above the base flood elevation (BFE) the rate is \$700, if at BFE \$1,800 and if a foot below BFE it will be over \$5,000 and it doubles for every 4 or 5 feet you go below that. This causes big problems when you want to sell a home. Coastal Louisiana is different from a lot of areas and the FEMA rules don't suit us well and the BW12 potential impact is devastating. The ripple effect of flood insurance premium hikes are drop in home value, drop in home sales, decrease in property values, property unsalable, banks lose mortgage portfolio, real estate market freezes, companies lose workers, local governments lose tax base, and the economy is destroyed. The irony is you destroy the NFIP in the process. This is a national issue.

The recent legislation to pass the Senate is the Homeowner Flood Insurance Affordability Act which delays some of the premium increases for 4 years. This is good however it does not solve the problem. This could be a win for areas that have levees built to the 100 year flood protection but in areas like here where we don't have certified levees it's a big problem. Plus the House does not want to take up this bill so it is unclear on where the House stands.

Bourgeois proposes to form a Flood Insurance Reform Coalition to stand up for affordable flood insurance for the Bayou Region. This would be a local Coalition with specific focus to fix BW12 and the NFIP while keeping the interest of the Bayou Region at the forefront. This region is not inside the 100 year flood protection system so our interests need to be represented in DC. This coalition would be under the existing non-profit Gulf Economic Survival Team (GEST). The coalition would hire a lobbyist in DC that could work full time on this issue. Currently we have pledges of \$5000 to support the activity from the North Lafourche Levee District, South Lafourche Levee District, Terrebonne Levee District, St. Mary Levee District, Crosby Tugs, Rig Chem, Alexis Duval, and Stephanie Hebert. We are looking for additional pledges of support to help us in this endeavor.

Chiasson stated that it seems as though Congress doesn't want to fix this and we can't just let it happen. We need to figure it out and present it to Congress for them to pass. We need to get Congress to pass the 4 year delay and in those 4 years figure out a fix to help that move along. Bourgeois stated that is true however a lot of congressman state they don't want a delay they want to fix it now.

Cheramie stated that he built his house 10 years ago to FEMA guidelines and if he continues to raise his home will he get the lower insurance rates, which Bourgeois replied that each case is different. If you built to guidelines you should be grandfathered in and you should not be penalized for new maps and it is unfair to have to keep raising a home to stay ahead of what should have been predicted by FEMA. The

alternative would be to pay higher rate or elevate home. There is a catch 22 on this since we live in a coastal area an example is Grand Isle was given grants to elevate homes to be above BFE, then they were having more wind and hail damage. Griffin questioned if the President could use his executive power to pass this 4 year delay, which Bourgeois replied that the White House has spoken out against any changes to BW12. Gaudet stated that if the House passed this bill you still have concern of the President veto, which Bourgeois replied that Senator Landrieu procured a promise from the President that if it is passed by the House the President would not veto the bill. Melancon stated that if it does pass it would be a 4 year delay, which Bourgeois replied that it states 2 years beyond the time it takes to complete affordability study which FEMA predicted it would take 2 years to complete a study which is technically 4 years. However, the whole program is going to be re-authored by October 1, 2017 so the 4 year runs out the clock on re-authorization and delay strategy is if we can delay it, then we can work on it, and go. The bottom line is that we need to be involved in the fix.

Melancon stated the coalition will join up with GEST to bring message to Washington, which Bourgeois replied yes his goal is to hire a lobbyist and make sure they fully understand all the issues so they can go door to door in DC. GEST is the best way to do this since it is already formed and has a great track record. Gisclair stated that the goal is to come up with a solution to educate these people. Gisclair questioned that since Hurricane Sandy and other disasters if we gained more support from other states concerning FEMA, which Bourgeois replied yes more people are awakened to the issues nationally than they were before. Bourgeois stated that for Sandy on the eastern seaboard if the banking industry would have been enforcing the federally backed loan requirement to have NFIP, the program could be more solid which should be part of the fix. Further discussion followed regarding the bills and legislative delegation.

Gisclair questioned if he is looking for an endorsement from this Commission and perhaps a monetary amount I'm sure the Commission would be all for it, which Bourgeois replied both would be appreciated. Gaudet stated that he would also support having legislators and members touring Fourchon to see what is at stake and what supports this nation. Bourgeois stated that FEMA Administrator did come down and I'm sure his eyes were open when we stood him on a levee where their mapping showed the levee didn't exist. There is both legislative and administrative fixes that need to be put in place. Bourgeois stated that he is going to DC next week to meet with FEMA on levee analysis and talk to legislative delegation on what this Coalition will be working on.

Collins questioned if a home is paid and doesn't have flood insurance if a storm or tornado happens would FEMA help that person, which Bourgeois replied that the person that does not require flood insurance is still available for Stafford Act relief in event of a flood.

On another note, Chiasson stated that Garret Graves the Director of the Office of Coastal Protection and Restoration is stepping down with his last day February 17<sup>th</sup>. Chiasson will send a letter of recognition on behalf of the Commission thanking him for all work he has done for the state and coastal protection. He stated that someone from this region is actually taking his place, Jerome Zeringue the past Director of the Terrebonne Levee District and has since been an assistant at OCPR.

### **Committee Reports**

Executive Committee - The committee met on February 10, 2014 at the Administration Building in Galliano. Present was Gisclair, Cheramie, Melancon, with Griffin absent.

Upon motion by Melancon and second by Bruce, with no public comment, the board unanimously approved the request from USA Environmental Services to lease site GLF204-1 along LA 3090.

Upon motion by Collins and second by Guidry, with no public comment, the board unanimously approved the request from Newpark Environmental Services to lease 1600 LF of waterfront property along Slip C. Chiasson stated that the company name may change because they are merging Offshore Cleaning Systems and Newpark Environmental Services creating Ecoserv. This property is part of the 1200 LF bulkhead project currently under construction.

Upon motion by Melancon and second by Griffin, with no public comment, the board unanimously approved the Intergovernmental Agreement with the Lafourche Parish Government for the Nerby Collins Commercial Marina Bulkhead Repair project which is a CDBG Fisheries funded project. Chiasson stated that the Parish did approve this same agreement at their meeting last night. The total amount of CDBG funding available is \$625,700 and the Port's match will be \$50,000.

Permits & Waterways Committee - The committee met on February 10, 2014 at the Administration Building in Galliano. Present was Chairman Cheramie, Gisclair, Collins, with Griffin absent.

Chairman Cheramie presented for the board's review permit applications by Tana Exploration, Energy XXI Onshore, and Louisiana Delta Oil Company.

Construction & Development Committee - The committee met on February 10, 2014 at the Administration Building in Galliano. Present was Chairman Bruce, Gisclair, Vizier, with Griffin absent.

Upon motion by Vizier and second by Bruce, with no public comment, the board unanimously awarded the request for qualifications for design engineer of the CCTV Gap project to Transportation Security Associates.

Finance Committee - The committee met on February 10, 2014 at the Administration Building in Galliano. Present was Chairman Melancon, Gisclair, Gaudet, and Guidry.

Upon motion by Melancon and second by Guidry, with no public comment, the board unanimously approved payment of January invoices and recognized expenditures over \$10,000.

Upon motion by Melancon and second by Collins, with no public comment, the board unanimously approved the out of state travel requests by April Danos to attend the Maritime Security East Conference on March 10<sup>th</sup> in Massachusetts, April Danos and Jon Callais to attend the AAPA IT & Port Security Committee Meetings on March 17<sup>th</sup> in California, and Joe Colson to attend the ISC West Security Conference on March 31<sup>st</sup> in Nevada.

President Gisclair opened the floor for any public comment. Mr. John Erny III addressed the board to announce his candidacy for Lafourche Parish District Judge Division B election on November 4, 2014. Tyler Cheramie with Tank Specialties invited the board and public to attend the South Louisiana Oilman's Clay Shoot to benefit all local athletics which is taking place on Saturday, April 12, 2014 at the Arceneaux Whitetail Ranch in Larose.

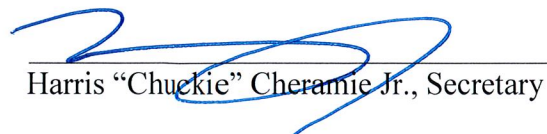
Upon motion by Gaudet and second by Cheramie, with no public comment, the board unanimously approved entering into Executive Session to discuss the OPA Claim# N10036-1923 and the final payment to Hamp's Construction on the Fourchon Beach Rehabilitation project. The roll call vote resulted in all 9 years. The board then returned to the meeting with no action taken on the OPA Claim. Upon motion by Gaudet and second by Griffin, with no public comment, the board unanimously approved to file a concursus petition citing Hamp's Construction, their sureties and Inland Marine arising out of the Fourchon Beach Rehabilitation project and deposit the retainage of \$217,811.61 with the Lafourche Parish Clerk of Court. Engineer Joe Picciola stated that he will inform Hamp's construction of the board action since they had requested payment of retainage. Mr. Rome stated that let the record show that the total invoices for February will be amended to include this \$217,811.61 payment.

Upon motion by Cheramie and second by Gaudet, the board adjourned the board meeting.

ATTEST:



Perry Gisclair, President



Harris "Chuckie" Cheramie Jr., Secretary