Minutes of the Special Meeting of the Calcasieu Ship Channel Funding Management Board held at 2:00 P.M. on November 9, 2021 in the Board Room of the Port of Lake Charles located at 1611 W. Sallier St., Lake Charles, Louisiana.

In attendance and constituting a quorum, were:

Charles Harper, President

Richert Self, Vice President

Renee Lapeyrolerie, Secretary/Treasurer (by ZOOM)

Absent:

None

Also present:

Jon Ringo, General Counsel

Channing Hayden, Director of Navigation

Captain Brett Palmer, Lake Charles Pilots Association

Regan Brown, Assistant Director of Navigation

Clair Marceaux, Cameron Parish Port, Harbor and Terminal District

Mr. Harper called the meeting to order at 2:00 P.M.

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1. Approval of the March 18, 2021 Meeting Minutes.

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Mr. Self offered a motion to approve the March 18, 2021 Meeting Minutes. Mr. Harper seconded the motion and it carried unanimously.

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2. Update regarding 2021 payments and 2022 invoicing.

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Mr. Ringo stated they received the funding from the state in the amount of $5 million through the legislative appropriations process from last legislative session. They anticipate the same next year and will present that through the legislative delegation and make sure that gets included in the Governor’s budget for next year.

The Port has contributed it’s share, which is $2.5 million. The remaining $2.5 million has been fully collected from the industrial entities along the channel. Every entity has contributed their share.

This week staff will send out a request for estimated ship counts for 2022 as well as the true ship count for 2021. Once they get those, they will be able to do the invoices just like they did this year. They anticipate full participation.

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3. Discussion of the request by the Corps of Engineers for $3 million in non-federal sponsor cost share funds for federal Fiscal Year 2022.

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Mr. Harper asked Mr. Hayden to speak on this item. Mr. Hayden said they received a request from the CORPS of Engineers to forward to them the full non-federal match for the amount in the President’s budget. The President’s budget is $9 million for Construction General, which is where their match comes in. In this case, the match would be $3 million.

Under the rules that the federal government operates under, the CORPS can draw down a portion of the amount in the federal budget. The CORPS has done so. They actually received more than they were supposed to get. They are sort of in a cashflow bind. They are working on Disposal Area 7 or will be soon. They have found they have four levy breeches in DA7 as opposed to the two breeches they originally thought they had. They have gone back and are doing some more engineering work, but will have to modify the contract they have with Richert Construction LLC., who is doing work presently in DA2 and will then go to DA7.

The project is to completely knock down DA7, level it and rebuild it. The modification takes into consideration that there are going to be these bad areas that they are going to have to deal with such as poor soil quality and others.

With the drawdown from the President’s budget, with leftover construction funds from last year and with the non-federal sponsors cost share this year, they think they will have enough funds in order to issue the modification. They cannot issue the modification until they have the funds. They cannot drawdown the federal funds until they have the non-federal cost share in hand. This is all trying to get in place so that they can issue the modification for DA7.

The balance in the Calcasieu River Fund is $13 million and change. This drawdown will leave $10 million in the fund. They have other expenses that may require a non-federal cost match either in terms of rebuilding some of the other disposal sites or in real estate acquisition. While the non-federal cost share is 25% on construction dollars, it is 100% on real estate. They have one real estate project underway right now – 12A and 12B. They are trying to secure permanent easements on that site. The CORPS has a 20-year plan on how they want to go through the various disposal sites and rebuild them. He believes they will run into the same problems they had with 12 A&B with 8, 9, 10, 11, 15, 16N, 17 and M. They have a lot of real estate easements they will need to acquire.

Prior to this meeting of the Calcasieu Funding Board, there was a meeting of the Calcasieu Advisory Committee, which is a group set up under the same legislation that established the Funding Board. They met and were briefed on what the situation is and voted to recommend to the Funding Board that the $3 million be expended.

Mr. Harper offered a motion to approve Resolution 2021 – 001 authorizing the Executive Director of the Port of Lake Charles to disburse up to $3 million to the CORPS as the non-federal sponsor’s cost share, contingent upon that amount being available in the fund. Mr. Self seconded the motion and it carried unanimously.

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4. Other matters which may properly come before the Board

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There being no further business to come before the Board, on a motion made by Mr. Harper seconded by Mr. Self and approved unanimously among those present, the meeting adjourned at 2:07 p.m.

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CHARLES HARPER

President

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RENEE LAPEYROLERIE

Secretary/Treasurer