

2023-1-REV requested by Bunge North America, Inc. and Bunge Chevron AG Renewables, LLC for the revocation of Jonathan Street, Modoc Street, and portions of Pelican Street, Amie Street, and Jean Street, Destrehan. Council District 2.

Mr. Welker- And just to summarize this request again this is for a revocation of the following rights away in Destrehan, Jonathan St. in its entirety from River Road up into unimproved Noel St. along the railroad tracks, Modoc St. in its entirety from River Road to unimproved Noel St. along the railroad tracks, Pelican St. from Amie St. to unimproved Noel St. along the railroad tracks, Amie St. from Jonathan to Lorraine St., and Jean St. from Jonathan to Lorraine St. To kind of summarize the process after receiving a recommendation from the Planning Commission this request be prepared for forwarding to the parish council. The documents forwarded to the parish council would include a finalized act of revocation as reviewed and accepted by parish legal services and a finalized resubdivision plan depicting how the revoked right away will be consolidated and combined as per state law. Some examples of the street layout and what would be revoked can be seen on page 44 of your agenda and how that potential resubdivision plan could look could be seen on page 46 and that would be kind of ironed out more as it gets forwarded to sending it to the council. As part of the revocation request we do seek comments from other departments such as Public Works, Waster Water, and Water Works regards to the infrastructure and what not that might be within these rights of way and the continuing public need, there are memos and replies, comments from each of those departments about what they expect what they have in the right away and what will be necessary in order to effectively close off some of that infrastructure as part of this revocation, so that's all part of your agenda and on pages 49-52 I also want to point out that we did receive some additional input from Water Works yesterday through email dated November 1st, actually its dated October 30th, it was sent out November 1st it just contains more information from Water Works Department. So, we don't have a specific recommendation on this, but the request would be forwarded with your recommendation to the parish council where they will make a final determination on the ordinance to revoke the streets.

Mr. Albert – Mr. Chairman I just to follow up on Mr. Welker's summary we have parish's legal council here as well as the various agencies that are commenting on this, so if there are any specific questions about the process or the agency involvement everyone is on deck to assist you with that.

Applicant – Jay Robicheaux 200 Mistletoe Dr. Norco, Louisiana I 'am the community and governmental relations manager for Bunge. Good evening and thank you for serving on this board for the betterment of St. Charles Parish. I'm here representing Bunge, which is a grain elevator in Destrehan, Bunge is celebrating its 100th year in the United States. They have been a part of St. Charles Parish since 1962, as you are aware Bunge is about to start a very large investment in St. Charles Parish at its Destrehan facility while preparing for this expansion and keeping our neighbors in mind, they purchased most of the homes between Jonathan St. and Lorriane St. Since the purchase they cleared the land of all the residential structures leaving the area consisting primarily of vacant land. We are here asking yall and then the council for revocation of Jonathan St. and Modoc St. from River Road to Noel St. Pelican St. between Amie and Noel, Amie and Jean St. between Lorraine and Jonathan St. these streets and portions thereof should be revoked by the parish as they are no longer needed for public purpose, all of the property abutting the proposed streets to be revoked is owned by Bunge there is no need for the public to utilize these roads. All of these streets are listed as poor condition by the parish administration, and I think it was two council meetings ago the Parish President explained about the streets being rated every street in the parish and there going to start fixing them from the worst to the best streets all of these streets are in very poor condition and on the streets to be taken care of pretty soon if this does not happen. There's no reason for the parish to expend funds for the improvement and repair of these roads all are which are currently on the maintenance schedule. Our goal is and always has been to protect the communities where we operate, through all our expansion work we will be focused on safety and environmental protection. We believe revocating of these streets is a site security issue. Thanks for your time and consideration, please let me know if you have any questions.

The public hearing was open.

Wendy Greyson 205 Lorraine St. Destrehan directly across from Bunge. They say that they want these streets, but we want to know what is the purpose of wanting these streets and the ground under. Do you want to excavate these streets? If you do, that is going to affect our drainage we are a no flood zone, I have continuously monitored their land and the trees and all the different things on it that is not maintained. These streets are used daily by everyone in the neighborhood, we walk our dogs, we have kids, everyone uses these, water department uses them that's why they came in and have their comments. Also, we would like to know how the parish has obtained the right of way or ownership of these streets. How legally can you give these streets, we would like to know legally where is the information that says that you do have ownership of the dirt under these streets to give to Bunge to use. There are other comments, and yes that haven't maintained, the parish has not maintained in over 3 years which from I understand LSU Law says that if you have not maintained them and Bunge has not maintained them either then the rights are relinquish back to the original owner of the subdivision. If it is not implied specifically that the ownership of the dirt under the ground is given to the parish then it is not theirs. They also have some problems that I reported to EOC with a big sheet of metal coming off of one of their stacks, it is that way today and I reported it on the 20th. Thank you.

Jeff Greyson 205 Lorraine St. Destrehan – Mr. Robichaux was wrong stating that all those roads are in disrepair, Jonathan St. beautiful I go down it every day, parish Water Works goes down it every day, Entergy goes down it every day, it's heavily traveled it's in very nice shape. Um now they want to shut down Jonathan St. and open up Noel St. which isn't even a street, it's nothing, they want to put it out on to Lorraine St. which is a no truck through way and put all these trucks, 18 wheelers down this street I measured it this morning it's 18 feet wide you can barely pass 2 cars down it now so what's going to happen when an 18 wheeler or a school bus gets on there somebody gonna have to back up. During Hurricane Ida we use all the streets they asking for to get in and out of the neighborhood because we had power poles in the street, we had power line in the street, we had trees in the streets, now sense they have bought most of that property removed all the houses there was less debris to move out the way to get in and out of the neighborhood you got 70 families living back there. Now if you take these streets away another storm comes along and God knows it will you gonna potentially block 70 families back there with no way to get in and out if you give them these streets cause they said they gonna build a wall across them and we not gonna be able, um Mr. Greer said they gonna put a 20 ft. concrete wall up there's no way we gonna be able to get pass that and get out so I mean you putting a lot of people's lives, you know that stay trapping back in this neighborhood cause Bunge wants to build a wall and expand their grain elevator which they not even suppose to be able to do. I mean this is ludacris man, I think this out to be gone back and looked at, you gonna put a lot of people in danger especially when they close off Jonathan St. and you gonna put, this is very heavily traffic traveled road, you gonna put all that traffic on Lorraine St. they got kids playing, you got people walking dogs, people walking around the neighborhood I mean if you gonna put a 18 wheelers on a street that's only 18 ft. wide imagine that's why they repaved it for us they had another plan and they didn't tell us about. Well, I'd like yall to take that into consideration cause it's gonna be dangerous what you're fixing to do.

Corey Oubre, Parish Attorney – to speak to it, there is no formal agreement in place just yet that's going to be something that the council of course will have to approve, if the council determines under the revised statues the guidelines whether the parish wants to revoke one or all of the roads in this situation those would be contingent upon certain collective, cooperative endeavor agreements being agreed to as well by the parish, specifically to give you an example is one subject to the revocation between the revocation and the well being fully constructed the parish, the private entity, I know the parish is a public entity but there an entity, St. Charles Parish, Entergy Louisiana and one other owner would be given the right of servitude to access perpetually down Jonathan which protect the parish's interest at that point, once Noel is

constructed, Noel would be another access as well, at that point as well the, my understanding is that the goal for any heavy trucks to continue to use Jonathan but all other traffic diverted to the Noel access to cross over the tracks to the sewage facility, Entergy facility's at the rear, in addition agreement for servitude agreements would be specific for all of our other utilities, water and sewage primarily and how those would be affected, with regard to the revocation itself state law (in audible) governs, council for Bunge can actually speak more in depth to that if needed but the parish is only making a determination that they no longer need public use these roads they take into consideration liability, up keep, cost, all that to analyze by the council, if the council make a decision to revoke ownership goes by state law at that point really not the parish's concern at that point who owns at that issue, per my understanding I researched and that's been provided that point the neighboring land owners own to the center of the road, in this situation all the vacant land is owned by Bunge so in that situation the ownership would convert to the middle of the road subject to those specific CA's for utilities and right of servitudes for the parish and Entergy and the other owner which is actually, known as grandpaw's HAW farm it's an acronym, LLC who are from my understanding from Bunge are all in agreement to having a servitude while Noel gets constructed. And Noel would have to be constructed to parish standard from Public Works.

Commissioner Keen – right and that was of concern to address, and I know it's not finalized as of yet, but Noel is intended to be a widen road, is that correct under the plan assumption from street I know that there not here present but maybe one of you two can alleviate some of that.

Mr. Albert – yes, the conversation thus far without locking anyone in anything is that Noel would be constructed to parish standards as part of the cooperative endeavor agreement and whatever is needed to happen on the corner lots coming from Lorraine would be arranged so that the road could be constructed and have the proper turning radius to come into that existing right away.

Commissioner Keen – appreciate that. Also, at this time.

Mr. Albert – Mr. Chairman one more thing, and in general look the code for revocation is not super broad ok, what the council has to do is a formal action, your providing a recommendation based on the zoning, the land use, the activities that have happened on the site, the ownership, whether are not that you look at the street network and find that it's of continuing public need or not your making a recommendation in terms of like being land use experts for the area.

Commissioner Frangella – so basically to the center of the street all of it becomes zoned just like, it stays the same zoning because it's R1A the street is R1A it all stays the same.

Mr. Albert – the majority.

Commissioner Frangella – you got from Lorraine to Pelican.

Mr. Albert – a lot of this was rezoned M2 already.

Commissioner Frangella – no no no, I'm talking about down Lorraine St. all that stays the same we not changing anything.

Mr. Albert -yes, correct.

Commissioner Keen – alright just to highlight it's only those streets as of right now Bunge does own the property East or West of each of those roads, correct.

Mr. Albert – yes.

Commissioner Keen – at this time were not here to discuss what they going to be doing, the other issues, at this time the focus of this conversation at this point is to do the revocation of the said roads and areas at this time.

Mr. Albert – all of the proposed areas are within Bunge owned property or Bunge Chevron.

The public hearing was closed.

Commissioner Price – so all of these recommendations being made by the various different departments Bunge understands this and is in compliance with all of this, I would imagine.

Mr. Robicheaux – we've been in numerous conversations in the last 3-4 months if not longer with many of the parish administration and we've been in many many conversations and we've hammered out everyone of these um so yes yes all those that were not totally answered yet will be answered before it hits the council, and it's been discussed.

Commissioner Frangella made a motion to consider, seconded by Price.

YEAS: Price, Krajcer, Keen, deBruler, Ross, Frangella

NAYS: None

ABSENT: Petit

PASSED