
Critic: Corps tried to thwart inquiry

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The leader of an independent team of researchers investigating the New Orleans levee failures has filed an ethics complaint with the American Society of Civil Engineers, claiming executives of that trade organization and the Army Corps of Engineers have systematically attempted to undermine his group's investigation.

University of California-Berkeley civil engineering Professor Raymond Seed led a group whose conclusions at times contrasted sharply with those of corps-sponsored investigations. In his 42-page letter, sent Oct. 30 to the former president of the ASCE, Seed charged that the corps-sponsored probe produced flawed results that absolved the corps of its full measure of blame -- and, more important, led to mistakes in the rebuilding of levees and walls in the area.

Immediately after the flood, the corps requested that ASCE appoint an "external review panel" to provide expert advice to the corps-sponsored investigators, the Interagency Performance Evaluation Task Force, or IPET. That group ultimately produced research now being used to create new levee designs and safety standards.

Seed, echoing other critics, blasted the cozy relationship between the corps and ASCE officials in attempting to control the results of the Katrina investigations. He called the corps' role in financing the ASCE investigation -- at a cost of about \$2 million -- a conflict of interest. He further alleges a series of attempts by the corps and the ASCE to block independent teams from gathering key evidence from the sites of levee failures, and from speaking publicly about their findings, which often have differed substantially from those of the corps-sponsored IPET investigators.

The relationship between ASCE and the corps -- which controls a large portion of civil works construction projects in the country -- has always been close, and Seed alleges the corps has used the leverage to quash differing viewpoints about the levee failures. The ASCE represents more than 140,000 engineers worldwide -- including many working for the corps, directly or on contract.

ASCE first came under fire after issuing a news release in June that seemed to minimize the responsibility of the corps for the failure of the levee system during Hurricane Katrina. The organization said the city would have flooded badly even if the levees had not breached.

A tense history reported

DISSENTING VOICE

University of California-Berkeley civil engineering Professor Raymond Seed led a group whose conclusions at times contrasted sharply with those of corps-sponsored investigations following Hurricane Katrina.

Seed's long and at-times rambling letter traces the history of his and other independent investigative teams in the aftermath of Katrina, painting a picture of an often-times tense relationship between their independent researchers and those working for the corps or the ASCE.

• [Read Seed's letter](#)



Seed's long and at-times rambling letter traces the history of his and other independent investigative teams in the aftermath of Katrina, painting a picture of an often-times tense relationship between their independent researchers and those working for the corps or the ASCE. Seed's letter was provided to The Times-Picayune by Levees.org, a local group critical of the corps response to Katrina.

Officials from ASCE would not comment on the letter's contents.

"We consider Professor Seed's letter to be confidential, and we will continue to honor that principle even if others do not," said a statement issued late Monday by ASCE President David Mongan. "ASCE is conducting an ongoing investigation into his allegations in accordance with our strict ethical code."

Corps confident of work

The corps also is studying the letter, but will wait for the ASCE to respond before issuing its own response, according to a statement issued late Monday.

"The corps has great confidence in the analytical work done by the Interagency Performance Evaluation Task Force's team of more than 150 scientific and engineering professionals from academia, government and industry in the aftermath of Hurricane Katrina," according to a statement released Monday, which also defended the actions of corps employees.

ASCE officials have defended their acceptance of corps money in the past, saying that it did not nearly pay for the time and expenses of ASCE's scientists and engineers that participated in the investigation.

Seed charged that local corps officials had several times attempted to discredit him and other independent investigators when they publicly identified flaws in levee repairs. At one point, he said, corps officials questioned National Science Foundation officials about the reasons they underwrote his group's research.

In another instance, New Orleans District corps officials attacked the qualifications of University of California-Berkeley engineering professor Bob Bea after he warned that improper soils were being used to rebuild a stretch of levee in St. Bernard Parish. The corps later affirmed Bea's criticism, however, after officials with the corps' separate Task Force Guardian brought in experts from another corps district to test the soils, Seed said, and the section was eventually repaired.

However, a similar finding of sandy material used on another section of levee in St. Bernard -- some of which has already eroded from rainfall -- remains unresolved, he said.

Testimony resisted?

Seed also charged that ASCE officials attempted to keep its own team members from testifying about their initial findings before Congress, and attempted to block similar efforts by Seed's team and those of Team Louisiana, another independent group, to release to Congress and the public some of the early theories on how the levees failed.

"I would never have imagined that I would live to see select elements of two of the world's pre-eminent civil engineering organizations (the corps and ASCE), two organizations with tremendous public trust and responsibility, be caught behaving so badly," Seed said in the letter.

Seed characterized the rhetorical wars between independent researchers and executives at the corps and ASCE as "a battle for the ethics and soul of the profession," he said.

Seed said tensions surfaced between the independent and corps-financed investigators in advance of what was supposed to be the first press conference held by the corps to explain the ongoing investigation.



The days after Katrina

Seed's team was urged to delay going to New Orleans in the days immediately after the hurricane, Seed said, because of concerns about safety, and about getting in the way of the corps-financed IPET investigation -- even though the independent team members had a long history of similar investigations after natural and man-made disasters around the world.

During his team's first week on the ground, Seed said, it shared the task of gathering evidence with corps and IPET investigators, during which his team members found problems with temporary repairs at both the 17th Street and London Avenue canals that were not spotted by corps or ASCE investigators.

But at the end of that week, Seed's team got into what he called a four-hour argument with ASCE deputy executive director Larry Roth and an assistant and corps senior scientist Paul Mlakar, who Seed said tried to prevent them from speaking at the news conference the next day.

During the argument with Roth and Mlakar, one independent scientist from Holland passed a note around the table containing a single word: "Coverup!!!"

During the news conference a week later, Seed and several other members of the independent investigative teams ignored corps and ASCE directives and briefed reporters on their early theories, during individual interviews after the news conference ended.

Conflicting reports

In the year after Katrina, both Seed's team and Team Louisiana issued reports that differ with several key findings in the IPET report concerning the failure of some of the levees and floodwalls.

Seed's team found a thin layer of organic material sandwiched between two layers of soil beneath the 17th Street Canal, which they contend acted like peanut butter and jelly between two slices of sandwich bread. The slippery material allowed the upper layer -- containing the sheet piling and concrete floodwall -- to slide on top of the lower layer, moving more than 50 feet inland, pushed by rising water rose in the canal.


The corps-sponsored investigators, by contrast, concluded that the wall failed when the water pushed the floodwall over far enough to create a crack between the wall and the earthen mound holding up the wall. Water then rushed down into that crack and undermined the sheet piling supporting the wall, which then failed. Seed contends his team found that organic layer even though that the corps repeatedly refused to provide the independent team with soil samples taken before the wall was built and after Katrina. The corps had originally promised to grant the independent team access to such essential evidence, but when that didn't happen, Seed's team decided to do its own sampling.

Foti intervenes

Even then, Seed wrote, the corps attempted to block his team from bringing a drilling rig, used to collect the samples, into the site of the 17th Street Canal wall failure. The corps finally relented, but only after Team Louisiana, also seeking the samples, recruited Louisiana Attorney General Charles Foti -- who threatened to arrest anyone interfering with the sample collection.

Seed's complaint targets upper management at both the corps and ASCE. The researchers assigned to the corps-sponsored and independent teams actually worked well together initially, and shared data and theories.

As an example, he cites a joint project of both teams to prepare a technical field report for Congress, in advance of a Nov. 2, 2005, hearing. But Roth, the ASCE deputy, prohibited the ASCE team members from co-writing or signing on to the report by reminding them of a "nondisclosure" clause they had signed, preventing them from sharing their data with other researchers or the public.

After the hearing, ASCE posted the preliminary report on its Web site. And soon after that, Roth ordered all ASCE team mem  to stop participating in the Seed team's studies at all, Seed said.

That resulted in one ASCE team member resigning from that team and joining Seed's team. Another, Gordon Boutwell of Baton Rouge, didn't resign but continued to assist Seed's team -- against Roth's orders.

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