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LEEVE.ORG SIDESTEPS ARMY CORPS FOR HISTORIC STATUS

By Kevin McGill

NEW ORLEANS, La. (AP) – An advocacy group is bypassing the U.S. Army Corps of Engineers and going straight to the National Park Service in a quest to have two spots where levees failed during Hurricane Katrina added to the National Registry of Historic Places.

Levees.org has worked since 2010 to gain the historic designation for two sites where breaches contributed to catastrophic floods when Katrina hit on Aug. 29, 2005.

Although a Park Service official has the final say, the corps was allowed an opportunity to weigh in because it owns one site.

But the corps said this week its comments may not come until the end of May as it consults with Justice Department lawyers.

"It presents complex legal and policy considerations that must be fully evaluated by the Army attorneys, the DOJ, Corps Headquarters and my office," Jo-Ellen Darcy, Assistant Secretary of the Army, said in a letter to Louisiana's historic preservation officer.

Both sites are the subject of litigation over whether the corps, which built the levees, is liable for flood damage.

Darcy's letter noted that the Levees.org nomination of the sites for the National Registry relies on experts who are involved in the litigation and involves issues in dispute in the litigation.

Levees.org said Wednesday it won't wait any longer and noted that the corps had 60 days after receiving the nomination in January to make its position known. "Due to the Corps' failure to provide technical comments within the required time frame, Levees.org will exercise its right to appeal, meaning it will advance directly to the Keeper of the National Park Service and request formal listing on the prestigious Register," the organization said in a news release.

Applying for National Register status has been a long and complex process resulting in a 39-page application that reads in part like a history of drainage and flood protection in New Orleans and in part like a technical manual. It went through a review by a state panel on preservation issues in December, and was actually voted down 6-3. Some members worried aloud that because the sites have been repaired and altered since the breach, they no longer qualify for the register.

State Preservation Officer Pam Breaux overruled the panel.

"Although the document may not be perfect, we believe the significance of the resources and the lessons learned from the event (as outlined in the nomination) justify proceeding with the National Register listing process," she said in a document sent to the Park Service.

Levees.org has said it hopes to have multiple breach sites added to the National Registry but it's focusing its initial efforts on two: a breach at the 17th Street Canal, at the edge of the Lakeview neighborhood, and another on the Inner Harbor Navigation Canal, better known locally as the Industrial Canal, that runs by the Lower 9th Ward. The corps owns the Industrial Canal site.

Katrina floods inundated 80 percent of New Orleans and also swamped suburban areas. Close to 2,000 deaths were blamed on the storm, many due to drowning. Tens of thousands of people were stranded for days at the Morial Convention Center and the storm-damaged Louisiana Superdome, sweltering in late summer heat with no electricity and little food or water.

Levees.org later emerged as a major critic of the corps on the Internet and in New Orleans media, insisting that Katrina was more of a man-made disaster, due to faulty design and construction of floodwalls and levees, than a natural one.

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