

Bobby's Boondoggle?

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The controversial piles of sand that Gov. Bobby Jindal built in the wake of BP's oil disaster are now becoming bigger piles of sand, but with greater potential benefits this time. By Jeremy Alford

“From a long-term coastal restoration perspective, the berms may indeed be a ‘significant step forward,’ as Governor Jindal has claimed, but they were not successful for oil spill response.” — National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling, Dec. 16, 2010

Garret Graves is one of those most-powerful-people-you've-probably-never-heard-of types. He can get almost any elected official in Louisiana on the phone with one call because he partly oversees billions of dollars worth of construction projects. Everyone from contractors to parish presidents want to woo him. With hair that often falls over his thickly lashed eyes and a preppy charm, Graves looks slightly younger than his 38 years. His scratchy cadence and confident air, though, constantly remind those around him of his political stock.

Graves chairs the Coastal Protection and Restoration Authority and is the top adviser to Gov. Bobby Jindal on all things coastal. On this day he seems almost incredulous. Sitting in the captain's seat of a legislative committee room, he glares at a PowerPoint image of his boss' now-legendary sand berms.

“Look at all the gaps and holes,” Graves says during CPRA's December meeting. He points to an image that shows more water than sand and shakes his head. Considering all the political theatrics and histrionics dished up to the national and state media, the berms look innocuous enough on the screen hanging from the ceiling — nothing like the “Great Wall” Jindal critics predicted over the summer. Graves is having an I-told-you-so moment. And maybe he's right — the berms, built hastily to capture oil that gushed from BP's deepwater well beginning in April, don't seem to be causing any noticeable damage to the nearby marshes and, despite being made of sand, are still intact.

Then again, Louisiana this year escaped serious Gulf winds and storm surges, which no doubt would have damaged the berms as much as they damage barrier islands. In addition, the berm project is considerably smaller than what was initially proposed. Jindal's original vision was for 19 segments of berm stretching more than 100 miles — Louisiana's entire coast runs slightly less than 400 miles. Jindal's plan to shield a quarter of the coast is what brought the scrutiny of national reporters and the wrath of many in the scientific community.

But Jindal's expansive (and expensive) plan didn't materialize. Instead, the U.S. Army Corps of Engineers approved an emergency plan for six berms spanning more than 14 miles. BP bankrolled a \$360 million fund for construction efforts, and to date nearly 17 million cubic yards of sand have been dredged, mostly from the Mississippi River, to

build 10 miles of sand berms. Several more segments are on the way. Millions of cubic yards of additional sand sit stockpiled in a re-handling area, to be used on future projects, stretching BP's money. The money was stretched so far, in fact, that \$140 million remains in the kitty.

Those are among the reasons that Graves seems a tad smug today. "I didn't have any concerns about this project," he says. "All these people made comments that were in many cases irresponsible. They didn't have all the information. We offered to brief folks on this, and I wasn't taken up a single time. I don't think people really wanted to know about this thing. They saw an opportunity and they took advantage."

Politically, that's true. A press flack with connections to the White House, more directly to Vice President Joe Biden, spent time in New Orleans during the BP fiasco pushing berms stories on reporters. But partisan players weren't the only naysayers. When the berms were first being built, coastal ecology professor Robert Young of Western Carolina University claimed he couldn't find a "scientist who thinks that the project will be effective."

In October, The New York Times reported that the berms had only collected 1,000 barrels of oil out of the 5 million barrels spilled (that figure is still being debated as well).

The same notion was echoed last month when the National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling released a draft report called, "The Story of the Louisiana Berms Project." Appointed by President Barack Obama, the group comes down hard on the berms and Louisiana in the opening paragraph: "Former Louisiana Governor Huey Long once described himself to an interviewer as follows: 'Just say I'm sui generis, and let it go at that.' Indeed, Louisiana's politicians and politics are unique. And it was this unique environment that served as the primary staging grounds for the response to the Deepwater Horizon spill. The leaders of the spill response could not divorce key decisions from their political context."

It further suggests that barely any oil was captured by the berms, or even reached them. "In short," the report concludes, "massive offshore barrier berms are not a viable oil spill response measure." It also found that Obama "influenced" the process in the manner that Jindal wanted by calling for a summit to review the project, which the U.S. Army Corps of Engineers had already "analyzed and mostly rejected."

Graves tells reporters at the December CPRA meeting that the berms were better than nothing, and he discounts the report's findings on oil captured.

The same report, though, does recognized the value of the new berm plan. Rather than building more berms as originally planned, the administration now plans to use the remaining money to bolster existing barrier islands. That's an about-face, though administration officials say the reversal is not new and originally began in August, when they told the Corps that Jindal was backing off the 100-mile proposal.

Had they proceeded as initially planned, officials contend that permitting would have been a major headache, possibly stretching into December 2011. Additionally, some state officials claimed that the private companies involved in the construction process lacked sufficient dredging capacity or had difficulties securing proper permission to dredge in certain areas. "I want to be clear. We did have some frustrations through this process," Graves says. "There are some lessons to be learned by the industry in terms of capacity and efficiency."

A follow-up interview with Graves on this issue, requested via email, was not granted before press time.

Interested parties like Paul Kemp, vice president of the Audubon Society's Louisiana Coastal Initiative, and Len Bahr, a former LSU marine sciences faculty member and coastal adviser to five Louisiana governors (including Jindal), said in September that they hadn't caught wind of the August decision to change course. The governor didn't announce his berms-to-barrier-islands plan until early November. This was around the same time that Alabama decided to knock down a four-mile berm on Dauphin Island that was paid for by BP. Officials there say their berm was needed only to protect the "aesthetic" value of the island's beaches from the encroaching oil and that it no longer served a purpose.

Louisiana's berms, for the most part, are being left alone, although some will be enhanced. It's all part of the new plan that coastal officials finally moved forward with at the December CPRA meeting. As a way to help the state transition away from building berms, BP agreed in November to allow the state to reallocate the remaining \$140 million in the original \$360 million fund.

The main difference between a sand berm and a barrier island is size. Graves says berms are generally 6 feet tall and 20 to 30 feet across, while barrier islands are 6 to 8 feet tall and 200 to 300 feet wide.

Graves says transitioning to barrier islands, which provide shoreline protection and opportunities for coastal restoration, is a logical step for the state, one that was not envisioned in early 2010. "There were no plans to do this before the spill," he told CPRA in December.

It's easy to see the logic behind shoring up barrier islands with the remaining cash. It counts as coastal restoration in some respects and will serve as a key buffer against Gulf storms. The value of barrier islands is widely accepted; lawmakers have created a special barrier island fund and related programs. "It's the first line of defense," says state Rep. Gordon Dove, a Houma Republican who chairs the House Natural Resources Committee and authored unopposed legislation creating the state's first barrier island program. "When a tidal surge comes in, they can break its back. But our barrier islands are eroding and the passes between them are six or seven times bigger than what they used to be, allowing for higher salinity levels."

The new plan also makes sense because BP's money can be used to draw down federal dollars. But it's more than a little surprising that state officials hadn't planned to improve a few barrier islands along the way — until just a few months ago. Graves counters that it was, in fact, a sudden change, a plan sketched out on the "back of a napkin." Perhaps it's mere coincidence that, when the original berm plan was announced in mid-May, officials took great care to mention that the berms were going to be constructed along Louisiana's historic barrier island lines.

In any event, Louisiana now has \$140 million from BP to spend on barrier islands. Graves says about \$40 million will be used for reporting and compliance and to finish work on a sand berm that jogs around the northern end of the Chandeleur Islands, on the edges of St. Bernard Parish. Robert Routon, a project manager with the Office of Coastal Protection and Restoration, says the rest of the money, \$100 million, will be used to transform a set of berms on the western side of the Mississippi River into full-blown barrier islands.

The Pecan Island barrier construction project is being paired with \$40 million from the Breaux Task Force, a federal source of funding for coastal projects. Roughly \$5 million to \$10 million of BP's money will be used to handle project "overages" and to help build 180 acres of dune and 400 acres of marsh, says Routon. The project will be ready to put out to bid by mid-January, he adds.

Scofield Island will benefit from \$60 million of BP's money to produce 150 acres of beach dune and 280 acres of marsh. That leaves \$30 million of BP's money for other projects, Routon says, referring to them as "fallback efforts." Such efforts include upgrading Shell Island in St. Bernard Parish, which currently has some berm assets, and Cheniere Ronquille in Grand Isle, which has no berms.

The berm and barrier islands project ended up being significantly smaller in scope than originally announced, but it still ranks among the largest restoration projects ever undertaken by the state — and the most controversial. "This thing has gone up and down and through the ringer publicly," says Kyle Graham, deputy director of coastal activities in Jindal's office. "This was the largest scale dredging job in the history of the Gulf of Mexico. We had more heavy equipment in the Gulf actively dredging than there has been ever before." Once it's all completed, Graham says there will be a "substantial footprint." So, who benefitted the most from all that work?

To no one's surprise, the big winner in the private sector was the Shaw Group, a Baton Rouge-based company Jindal and others have said was selected for its local roots and experience. As of last month, the state has forwarded \$195 million of BP's money to Shaw, according to Andrea Taylor, public information officer for the Governor's Office of Coastal Activities.

Shaw stands to receive another \$62 million soon — roughly \$40 million worth of work has yet to be performed, Taylor says. A lot of that coin, however, will slip right through Shaw's fingers as it moves to the two dozen or so subcontractors on the job. With the

help of the state and those contractors, Shaw did it all: overall project management, construction, permit compliance, monitoring activities, personnel, materials, equipment, mobilization, front-end planning, material testing, analysis, dredging, alignment surveys and more.

Jindal took some heat when Shaw was selected because he has received campaign donations from the company and its officers, about \$6,000 last year. Shaw was Jindal's third-most generous contributor when he was a U.S. congressman — giving him more than \$23,000 in campaign donations. In a prepared statement when the company was selected, J.M. Bernhard Jr., Shaw's president, distanced himself from politics: "With our corporate headquarters in Baton Rouge and more than 5,000 Louisiana-based employees, our roots are firmly planted in this state. Shaw has a deep personal interest in the protection of our state's coastal resources."

Taylor says Shaw chose its subcontractors independently, meaning the state had no say in the selection process. "We do not pay them directly therefore we cannot vouch for this information," she wrote in an email listing all of the contractors used on the berm project. "The information is provided by Shaw as Shaw pays them through the money they receive from us."

Not surprisingly, Shaw also is a direct contractor on the berm project and received more than \$17 million serving in that capacity. Of the 23 contractors that worked on the berm project, only three Louisiana companies (other than Shaw) had political connections to Jindal's gubernatorial campaign: CF Bean was paid \$3 million for its work and previously donated \$2,000 to the governor; GCR & Associates earned \$993,000 and contributed \$1,000; and BFM earned \$243,000 and contributed \$2,000. The most expensive contractor was Great Lakes Dredge & Dock Corporation of Illinois, which pulled down \$92 million for operating a slew of dredges and for delivering sand to the berms.

While BP has bankrolled the project, the state has spent money and resources as well, even if some of it is hard to quantify (think: staff hours, travel, use of committee rooms, etc.). So far, the state has inked one contract on its own to support the berms and barrier islands plan. CH2MHill has earned more than \$905,000 under an agreement for providing construction oversight in the field and project implementation, says Taylor.

As for the scientific debate, time will sort that out. "Given the extravagant cost and snail's pace of progress of the original project, which probably wouldn't have outlasted a single typical hurricane season, the governor may have found a way to convert a Keystone Cops effort into a credible keystone coastal project," writes Len Bahr on his LaCoastPost blog. "May is the key word here."

In the end, people may only remember the smaller scale of the berms and the new barrier island protections. For Jindal and his national ambitions, that would be a good thing. "The governor grabbed hold of a tragedy and leveraged it for something good," says

Dove, who plans to continue advocating for barrier island construction in the Legislature.
“We may have never had this opportunity otherwise.”