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*In partnership with the Gulf Coast Fund for Community Renewal and Ecological Health*

# “My Name is 6508799”

State of the Gulf, One Year After the Oil Drilling Disaster

April 20, 2011

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***State of the Gulf, One Year after the Oil Drilling Disaster***

This numbered moniker is how a participant at the Destin, Florida Town Hall meeting with Gulf Coast Claims Facility Administrator Kenneth Feinberg introduced herself.<sup>1</sup> For many residents residing in communities along the Gulf of Mexico, they feel as if their lives have been reduced to a number in the Gulf Coast Claims Facility database which holds so much power over life, livelihood, health and overall wellbeing.

One year after the Gulf Oil Drilling Disaster of April 20, 2010, thousands of Gulf residents not only have not been “made whole” from the disaster, but many have faced elevated levels of toxins in their bloodstreams, community conflicts, destruction of families, culture erosion, loss of property, including homes, cars, boats, etc., and, for many, an end to their way of life for the foreseeable future. Only a fraction of Gulf residents truly believe that the systems that have been set up to serve them have made demonstrable strides towards “making it right”, as has become the mantra representing the aim of recovery and restoration processes.

Based on dozens of interviews with affected communities and the organizations that represent them, a review of consensus documents and other reports from technical experts as well as organizations representing thousands of gulf residents, and examination of response systems set up to address the Gulf Oil Drilling Disaster, this report tells the illustrative stories and shares the analysis of the pervasive unmet needs and gaps in the response system one year after the Deepwater Horizon Macondo Well explosion took 11 lives and dealt a crippling blow to the ecosystem, including the communities, of the Gulf of Mexico.

**PERSISTENT AND INCREASING UNMET NEEDS**

**Ongoing Financial Devastation**

Thousands of people have suffered extreme financial impact from this disaster and, after one year with little to no relief, many people are reaching the end of their ropes. In a region which had yet to recover from the compounded massacres from four major hurricanes over the past 5 years, the Gulf Oil Drilling Disaster landed on top of existing vulnerabilities for many, and toppled the gains of those who had fully recovered. Landlords, banks, insurance companies and other debt holders have extended as much grace as they were willing to offer and rates of foreclosure, car and boat note loss, insurance withdrawal, etc. have spiked significantly.

"Homes along the immediate path of the Gulf Coast oil leak are forecast to decline at least 30 percent in value as a result of the environmental catastrophe," according to housing market forecaster Housing Predictor.<sup>2</sup> A recent MIT study found that foreclosure drops the price of a home by 27 percent, and affects the neighboring houses by 3 to 7 percent.<sup>3</sup>

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<sup>1</sup> Actual claim number has been changed to protect confidentiality.

<sup>2</sup> <http://www.housingpredictor.com/gulf-coast-homes.html>

<sup>3</sup> <http://web.mit.edu/newsoffice/2010/housing-prices-0720.html>

In Alabama, Baldwin County's usually booming Orange Beach and Gulf Shores resorts, there were huge tourism losses. Orange Beach hotel and condominium occupancy was cut in half from 2009. Lodging revenues countywide were off by \$58 million, according to Alabama's Coastal Recovery Commission. "Tourism numbers on the beach were down 41 percent," said Bob Higgins, chairman of another group called the Coastal Resiliency Commission. "That's the worst decline of any counties east or west of us. In Escambia County, Fla., where Pensacola is, and in Bay County, Fla., home to Panama City, sales tax revenues stayed flat or decreased, while already high unemployment rates went up."<sup>4</sup>

"Since the spill, in Louisiana we've had eight straight months of increasing unemployment. It's not a coincidence," noted Senator Vitter at the January 27<sup>th</sup> Senate Hearing on the oil spill.

According to Senator Shelby at the same Senate Hearings, "During the period after the oil spill, Alabama had a 50% drop in tourism, with a loss of \$850-\$1bn dollars. Shrimpers, bait and tackle shops, processors and others experienced extreme loss of jobs."

As noted by Rocky Kistner of the Natural Resources Defense Council, "Unemployment rates in some of these fishing communities are at 80%. These communities have few other options than fishing and living off the land, as they have for generations."

"BP's own figures on diversity suppliers reflect a disparity in opportunities afforded to minority contractors seeking to recover from the disaster. Compared to \$181million in small business enterprise contracts awarded overall to address this disaster, only\$7.6m was spent through minority contractors." *Ernest Johnson, Louisiana State Conference President, NAACP*

The desperation of one man, Empire, LA Fisherman Elmer Rogers, reached an abysmally low point at a recent Town Hall meeting in Lafitte, LA when he appealed to Kenneth Feinberg. "I'm not asking for the world, I'm just asking for something to live on, man. That's all I'm asking for." Referring to his stalled claim and the impact of the delay, he went on to say, "At Thanksgiving, I was under review. My kids barely ate. I barely ate. Christmas came. My child is 13 years old. She got nothing. You know what she woke up to? No water in the house, and no power." Then, in a heartbreaking moment, "What you want me to do? Get on my knees and beg for it?" He then lowered himself to the floor, "Look, I'm here, I'm on my knees for it. I need my money sir, to live."<sup>5</sup>

"I'm an oyster shucker and I have been for 20 years. During the season I earned \$1500-\$2000/month. I received \$1,000/month for 2 months from BP. Then I got \$800 for a month afterwards. Then I received nothing for the past 5 months. I just borrowed from my little sister to pay rent. The Gulf Coast Claims Facility offered \$5,000 in return for not suing, but I don't know the future because there is no prospect for employment because most of the processing companies have closed." *Nga Da, Vietnamese American Oyster Shucker, Coden, AL*

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<sup>4</sup> "Gulf oil spill creates economic boom for some, bust for others"

[http://www.nola.com/news/gulf-oil-spill/index.ssf/2011/01/gulf\\_oil\\_spill\\_creates\\_economi.html](http://www.nola.com/news/gulf-oil-spill/index.ssf/2011/01/gulf_oil_spill_creates_economi.html)

<sup>5</sup> "Man on Knees Begs Feinberg for Help" <http://www.wwtv.com/news/Man-On-Knees-Begs-Ken-Feinberg-For-Help-113304209.html>

Chi Tan and Li Sas are a couple aged 61 and 62 respectively. They live in Coden, AL and they've been oyster shuckers for 20+ years with most recent wages averaging between \$1500-\$2000 each per month. Now they are unemployed. From the claims process they received \$1,000 per month for two months. In August they received \$2000 and then \$3300 in September. They've received nothing since. They have been surviving on Li's social security payment of \$300/month and both Li and Chi's \$100/month unemployment payment, totaling \$500/month. They are about to lose their home and there are no employment options in sight.

Tung Ma has a wife and 2 kids. He is an oyster shucker. Initially, for the first two months, he received \$1,000 per month. Then in September he received \$2500, after which he received nothing more. The company for which he worked is closed and has gone into bankruptcy and is out of business. Only 2 out of the 10 processing companies in the area remain open. The family is renting their home. They are unable to make their payments and are afraid they will soon be kicked out of their house.—*Tung Ma, Vietnamese American Oyster Shucker, Coden, AL*

“There was a couple who owned a midsize vessel. They were older and were hard workers. They were not close to retirement. They had a steady income from the vessel and they weren't dependent on public benefits. Since the oil disaster they received some very modest emergency claims from BP. They went to the local GCCF office to file further claims and the staff made many errors with the application which ultimately was denied because of compounding errors. Now they are struggling financially and are worried about being evicted because they are renters. They are struggling with paying their car note. They have to apply for public benefits which they were never dependent on. It is proving to be a great financial hardship, and they are really struggling. Before they were working hard and they weren't in the dire straits they're in now.”-- *Thao Vu, Mercy Housing and Human Development, MS Coalition for Vietnamese American Fisherfolks and Families, Steps Coalition Board Member, Gulf Coast Fund Advisor, Biloxi, MS*

“We have a grocery store here in Plaquemines that opened after Katrina. I hope it can survive this because they are losing a lot of income. Those boats aren't making income and not buying groceries like they should. This is when they would make money to sustain during off season. Other places are also not allowed to come back because of this. Progress has come to a halt. There are tough days ahead for us, yet fishermen are being denied claims.”--*Byron Encalade, Louisiana Oystermen's Association and Encalade Trucking and Fishing, Point a la Hache, LA*

“My story is a common story in the Louisiana Vietnamese American fishing community. I have been harvesting oysters in the Gulf of Mexico for 29 years. As refugees to the United States after the end of the Viet Nam War, we all chose to build our lives anew in the fertile waters of the Gulf Coast and carry on the fishing traditions and customs of our ancestors. I was raised on my father's fishing boat in Viet Nam. During the Viet Nam War, I used my naval skills to help the south Viet Nam democratic government fight communism. At the end of the war, I carried dozens of people on my boat to escape the communist regime. In the United States, my people continued to carry on the fishing tradition of our ancestors despite hate crimes by the KKK. We taught our children to love the water and appreciate its creatures. My daughter is a marine biologist and my son helps me on the boat. After I was forced to flee my country and the United States took me in, I pledged an allegiance that included paying my taxes.

Unless I have no other choice, I would not seek government assistance. But with the oil spill, like many of my fellow fishermen, I have had to stand in line for handouts and food stamps.”--*Ve Nguyen, United Louisiana Vietnamese American Fisherfolks, Senate Hearings on Oil Spill, January 27<sup>th</sup>*

### **Continuing Seafood Safety Concerns**

Consumer and fisherfolk confidence in seafood harvested from the Gulf of Mexico has yet to be restored. The Louisiana Seafood Promotion and Marketing Board commissioned a survey analyzing national and regional consumer attitudes toward Gulf seafood and the effectiveness of communication strategies in spreading news about Gulf seafood safety testing. Approximately 71 percent of consumers are still concerned about the safety of consuming Gulf seafood, and 23 percent reported having reduced their seafood consumption as a result of the oil spill.<sup>6</sup>

According to commentary by public health researchers in the Journal of the American Medical Association, hydrocarbons from the oil will contaminate seafood in the short-term. “These chemicals accumulate for years in invertebrates,” say the authors, which bodes poorly for the gulf seafood industry, the supplier of about two-thirds of the nation’s oysters and a good portion of its shrimp and crab. Also, crude oil contains trace amounts of poisonous metals like cadmium, mercury and lead, and since these metals can accumulate in fish tissues, consumption of large fin fish like tuna and mackerel from the gulf could be a health hazard.<sup>7 8</sup>

Toxicologist William Sawyer, of Sanibel, Fla.-based Toxicology Consultants and Assessment Specialists, said immediately after the release began, concerned that the overuse of dispersant after the Deepwater Horizon spill has placed a high level of hydrocarbons from oil into the Gulf, he and a team of scientists began collecting samples of water, sediment, tar balls and marine life from around the Gulf Coast. He said he is As of December 13<sup>th</sup> they had tested about 300 samples. Sawyer found a specific type of oil compound that could build up in the flesh of marine animals and seafood.<sup>9</sup>

“My community is one of hundreds along the gulf coast with significant numbers of people who are subsistence fishermen. They go to the side of the creek or to the beach, or to the pier, or to the bridge and fish. They are fishing not only for recreation, they’re fishing to eat. After the disaster, No outreach to this community of subsistence fishermen and women occurred. The tragic effect is that they have not stopped and will not stop consuming this seafood. No one has told them they shouldn’t. No one whose duty it is to make that determination. They have continued to eat. Some of it, they won’t. Some of the shellfish is obviously no good. With the crabs and fish, the smell and taste can be obvious. But no one

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<sup>6</sup> “Survey Reveals Consumers Aren’t Getting the Message” [http://www.louisianaseafoodnews.com/2011/01/26/survey-reveals-seafood-consumers-arent-getting-the-message/?utm\\_source=rss&utm\\_medium=rss&utm\\_campaign=survey-reveals-seafood-consumers-arent-getting-the-message](http://www.louisianaseafoodnews.com/2011/01/26/survey-reveals-seafood-consumers-arent-getting-the-message/?utm_source=rss&utm_medium=rss&utm_campaign=survey-reveals-seafood-consumers-arent-getting-the-message)

<sup>7</sup> “How Will the Oil Spill Affect Public Health?” <http://www.popularmechanics.com/science/health/med-tech/gulf-oil-spill-health-effects>

<sup>8</sup> “Gulf Oil Spill Still a Threat to Seafood, JAMA Study Says” <http://www.mcclatchydc.com/2010/08/17/99261/gulf-oil-spill-still-a-threat.html>

<sup>9</sup> “Some scientists skeptical about seafood safety months after spill” <http://www.gulfoildisasterrecovery.com/web/index.asp?mode=full&id=786>

knows the extent of the impact on edible sea life. They eat whatever they can. No one even talks about subsistence fishermen. I'm not talking about the commercial fishermen where there's a whole list of unmet needs. I'm saying the next level down the food chain which is the subsistence fishermen who eat directly out of the Gulf and its tributaries, bays, and estuaries. What is the public health impact on them? That's not even in the discussion. Never mind what the data is, or never mind what the response is. That hasn't even been a question." *Derrick Evans, Turkey Creek Community Initiatives, Gulf Coast Fund Advisor, Turkey Creek, MS*

"Eating seafood became a no-no. It has made you afraid to eat the seafood. That made a big change. When you want crab, you used to be able to go buy crab. Now when you want shrimp and crab you can't get it. Now when you see it brought in, oil is still being caught with the shrimp wrapped up in it. We've been here long enough to pick up a raw shrimp and smell when something's wrong with it." *Nancy McCall, South Bay Communities Alliance, Coden, AL*

### **Increasing Physical and Mental Health Issues**

Physical and mental health needs have escalated with documented reports of high levels of volatile organic compounds in the bloodstream of Gulf Coast residents, physical effects from exposure to toxins, increases in depression, as well as alcoholism and substance abuse, etc. "The key concern expressed by the community in response to the report is the overwhelming need for access to health care. Over and over, people exposed to crude and dispersants from the drilling disaster told stories of serious health issues--from high levels of ethylbenzene in their blood, to respiratory ailments and internal bleeding—and expressed an urgent need for access to doctors who have experience treating chemical exposure," states *LaTosha Brown, Director, Gulf Coast Fund for Community Renewal and Ecological Health* which provides grants and support to over 250 community organizations on the Gulf Coast.

In a recent commentary in the *Journal of the American Medical Association (JAMA)*, public health researchers warn that chemicals in the oil spilled from the Deepwater Horizon rig and the dispersants used to clean it up pose short and long term threats to human health, especially if they are inhaled or contact the skin. Also, certain harmful chemicals could accumulate in Gulf of Mexico fish and shellfish, posing a seafood contamination hazard for years to come. In Louisiana in the early months of the spill, according to the authors, more than 300 people, most of whom were cleanup workers, sought medical care for symptoms like headaches, dizziness, nausea, vomiting, cough, respiratory stress and chest pain. These symptoms are often seen in people exposed to hydrogen sulfide gas or hydrocarbons, both products of the spilled oil, "but it is difficult to distinguish toxic symptoms from common illnesses". The authors note that respiratory symptoms have consistently been associated with oil exposure in oil-spill cleanup workers. Of 1811 workers compensation claims filed by cleanup workers after Exxon Valdez, 15 percent were for respiratory problems. And a survey of workers 14 years after they cleaned up Valdez showed a higher rate of chronic airway disease among workers with higher oil exposures. High exposure to oil and dispersants is also harmful to human skin, and could result in "dermatitis and secondary skin infections".<sup>10</sup>

According to journalist Dahr Jamail, Dr. Rodney Soto, a medical doctor in Santa Rosa Beach, Florida, has been

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<sup>10</sup> "How Will the Oil Spill Affect Public Health?" <http://www.popularmechanics.com/science/health/med-tech/gulf-oil-spill-health-effects>

testing and treating patients with high levels of oil-related chemicals in their bloodstream. These are commonly referred to as volatile organic compounds (VOCs). Anthropogenic VOCs from BP's oil disaster are toxic and have negative chronic health effects. Dr. Soto is finding disconcertingly consistent and high levels of toxic chemicals in every one of the patients he is testing. 'I'm regularly finding between five and seven VOCs in my patients,' Dr. Soto told IPS. 'These patients include people not directly involved in the oil clean-up, as well as residents that do not live right on the coast. These are clearly related to the oil disaster.'<sup>11</sup>

Dr. Subra reports that whole blood samples were collected on December 16, 2010, from four males, age 3, 36, 42 and 43, and one female, age 38. This group consisted of: a diver who had come in contact with the Gulf operation chemicals, coastal communities and wetlands visitors documenting impacts of the crime, and individuals exposed along beaches.

The blood samples were tested and analyzed for Volatile Solvents by Method 0762, Gas Chromatography/Mass Spectrometry, by Metamatrix Clinical Laboratory in Duluth, Georgia. Poisons detected in the samples include: Ethylbenzene, m,p-Xylene, Hexane, 2-Methylpentane, and Isooctane. All five individuals tested had Ethylbenzene in their blood in excess of the NHANES 95th Percentile. All five individuals had Hexane, 2-Methylpentane, 3-Methylpentane, and isooctane in their blood. Four of the five had m,p-Xylene in their blood in excess of the National Health and Nutrition Examination Survey (NHANES) 95th Percentile. The diver had the highest concentration of Ethylbenzene, m,p-Xylene and Isooctane in his blood. The 3 year old male and 36 year old male had the highest concentrations of Hexane, 2-Methylpentane and 3-Methylpentane. Ethylbenzene, m,p-Xylene and Hexane correlate to volatile organic chemicals in BP Crude Oil. Blood of each of the five males had chemicals corresponding to chemicals in the BP Crude Oil.<sup>12</sup>

Many chemicals present in the oil and dispersants are known causes of: *"headaches, nausea, vomiting, kidney damage, altered renal functions, irritation of the digestive tract, lung damage, burning pain in the nose and throat, coughing, pulmonary edema, cancer, lack of muscle coordination, dizziness, confusion, irritation of the skin, eyes, nose, and throat, difficulty breathing, delayed reaction time, memory difficulties, stomach discomfort, liver and kidney damage, unconsciousness, tiredness/lethargy, irritation of the upper respiratory tract, and hematological disorders."* The majority of these are the precise symptoms Gulf Coast residents are increasingly reporting.<sup>13</sup>

In terms of mental health concerns, along the shores of the Gulf, boat captains talk about shorter tempers and more drinking on the docks. In Orange Beach, AL, Frank Kruse, the brother of "Rookie" Kruse, the gentleman

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<sup>11</sup> "Sick Gulf Residents Beg Officials for Help" <http://ipsnews.net/news.asp?idnews=54132>

<sup>12</sup> "Evaluation of the Results of Whole Blood Volatile Solvent Testing" <http://myemail.constantcontact.com/Evaluation-of-the-Results-of-Whole-Blood-Volatile-Solvents-Testing.html?soid=1101357446137&aid=ymEAJeye9os>

<sup>13</sup> "Shocking Human Poison Levels in Latest Gulf Tests" [http://beforeitsnews.com/story/359/128/Shocking\\_human\\_poison\\_levels\\_in\\_latest\\_Gulf\\_tests.html](http://beforeitsnews.com/story/359/128/Shocking_human_poison_levels_in_latest_Gulf_tests.html)

who committed suicide after being despondent over his loss of livelihood after the disaster, stated that he hoped that his brother's death would encourage others to seek mental health treatment.<sup>14</sup>

"The things that happened in the treatment of the oil to limit BP's liability are harming people today. People are sick. Lots of people are sick. Lots of people are very, very worried. They're physically sick. They're mentally distressed. We had a whole region of the country where people were suffering from PTSD (Post Traumatic Stress Disorder) already before this happened. It's not getting any better and, as time progresses now we see the real impact, now that the camera and the news media have packed up. Now is the time when the real impacts are starting." *Patty Whitney, Bayou Interfaith Shared Community Organizing, (BISCO) Thibodaux, LA*

"I went to Dauphin Island for my daughter-in-law's birthday. The water was milky looking. The water spray from the beach came up on me. As I was looking I didn't feel different. I didn't feel nothing. The next day my left eye flared up. Now I'm going blind in it. I went to the hospital the next day. They thought it was pink eye. I went back the next week. Doctor in the ER wouldn't even look at it. He sent me to an eye specialist, but he didn't know what it was. It is very rare. But I'm losing my eyesight."--  
*Mary Craft, Community Member, Coden AL*

"Today I'm talking to you about my life. My ethylbenzene levels are 2.5 times the 95<sup>th</sup> percentile and there's a very good chance now that I won't get to see my grandbabies. What I'm asking you to do now, if possible, is to amend your report because we have got to get some health care. I have seen small children with lesions all over their bodies. We are very, very ill. And dead is dead. So it really doesn't matter if the media comes back, or if the President hears us, or if the oil workers and the fishermen and the crabbers get to feed their babies and maybe have a good Christmas next year. Dead is dead. I know your job is probably already done, but I'd like to hire you if you don't mind. And God knows I can't pay you. But I need your heart. And I need your voice. And I need you to come to that table. And I need you to insist that Feinberg and anybody else that needs to be in on that conversation comes too. And I'm asking you that today. And I would like you to say yes to me today. While you look me in the eye, please say yes you'll come to my table." *Cherri Foytlin, Gulf Change, Grand Isle, LA at a National Oil Spill Commission meeting on January 12th in New Orleans, LA*

"I was working the oil spill clean-up on Dauphin Island. Our boat sunk. Later I found lesions all over my body. The doctors said I caught a staph infection. They gave me shots and 3 prescriptions, 100 pills for each one. Two weeks ago I started trying to get my medical records. They won't give them to me. I've spoken to three different people over the past three weeks and none of them will give me my records." *Justin, Former Clean-Up Worker, Mobile AL*

"I have a daughter who is 13 years old. I had open heart surgery two years ago. I was home receiving unemployment. Then I heard about people making good money working on the oil spill. I worked the spill starting in May when I worked for Ashland, was laid off in August and started to walk for P2S until I

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<sup>14</sup> "Gulf Spill's mental toll takes a solemn turn" [http://www.miamiherald.com/2010/06/27/1704058\\_p2/mental-toll-takes-a-very-solemn.html](http://www.miamiherald.com/2010/06/27/1704058_p2/mental-toll-takes-a-very-solemn.html)

was laid off from there after a month, and then I signed on with Reliable until December 17<sup>th</sup>. The work involved going on a boat every day to West Point to work on the beach picking up tar balls. While I was working I felt sick and I started having shortness of breath, as well as a running nose and draining sinuses. I went to the doctor. I was referred to a pulmonary specialist who diagnosed me as having full asthma, which I had never had in my life. He told me I needed to be on a respirator in the morning and in the evening and he told me I needed to be careful out there. On December 3<sup>rd</sup>, I got a letter from my pulmonary doctor for my employer saying that I had to have less contact with exposures. So they stopped me from getting on the boat and I started only picking up on the beach. From the beginning they gave me sunglasses and gloves but never a respirator. On December 17<sup>th</sup>, they had to call an ambulance for me and when they checked me they found my pressure was up and told me that if I didn't stop I was going to have an asthma attack." *Carmelle, Clean Up Worker, Mobile, AL*

"It affects you mentally and physically because of you knowing during the crisis you're smelling odors you're not accustomed to smelling, having eyes and nose irritation. I'm steady going to doctor saying, 'I don't know what's causing my throat and eyes to burn.' It's something new. Allergies were there, but this was not a steady thing. It's brand new." *Nancy McCall, Coden, AL*

"I'm in a depressed mode. I don't sleep until 12 or 1 o'clock at night. I wake up. I'm walking the floor all night. I'm frustrated. I'm angry at the system, the local government, the federal government for letting this go on. I'm angry at a group of people who denied me from making a living all my life. You know. And that's where I'm at." –*Stanley Encalade, Encalade Trucking and Fishing, Point a la Hache, Plaquemines, LA*

### **Distressed Communities and Families**

Pervasive frustration, anger, and resentment resulting from the above challenges and the lacking and/or flawed systems to support recovery, have resulted in conflicts between family members and within communities. This is manifested by increased domestic violence rates reported by police departments and service providers as well as a spike in incidents of road rage reported by highway authorities.

In Plaquemines Parish, in the first quarter 2010, there were 32 reported cases of domestic violence while in the second quarter of 2010, since the oil spill began, the number of reported cases more than doubled to 68. In her article "Collateral Disaster: Domestic Violence Up After Oil Spill," Jenny Inglee reports that Mayor Stan Wright of Bayou La Batre, Alabama, told the BBC that domestic violence has risen by 320 percent since the Gulf oil spill began. She wrote, "There has been a 110 percent increase in daily calls and complaints to the local police department."<sup>15</sup>

"One woman came to me. She said her husband would go out and sit in his truck all-day gazing at the water. At the end of the day he would start the beating again. She didn't know what to do and where to go for help. There is an undercurrent that no one sees or knows about and help is needed. We need to put resources on this. In some communities there is a culture where you don't even speak about issues

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<sup>15</sup> "Collateral Damage: Domestic Violence Rates Up After Oil Spill" <http://www.takepart.com/news/2010/06/15/domestic-violence-dramatically-increased-after-the-oil-spill->

like this.”-- *Danny Patterson of the South Alabama Community Foundation and Advisor to the Gulf Coast Fund, Mobile, AL*

“Bills were steady coming. I started to have problems at the house with the old lady. Things ain’t going right.”—*Stanley Encalade, Encalade Trucking and Fishing, Point A La Hache, Plaquemines Parish, LA*

“The oil spill really stressed a lot of people all around here because their way of living is working in the bayou. That’s what a lot of people do around here. I’m going through a divorce with my wife now. I’ve been stressing a little bit. It’s been hard for a lot of people around here. It’s just been real difficult.”—*Glendon Miller, Oyster Fisherman, Point a la Hache, Plaquemines Parish, LA*

“A single mom, with an 18 month old child, came to us after she became pregnant again. She left her boyfriend because, when she got pregnant the second time, her partner became increasingly frustrated because he had lost his job due to the oil spill. He was stressed out because he feared that they couldn’t manage to feed another person. His anger reached the point where he began to beat her because he was so worried that he couldn’t take on the extra responsibility. So she had no health insurance and a baby on the way. She had no way to care for that child in addition to the 18 month old baby. Plus she was not in an employable situation. She had been working as a waitress lifting heavy trays, but she couldn’t continue keep up. So they asked her to leave. Because of the oil spill, there are five or six people looking for every job. So employers have their pick and don’t have to take someone who is seven months pregnant. They came here looking for help.” *Lenore Folkes, Opportunity Inc., a housing program in Fort Walton Beach, FL*

“We’re coastal communities. We deal with natural occurrences. Storms, hurricanes, etc. are part of our lives. With the oil disaster, it’s a new thing on top of the historic impact of the environmental degradation that has become another part of our lives in the last 100 years. That’s continual. The oil not only impacted the environment, but there are also the potential long term impacts. It has also impacted food supply, which is the means to provide funding for our community. Now there is the uncertainty of what will happen because of the oil. With shrimping knowledge has been passed in our communities from generation to generation for decades with children acting as apprentices to their parents who captain the boats. Now they don’t know if that work will be passed on to their children and they don’t know even for themselves in their own time if there will be enough shrimp. Will it be enough for them to harvest? What they are dealing with now is not knowing if the impact will manifest in the year to come. They don’t know if they will be able to harvest oysters. They don’t know if the larval stage of the shrimp happened and if it will be enough for them to have a season. It has created a climate of doubt about the impact. There is still oil on the coast. Some have deemed it irretrievable. We don’t know if it will evaporate as they said. If not, what will it touch? What will it impact negatively?” *Rosina Philippe, Atakapa-Ishak Tribe Grand Bayou Village, LA*

“Our ecosystem, the environment we live in, is part of the community. Everyone does things based on where we live and where our ancestors have lived for centuries. People here are not very transient. Most people can trace their ancestries here within a 25 mile radius for hundreds of years. We don’t move away. We like it .It is a wonderful place, or it was. Our cultures are changing. Our communities are changing because of this.” *Patty Whitney, Thibodaux, LA*

## INSUFFICIENT RESPONSE SYSTEMS RIFE WITH GAPS AND FLAWS

### Broken Claims Process

Since the Gulf Coast Claim Facility became operational on August 23<sup>rd</sup> 2010, they have processed over 450,000 claims. They have paid 187,000 individual claims for a total of \$3.2bn. Over 100,000 claims have been denied due to supposed lack of documentation. Of the 187,000 individual claims paid, 114,000(61%) payments were under \$5,000. Of the 60,000 business claims paid, for a total of a bit over \$1.9bn, approximately 75% were for under \$25,000.

“In Alabama, 57% of claims remain unpaid which means 38,604 individual and business haven’t received one penny. In Baldwin County, AL, between January 12<sup>th</sup> and the 24<sup>th</sup>, only 28 claims were processed, which amounts to less than 3 per day. In its reporting the GCCF makes no distinction between how many claims were paid and how many were underpaid. There is a lack of clear formula re how claims are being calculated, People need to know. Mr. Feinberg told me on Dec 16 that this information would be available. Now it is six weeks later and the information is still not available. Those affected need to know there is transparency, clarity, and consistency.” — *Senator Shelby, January 27<sup>th</sup> Senate Hearings on Oil Spill*

“The way Feinberg presents information at the various forums touting billions of dollars and thousands number of claims paid doesn’t present the full picture. Over 57% of claims paid in Louisiana are quick claims. Those most impacted, most hurt, are not taking those quick payments, so they are still waiting and standing in line. Lots of money has gone to tourism type people and I don’t deny that those people are in need, but only a tiny percentage has gone to fisherfolk. I’d like to caution all of us to use full metrics.” — *Senator Vitter, January 27<sup>th</sup> Senate Hearings on Oil Spill*

“How can Feinberg put a figure on loss of income when we don’t know the future? They are pushing people into making a quick settlement for \$5,000 as an individual or \$25,000 for a business. How can they put a tag on that while Feinberg’s company is making \$850,000 per month to make people give up their rights? People are beginning to panic. They are feeling lost and hopeless and like we are being killed by genocide. Some may think we are being dramatic.” *Denise Rednour, Gulfport, MS*

**Claims are being underpaid, grossly delayed, and denied without adequate justification.** Though the Gulf Coast Claims Facility boasts about the billions of dollars paid out to thousands of people, the reality is that the vast majority of those people have been paid pennies on the dollar when a comparison is made between the amount of reported loss and the amount disbursed by the GCCF. At each of the 5+ Town Hall Meetings Feinberg has held, hundreds of people lined up at the venues to share the ravaging of their lives by the Oil Drilling Disaster compounded with the challenges with the claims process which, for them, has primarily brought frustration, but no easing of their economic devastation.

“I’m not a public speaker. I serve coffee. My name is 6508799. I think the whole methodology of the future is getting in the way of paying people whose doors are being closed right now. We keep promising our landlords, ‘BP is going to pay, BP is going to pay.’ That methodology that you’re talking about is pie in the sky \$70 million dollar man talk. I would just like to say, please look at our claim which we filed back in July. We only got one payment in September. Would you look at it?” — *Participant, Town Hall Meeting, Destin, FL*

Diane and Glen "Duddy" Poche, have been shrimpers in Lafitte, Louisiana for 40 years. After requesting \$135,000 from the GCCF to cover six months of losses, they received a settlement of \$600. Diane estimates she made thirty emails and forty phone calls to Feinberg's Facility, but didn't receive an explanation for the shockingly low settlement amount. She queried Feinberg himself at a public meeting, and he said could not explain the \$600 settlement. Shortly after the meeting with Feinberg, the Poches received another check for \$12,000. Obviously, according to Diane, this falls far short of their needs. They had anticipated making \$200,000 this summer. Instead they're trying to stretch \$12,600 from the claims process until May, when they can go trawling again (if the harvest rebounds from the oil and toxins in the Gulf, that is).—*Documented by Ada McMahon of the Bridge the Gulf Project.*

"I submitted everything. I went to Wildlife and Fisheries and got all my trip tickets. I didn't have that many trip tickets after Katrina because of the situation I was in. I managed to make a few trip tickets working for the company and getting paid. We were trying to build ourselves up. I had all my check stubs. I had my income tax papers. A couple of weeks went by and they denied my claim. So I submitted the claim again. The man said he didn't see nothing wrong with my paper work. I submitted again. I called and the lady said 'Oh I see you worked on the VOO. That's good. We can give you more money.' That was uplifting. A couple weeks went by. The week before Christmas they denied my claim. My son had to pay the insurance on my truck. My brother had to pay my cell phone bill. This don't feel good. I'm a man and used to have my own money. Already I'm pissed. Instead, I'm living off of \$200 in food stamps a month. Something I haven't done in all my life. I don't like that situation. —*Stanley Encalade, Encalade Trucking and Fishing, Point a la Hache, Plaquemines, LA*

"I first submitted to BP on June 14th I then submitted to you guys on August 23<sup>rd</sup> the first day GCCF took over this process. I've had conversations and email exchanges with you and Amy Wise. I've had personal conversation with you in August and based on that conversation you said, 'You have a claim.' A long 118 hopeful days went by to then be denied. So what I'm wondering is what happened between then and now? I have been unable to make payments on my personal home, which is also my business office, since June 2010. The bank has started foreclosure proceedings on my home. I have many medical bills and I cannot pay my medical insurance. It is in jeopardy. The economy has been tough, but it was looking brighter the first part of 2010. The BP oil spill has caused a complete economic standstill in our area. I would much rather be out building these projects, but because of the BP oil spill and it's devastation, investors no longer want to invest in our economy. We have a legitimate claim. Now my business and my family have been reduced to begging for this money. I need your help. I'm out of options. Please find it in your heart to approve my claim. I'm praying as I wait for your response." *Town Hall Meeting Participant, Destin, FL*

***Certain categories of claimants either don't exist, or are not well explained.*** Though there is supposedly allowance for claiming for subsistence fishing losses, most don't know about it, the process is unclear, and reportedly the calculations don't account for the full market value of the subsistence fishing losses. There is no category for community based organizations that have experienced significant losses of revenue in the face of a substantial uptick in demand. Eligibility and documentation required for health claims are also unclear.

“The claims process, for us, has been a complete failure. It doesn’t address our communities. Subsistence seafood and how it supports this community has been left out of this process. Senior citizens receive minimal income, old age pension. As fisherman, they have very little, if any, social security. The bayou is the source of survival for them. That has been left out of this process. Seems like the road home over again. Hope they have the courage to stop and admit it is bad, it’s wrong, and it’s not working.” *Byron Encalade, Louisiana Oystermen’s Association an Encalade Trucking and Fishing, Point A La Hache, Plaquemines Parish, LA*

“Before the BP Deepwater Horizon Oil Spill, my wife and I would be out at sea by 6am every morning and return in the late evening. Like all other fishermen in Louisiana, we typically hold back a portion of our catch, 5-10% to bring home for personal consumption in the family, to contribute to community events, and to barter with other fishermen for other seafood. I face many challenges with the GCCF process but I would like to take this opportunity to highlight one in particular. Mr. Kenneth Feinberg received over 16,000 emergency payment claims for subsistence use, including mine, and Mr. Feinberg only paid one claim for \$3,000. The United Louisiana Vietnamese American Fisherfolks, in solidarity with fourteen Gulf Coast grassroots organizations and associations, requests that members of the Ad Hoc Subcommittee on Disaster Recovery and Congress clarify and reaffirm the definition of subsistence use in the Oil Pollution Act of 1990—fully acknowledging and recognizing the local non-taxable practice of bartering, community gifts, and family consumption by commercial fishing communities of all ethnic backgrounds. Moreover, the calculation for emergency compensation for loss of subsistence use should be based on the quantity of seafood that commercial fishermen subsisted on before the spill, multiplied by the current market retail value of the seafood. This formula has been summarized and defended in the white paper submitted by the United Louisiana Vietnamese American Fisherfolks and the Mary Queen of Viet Nam Community Development Corporation. “–*Ve Nguyen, United Louisiana Vietnamese American Fisherfolks, Senate Hearings on Oil Spill, January 27th*

“The Gulf Coast Claims Facility is not accepting health claims, so people who have gotten sick and are now unable to work don’t have the money to pay their medical bills. Health care needs to be taken out of the claims process.” *Stephen Bradberry, Executive Director of the Alliance Institute, Gulf Coast Fund Advisor*

“I attended the Feinberg meeting and a statement was that they paid 400 medical claims. We don’t know anyone being treated for toxic exposure, so I assume those claims are for injuries sustained during VOO. I don’t know anyone who was able to get so much as a doctor’s visit, much less anything else. They said 170,000 claims have been denied from lack of adequate documentation. Well, if you can’t get a doctor to admit that what you’re suffering from, how going to get documentation? How are you going to get treatment? So my question for Feinberg was, when I held my VOC results, is this going to be enough? Is this going to be sufficient? He said he would look into it.” *Denise Rednour, Gulfport, MS*

“There is no category in the claims process for non-profits. Nonprofits in Florida are starting to close their doors after being hit hard because of the reduction in donations and an increase in the needs of the people. As of today no one has come up with a solution to help nonprofit organizations to cope with this situation.” *Barry Gray, Greater Sylvania Heights Front Porch, Okaloosa, FL*

“In October 2010 our org, Opportunity Inc., attempted to file for a claim with BP to help recoup some of our losses and to help us meet the continually increasing demand for our services for the homeless, near homeless, and for the people in whose neighborhood we are guests. We immediately found out that there is no category for nonprofit organizations. So no one knew how to handle our claim. They told us we couldn’t file a claim. We attempted to use a consulting firm that processes claims for BP provided tons and tons of documentation. Nothing ever happened. We never got anything. At the same time our clients aren’t getting assistance as a result.”--*Lenore Folkes, Opportunity Inc. Fort Walton Beach, FL*

### **Lack of Mental and Physical Health Care**

Availability and quality of health care systems and services vary from state to state and from community to community. Complicating the issue of access to care is the fact that many of the community members who are experiencing negative health effects do not have health insurance because they are fisherfolk or seasonal workers who don’t typically have health insurance or because they are now unemployed having lost their jobs and accompanying insurance in the post-disaster economic downturn. Further impeding care and treatment are reports that health care professions are either untrained to diagnose and treat toxic exposures or they are reluctant to attribute symptoms/conditions to exposures from the oil spill and clean up and thus provide a course of treatment that is not appropriate for chemical exposure.

“I spoke to someone to other day who had serious rashes on her body. This was a woman who worked in the Vessels of Opportunity program for BP. She asked, ‘Where do I go? Who do I see? Most of all, how do I get help?’ I asked her who you went to see and she told me, ‘I went to local doctor and the local clinic and they said can’t blame BP oil spill. Well, what done it? It’s something I never had it before. It’s something I’ve never seen. What do I do?’ I said I can’t answer that question. Everywhere you turn you run into a brick wall when you ask these questions, especially of doctors, officials and they say, ‘Sorry, I can’t help you.’ That’s a very easy, very quick prescription to the problem. It’s going on all over the place.”--*Paul Nelson, Coden, AL*

“The biggest concern is the health care. Problems we’re running into include lack of doctors who will even entertain the idea that we are suffering from chemical exposure. I have friends who are suffering from vomiting and diarrhea as well as internal bleeding. Lesions are diagnosed as staph. Upper respiratory problems are diagnosed as bronchitis. Diarrhea is diagnosed as food poisoning or stomach flu. You don’t get stomach flu that lasts for months unless something is seriously wrong. Then they treat people with antibiotics that don’t work. A woman ate crab cakes at a local restaurant and is now suffering from holes in her esophagus. They say she ate something toxic, but won’t investigate what because, I believe, they are afraid that they are going to discover toxics from the Gulf.”--*Denise Rednour, Gulport, MS*

### **Insufficient Seafood Safety Testing and Analysis**

The Food and Drug Administration based its determination that seafood was safe to eat on two factors: 1) The level of toxicity found through the testing of several types of seafood; and 2) The average amount of fish and shrimp consumed on a weekly basis based on national seafood consumption data.

Referring to the oil compounds toxicologist William Sawyer found in his testing of 300 samples he stated, "It's a type of chemical NOAA and the FDA aren't testing for," he said. The federal agencies are testing for polycyclic aromatic hydrocarbons (PAHs). PAHs are potent and volatile pollutants found in oil known to cause cancer and have a toxic effect on human organs. Sawyer said that they have relied on sensory tests — sniffing and tasting the seafood — to determine whether petroleum is present. "It assumes that there are volatile hydrocarbons with an odor present. And, in many cases, those are long gone from seafood," he said. "What we have left are hydrocarbons that have no odor." But Sawyer said these chemicals still pose a risk to consumers. He believes they could cause liver and kidney damage, especially to those who have underlying conditions such as hepatitis. Sawyer said based on his findings, he would recommend that Gulf Coast residents severely limit their seafood intake. Wilma Subra, an independent chemist from New Iberia who has been conducting seafood and soil sampling since the early days of the spill, said her tests have found high levels of organic petroleum hydrocarbons, chemicals from oil, in soils and in soft tissues of shrimp, crabs, fish and oysters. She said she has also begun to find increasing levels of PAHs that have built up in the tissues of fish, shrimp and crabs as they feed on other oiled marine life.<sup>16</sup>

It should be noted that in an attempt to ensure consumers have total confidence in the safety of seafood being harvested from the Gulf, NOAA and FDA added a second test for dispersant when considering reopening Gulf waters to fishing. The new test detects dioctyl sodium sulfosuccinate, known as DOSS, a major component of the dispersants used in the Gulf.<sup>17</sup>

The Natural Resources Defense Council (NRDC) conducted an investigation to examine the FDA methodology. Through a survey of nearly 550 Gulf coast residents from Louisiana to Florida, 43% responded that they eat fish more frequently than the FDA estimates and 54% responded that they eat shrimp more frequently than the FDA estimates. The numbers were really striking when it came to shrimp consumption rates where survey responses were 3.6 to 12.1 times higher than FDA estimates.<sup>18</sup>

"Some subpopulations, particularly Vietnamese-Americans, reported significantly higher seafood consumption rates than other survey respondents (more than double) for fish, shrimp, oysters and crab. In addition, many of our survey respondents are also more vulnerable to contaminants in seafood than FDA accounted for due to smaller body weight - 60% reported that they weigh less than the 176lb FDA estimate. When coupled with increased consumption rates, this can result in a significantly increased dose of contaminants. Although our Gulf seafood consumption survey did not represent a random sample, the results are significant in that they clearly show that a significant portion of Gulf Coast

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<sup>16</sup> "Some scientists skeptical about seafood safety months after spill"

<http://www.gulfoildisasterrecovery.com/web/index.asp?mode=full&id=786>

<sup>17</sup> "NOAA and FDA Announce Chemical Test for Dispersants in Gulf Seafood"

<http://www.fda.gov/NewsEvents/Newsroom/PressAnnouncements/ucm231653.htm>

<sup>18</sup> "It's the Dose that Makes the Poison: How the FDA Is Not Protecting Many Gulf Coast Residents from Possible Seafood Hazards"

[http://switchboard.nrdc.org/blogs/gsolomon/its\\_the\\_dose\\_that\\_makes\\_the\\_po.html](http://switchboard.nrdc.org/blogs/gsolomon/its_the_dose_that_makes_the_po.html)

residents eat substantially more seafood than reflected in FDA's risk assessment." *Gina Solomon at NRDC*

"It's just heartbreaking to know that I can't eat fish or shrimp. They are testing the seafood. What's so sad is that I was told they are peeling, deveining, and then doing the testing. So the testing is being done on shrimp with no hull, after being deveined. Then you've got people who boil shrimp with heads and tails on. I don't understand that. They are saying you can only eat shrimp that has been peeled and deveined. If you keep the hull on, it might be contaminated. Why not test the whole shrimp? What I think needs to be done is to let the fishermen tell it. They are the best I know, to help to do the testing." *Nancy McCall, Coden, AL*

### **Under-Resourced and Overwhelmed Community Assistance Programs**

Over 200 community based organizations in the Gulf are providing varying types of support to communities impacted by the oil drilling disaster, including housing assistance, food, counseling, case management, advocacy, etc.

Throughout the Gulf, CBOs are reporting an extreme surge in demand and a significant decrease in revenue. The financial devastation resulting from the Oil Disaster has taken its toll on community members, causing them to seek social services, and on the businesses that support the community based organizations that provide these services.

"BP requested that community based organizations provide proposals last year, but they never received a response. These organizations are critical to the survival of communities in the Gulf. They are suffering. BP gave \$1m for emergency relief and \$32m for mental health services but much more is needed." —*Senator Mary Landrieu at January 27<sup>th</sup> Senate Hearing on the Oil Spill.*

"In 2009, according to school districts and nonprofit organizations who keep records, 400 homeless children were in the system in Okaloosa County. In 2010, those numbers increased to 1033 homeless children and this increase was attributed to the Gulf Oil Disaster, as documented in intake data. The shelter has gone from general occupancy of up to 25 and basins don't take up much room we can get up to 40. Now there are so many babies we have exceeded even the upper limit of 40. The need for services keeps going up. Revenues keep falling off. Six months prior to the oil spill we were generating revenues of \$11K per month, but in the 9 months since oil spill revenues have been about \$4k per month. At the same time the need for services continue to escalate. We did get stimulus dollars which was supposed to last 15 months We have spent about 92% of that money. We went ahead and spent because the need was there and we kept hoping things were getting better. Meanwhile we had babies sleeping in the woods, babies sleeping in cars. We couldn't see that and turn a blind eye and even with that we were turning away 7 people for every one we helped. It is an incredible loss, it hurts and is heartbreaking." *Lenore Folkes, Opportunity, Inc. Ft Walton Beach, FL*

"Non-profits are told, 'You didn't have to do what you did.' If we didn't help them, who would? Staff has taken a cut in pay yet their hours have increased. My concern is there are no resources to give to people they're very limited. What can you do? You can give medication for depression. As long as there is still no food or money to pay the bills how can you solve that depression? The interests of the people aren't being met. Their needs are not being met. People are not made whole like they said they would

make people whole.” *Sharon Gauthé, Bayou Interfaith Shared Community Organizing (BISCO), Thibodaux, LA*

“We had a nonprofit organization that provided assistance including housing, food, living expenses, etc. Our doors are now shut. We relied on tourist and restaurant donations and in the time since the oil spill there has been nothing. On the other hand, there has been a major increase in people coming in looking for services daily. People are still calling looking for resources, trying to find jobs after being fired because of the BP oil spill.” *Barry Gray, Okaloosa, FL*

## SUMMARY OF FINDINGS

### Unmet Needs

For many in the Gulf, circumstances are far worse now than they were when the oil drilling disaster occurred. Others just haven’t experienced an easing of their challenges. Yet, for others, the worse is potentially yet to come, if matters continue unabated.

- Financial woes for some have reached a critical juncture with loss of livelihood resulting in foreclosures, evictions, seizure of other property, loss of insurance, as well as reports of many formerly independent persons having to become reliant on public benefits such as food stamps.
- Physical and mental health is considered to be a primary issue. Accounts of increases in depression, alcoholism, extreme anger, and even one instance of suicide characterize the rising mental health concerns. Physical health matters include documentation of high levels of toxins consistent with exposure to the oil spill and the dispersants used thereafter, as well as a plethora of reports of ailments including nausea, diarrhea, vomiting, skin lesions, respiratory issues, burning of the eyes, internal bleeding, etc. People have even reported premature deaths and fear that this is only the beginning as they have the example of the disturbing epidemiology of the Exxon Valdez incident, which was much smaller and didn’t feature the heavy use of corexit as did the Gulf Oil Disaster. So they worry about what to expect from this down the line.
- Seafood safety poses a two-fold dilemma for coastal communities because seafood is a primary source of food supply and thus fears of continued contamination have considerable financial, nutritional, and cultural impact, and because fisherfolk don’t want to sell tainted fish and consumers still fear for the safety of the Gulf seafood.
- As tension mounts due to the health, livelihood, and socio-cultural challenges, families and communities on the whole are under tremendous pressure and stress. This has manifested in an increase in issues such as domestic violence, road rage, community conflicts as well as a general sense of disturbance and high anxiety that has put families and communities in a state of malaise.

### Response System Gaps and Flaws

One year after the disaster, the region continues to be plagued by poorly designed and executed systems of response that have not only failed to deliver on promises to “make the Gulf whole” but, in some cases have actually exacerbated already challenging conditions.

- Though the Gulf Coast Claims Facility boasts having given out billions of dollars to thousands of people, what is missing from the analysis is the extent to which those thousands of people have been underpaid and the level of mismanagement that has resulted in hundreds, if not thousands, of legitimate claims going unpaid for months. However, the hundreds of people who have appeared at each Town Hall Meeting on the claims process have told this story clearly, including accounts of the resulting financial devastation due to these significant design and implementation defects.
- The response to the physical and mental health care needs suffers from a lack of infrastructure, financing, technical capacity, and potentially the willingness to accept liability. Because many of the fisherfolk in coastal communities do not have health insurance, there was already a lack of health care facilities in many of the coastal communities. Area providers are typically not well trained in assessing and diagnosing chemical exposures and the responding federal agencies failed to deploy experts to augment existing infrastructure. Mental health providers who were present were overwhelmed and grossly under resourced to be able to handle the demand. Most alarmingly, there is a sense amongst the Gulf folks that doctors who do see folks presenting with the various symptoms are misdiagnosing and thus mistreating these ailments. Some fear that rather than this being just as a result of lacking knowledge, that instead it may be out of fear of associating these conditions with the oil spill.
- According to experts in the field, seafood safety testing has been challenged by lack of sound methodology, as well as limited sampling. The findings of Dr. Sawyer, Dr. Soto, and Dr. Subra, reflect levels of toxins in the seafood samples that they say pose a risk to human health. Gina Solomon of NRDC makes these findings even more significant through her analysis of elevated exposure to these toxins because of smaller average body weight, as well as the considerably higher rates of seafood consumption of Gulf communities as compared to the national averages used by the FDA to make their determinations of safety in consumption.
- When all of the above issues combine, it is the communities that bear the weight, and community based organizations that exist to serve and support are suffering under the burden of increased demand for services and significantly decreased revenue. While intake rolls have doubled in many cases, revenue bases have been halved or cut by a third. Some nonprofits have had to close their doors as a result leaving communities in need bereft of assistance.

## RECOMMENDATIONS

**I. Affected communities must design and govern their own solutions. Therefore BP, federal agencies, the Gulf Coast Claims Facility, state and local government, etc. must ensure their engagement in their response all levels of program design and implementation.**

A Gulf-wide Community Advisory and Accountability Board must be established to provide affected community guidance and oversight to the overall response, ideally by Executive Order to ensure full authority. Each responding entity (BP, federal agencies, Gulf Coast Claims Facility, state and local government etc.) must have a mechanism for engaging affected community representation in design, planning, implementation, and monitoring of each aspect of the response, recovery, and restoration efforts.

**II. The Gulf Coast Claims Facility must immediately reform the claims process in the following areas:**

- a. Community members, representing most affected communities and sectors, must be involved in designing, implementing, monitoring, and evaluating the claims process.
- b. Fair compensation should be provided with a bias towards the claimant. The burden of proof should be applied to suspicion of fraud as opposed to the burden of proof being on the validity of the claim.
- c. Subsistence fisherfolk and beneficiaries must be compensated based on the calculation/formula provided by Mary Queen of Viet Nam.
- d. Community based organizations must have a dedicated category within the Gulf Claims Facility Process, so that they too can claim for losses in revenue as a result of this disaster.
- e. System must accommodate long term impact of oil disaster, including making allowances for the many unknowns in terms of impact on Gulf sea life and coastal lands. Formulas must also go as far as to account for damaged credit histories due to foreclosures, car and boat repossessions, as well as defects in rental history and how this impacts future interest rates and access to affordable housing.
- f. Claimants shouldn't have to choose between immediate help and the option for long term assistance.
- g. Claims should be processed as quickly as possible. Outstanding claims should ideally be cleared within 72 hours. New claims should be processed within 7 days of submission.
- h. Outreach must be conducted thoroughly and with attention to cultural and linguistic competency.

**III. BP must finance physical and mental health care systems to provide a continuum of quality care, from assessment through treatment, for persons impacted by toxic exposure and trauma associated with the Gulf Oil Drilling disaster.**

The Centers for Disease Control, Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, state and local health departments, and others will be critical to ensuring the establishment of a comprehensive system.

“We need a separate health task force that can focus solely on testing, monitoring, and studying

the long-term health issues from exposure to crude and dispersants. And this needs to happen now.” *Stephen Bradberry, Executive Director of the Alliance Institute, Gulf Coast Fund Advisor*

**IV. The FDA must conduct a thorough evaluation of seafood safety, as per the guidance set out by the Natural Resources Defense Council which takes into account the unique characteristics of the Gulf of Mexico communities.**

Expedite a reassessment of the safety levels for Gulf seafood to ensure that local dietary patterns and other vulnerabilities are incorporated, and to assure Gulf coast residents that their health is protected in decisions about seafood safety.—*Gina Solomon, NRDC*

**V. To compensate for the economic and cultural devastation the oil drilling disaster has wrought on the Gulf Region, BP must invest in enterprise which fully supports the resumption of fishing and other affected industries, as well as provides opportunities for retraining and new employment.**

“A lot of people are taking the short term pay-off. But on the long term, jobs are affected and those jobs aren’t coming back. We must start dealing with the transition to other occupations. The quick pay is merely a legal stopgap to stop the bleeding. We need more long range planning by the Gulf States. We need to start looking at things like the green economy, solar panels, new jobs. We don’t see enough attention to dealing with renewable energy that creates jobs and boosts the economy. We are just in a rut and everyone knows that once the payoffs are gone, the question becomes what’s in their place? Even for the people who go back to their jobs, how safe is that for them and for us?”—*Beverly Wright, Deep South Center for Environmental Justice, New Orleans, LA*

“We recommend the creation of a Gulf of Mexico Economic Go Zone, giving priority contracts to fishing business owners, utilizing these vessels in all federally funded coastal and marine restoration, scientific estuary and marine research, national and state park activities. In addition, to ensure long term viability of coastal family fishing community culture, all fishermen holding commercial and/or charter fishing license and permits prior to April 20, 2010 should be given place holding licenses/permits so they can return to fishing as the resource and market recovers.” *Clint Guidry, President, Louisiana Shrimp Association, Lafitte, LA*

**VI. BP must provide financial support to community based organizations to handle the increased demand stemming from the extensive economic, health, and socio-cultural issues arising from this disaster.**

A 5 year, \$1bn fund must be established through an independent foundation to provide financial support for organizations to provide ongoing support services to the communities of the Gulf.

**VII. BP must expand the priority areas of its Gulf Research Initiative to include anthropological sociological, epidemiological, and economic investigations in addition to its five current focal areas. Guidelines should include preference for community participatory models.**

Undeniably, the impacts of this disaster far exceed the currently narrowly defined foci of the Gulf Research Initiative Agenda. In order to adequately plan for and respond to the unavoidable

likelihood of another such disaster, all areas of impact must be studied so that effects can be thoroughly quantified.

**VIII. Aggressive coastal restoration and preservation efforts are needed and it will take a multi-agency effort to execute fully.**

As illustrated by the extensive impact of this disaster, the culture, livelihood, health, and wellbeing of coastal communities in Alabama, Florida, Louisiana, and Mississippi are inextricably dependent on the Gulf of Mexico. Each body of water and parcel of land is a critical link in the global ecosystem. Scores of scientists agree that the waters, marshlands, bayous and other coastal areas were dealt a wounding blow by this oil spill that is not nearly healed.

Wildlife and Fisheries, the Environmental Protection Agency, NOAA, and other federal agencies must engage with the academic community and ensure that fullness of the damage as well as remedying methods and accompanying cost for repair are determine and Congress must ensure that BP is made to pay through the Oil Spill Pollution Act and the Clean Water Civil Penalties Act for all that is required to heal the Gulf of Mexico.

Ms. Nancy McCall, 66 year old African American resident of Coden, Alabama who has lived there since she came to live with her grandparents who migrated there after being sharecroppers in Northern Mississippi, expressed the views of many, *"It is very sad and it breaks your heart to know the water is not healed yet. It's real scary. Will it go up the food chain? It's not over. It's not over at all. It affects you."*