

**STATEMENT OF JOHN F. YOUNG, JR.
COUNCIL CHAIRMAN – JEFFERSON PARISH, LOUISIANA**

**HEARING BEFORE US.SENATE SUBCOMMITTEE
ON WATER AND WILDLIFE ENTITLED**

**“ASSESSING NATURAL RESOURCE DAMAGES RESULTING
FROM THE BP DEEPWATER HORIZON DISASTER”**

TUESDAY, JULY 27, 2010

Good afternoon, Mr. Chairman and members of this Subcommittee. I am John Young, Chairman of the Jefferson Parish Council. Jefferson Parish is the largest and most populous parish in the State of Louisiana and includes the coastal communities of Grand Isle and Lafitte – two of the communities most directly impacted by the BP Deepwater Horizon disaster.

Mr. Chairman and members of this Subcommittee, let me begin by commending you for holding this hearing today to review and assess the natural resource damages resulting from the BP Deepwater Horizon disaster. As we review and examine this disaster, perhaps the worst environmental and ecological disaster in United States history, let us not forget the 11 men who lost their lives as a result of the well explosion on April 20, 2010.

As a local elected official representing approximately 450,000 people, we marshaled our resources at the local level and monitored developments from day one. I participated in a meeting in Robert, LA on Friday, April 30, 2010. Secretary Janet Napolitano, Secretary Kenneth Salazar, Secretary Lisa Jackson, Admiral Mary Kelly and numerous other federal, state and local officials, as well as Doug Suttles, the COO of BP, participated in that meeting either in person or by conference call.

At that meeting, we made a recommendation on behalf of Jefferson Parish and specifically on behalf of the Towns of Grand Isle and Lafitte that the federal government, in coordination with state and local governments, to immediately implement a plan and to mobilize the necessary equipment and manpower to execute that plan - to protect our coastline, bays, marshes, wetlands and estuaries, as well as our economy

It was also recommended at that meeting that, although BP was the “responsible party” and, therefore, obligated to pay for all damages resulting from the disaster, BP should concentrate all of their resources on capping the oil well and stopping the flow of oil into the Gulf of Mexico. This recommendation was met with silence by the federal officials representing the Obama administration at that meeting.

On the next day, Saturday, May 1, 2010, the Governor of Louisiana, Bobby Jindal, convened a meeting of state and local officials for the purpose of coming up with a plan of action to protect the Louisiana coast and our coastal communities because it was apparent that the federal government did not have an effective plan nor had it taken the steps to mobilize the necessary manpower and equipment to respond to the disaster. Instead it appeared that the federal government was relying too heavily on BP. BP, in turn, was clearly overwhelmed and not up to the task.

The State of Louisiana, together with the coastal parishes affected by the disaster, including Jefferson Parish, have been responsible for initiating and executing plans and courses of action that have produced concrete results:

For example, the Louisiana National Guard, under the direction of the Governor’s Office, built sand berms at Elmer’s Island and East Grand Terre Island in early May that prevented the oil from getting into our bays, marshes, wetlands and estuaries. You may remember the pictures of the brown pelicans covered in oil on the beach – they were located just before East Grand Terre Island where oil had built up as a result of the sand berms blocking it from going any further.

In contrast to successful state and local efforts, the federal government and various federal agencies not only have *not* helped us but, in some cases, have actually hindered our efforts to protect ourselves. For instance, the state and local governments have put forth three (3) separate plans:

- 1) The first plan was to block the oil with skimmers and high sea boom. We were told by the federal government that the necessary quantity of equipment was unavailable and could not be mobilized quickly enough;
- 2)) We put forth a second plan to build 18 sand berms. After several weeks this plan was denied as presented, but approval to build two sand berms was given. After further delays, an additional four berms were approved for a total of six berms. However, no sand berms were

approved for the five passes near Grand Isle, so a *third* plan was put forth by the State of Louisiana and Jefferson Parish to protect these 5 passes and Barataria Bay (one of the richest estuaries in the world).

3) The third plan called for blocking the 5 passes with barges on an interim basis and then replacing the barges with rock jetties to provide more permanent protection.

- After *weeks* of delay, the USACE approved the barge plan for only 2 of the 5 passes. Additional information was requested on the rock jetties.
- The barges were mobilized and proved to be effective at blocking the oil. Vacuum trucks were placed on top of these barges and were utilized to suck up the oil blocked by the barges.
- Unfortunately, Hurricane Alex became a threat approximately one week after the mobilization and placement of these barges. The wind and seas produced by Hurricane Alex required the de-mobilization of these barges and the passes were left unprotected for 5 – 7 days. Oil was allowed into these passes for these 5 – 7 days.
- This event further underscored the need for the rock jetties which would stay in place and block the oil on a 24/7 basis during even inclement weather.
- Unfortunately on Saturday, July 3, 2010, the USACE denied the rock jetties. Since we had applied for an emergency permit there was no right to an appeal. **We decided to modify the plan and re-submit but, to date, we have not been provided with the necessary permit.** This is, in our opinion, completely unacceptable.

The federal government, through various federal agencies, including the Department of Interior, EPA, USACE and OSHA, has hamstrung our state and local governments' efforts to protect ourselves, our citizens, our communities, our economy, and our way of life. Although the federal government has lacked the sense of urgency and not committed the manpower and equipment necessary to win this battle and denied, in major part, three separate plans put forth by the State of Louisiana and local governments in Louisiana, the federal government has not come forth and offered a **single effective alternative plan.**

The federal government has simply said “NO.” This is not a plan. This is not a solution. This is not acceptable.

The President of the United States has executive authority and should have exercised his executive authority early on to cut through the bureaucratic red tape to more effectively and expeditiously respond to this disaster and emergency situation. The President himself compared this disaster to a war and stated, “We will do what it takes for as long as takes to win this war.” Unfortunately, the federal action was lacking and ineffective. If we were being invaded by a foreign enemy, we would be occupied territory by now – and we are heavily occupied by oil.

- The OPA regulations should have been waived to allow more domestic skimming equipment to be mobilized in the Gulf. A few weeks ago, only 400 skimming vessels were mobilized when 2000 were available in the U.S.
- The Jones Act regulations should have been waived to allow mobilization of foreign flag skimming vessels. This was not done.
- The OSHA regulations should have been waived to allow clean-up workers to work more than **20 minutes out of each hour**. Alternatively, the clean-up work force should have been tripled so 60 minutes out of each hour could have been dedicated to clean-up of the coastline, bays, marshes, wetlands and estuaries.
- The battle should have been waged on a 27/7 basis rather than just during daylight hours. The oil did not stop moving at night. The oil moved on a 24/7 basis. The U.S. Coast Guard should have used common sense and logic and not shut down a successful oil remediation process in Bay Jimmy to inspect for life preservers and safety equipment **resulting in 24-hour shutdown by ordering the barge back to the dock for the inspection instead of conducting the inspection on-site** and allowing the successful remediation process to continue during the said inspection.

There are many lessons that can be learned from the ineffective federal response to this disaster. In the future, there should be a military-style chain of command put in place immediately. The individual in charge of the operation should have full and complete authority to act and direct remediation efforts. There should also be more input from and coordination with and authority given to state and local governments.

This disaster is going to have a long and devastating environmental, ecological and economic impact not only on the coastal communities and the State of Louisiana, but also on the United States. We produce 30% of the domestic fisheries for the entire United States. We also produce 30-35% of domestic oil and natural gas consumed in the United States.

In fact, the negative impact will be felt not only in Louisiana and the entire Gulf Coast region but also throughout the entire nation. This is a national issue. The negative impact is further exacerbated by the ill-conceived and ill-advised deep water drilling moratorium. We can have safe drilling without this blanket “one size fits all” moratorium. When the autopsy of this disaster is complete, the results will show that BP was a reckless and negligent operator that cut corners. This disaster should not have happened and could have been prevented if BP had acted responsibly and MMS had enforced the existing regulations. But the moratorium is not the answer and **should be rescinded**. Otherwise, we, as a nation, will become more dependent on foreign oil, not to mention that oil-field related business in Louisiana are downsizing on a daily basis and creating massive unemployment. It is worth noting that even the fisherman, shrimpers and oystermen presently unable to work because of this disaster are, to a person, adamantly opposed to this moratorium. It must be lifted.

I would like to make one final comment with regard to the use of dispersants, specifically with regard to the use of the dispersant Corexit. This dispersant was banned in the United Kingdom. The EPA should not have allowed it to be used in the Gulf of Mexico. The long-term effects of this dispersant are unknown. This may be a case where the “solution” proves to be worse than the problem. We would ask that this issue be further investigated. I note that many people of Louisiana believe that the dispersant is utilized mostly for a BP PR campaign so that the visible devastation of approximately 184 million gallons of oil in our Gulf of Mexico is not detectable by cameras or to the naked eye. Conveniently, it is pushed underwater. Now that the oil is pushed beneath the surface, the sea booms, of course, are relatively ineffective. Oil simply travels underneath the sea booms. This is another reason the State of Louisiana’s and Jefferson Parish’s plans for sand berms and rock jetties are imperative.

Mr. Chairman and members of this Subcommittee, I thank you for the opportunity to testify before you today on these very important issues, and I look forward to responding to any questions you or members of the Subcommittee may have. Thank you.