

**Testimony of Brenda Dardar Robichaux
Principal Chief (ex officio) United Houma Nation
House Committee on Natural Resources Oversight Hearing
Gulf of Mexico: A Focus on Community Recovery
and New Response Technology
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Good morning Chairman Hastings and members of the committee. My name is Brenda Dardar Robichaux and I am the former Principal Chief of the United Houma Nation and a lifelong resident of Lafourche Parish. Thank you for the opportunity to testify at today's hearing –“Gulf of Mexico: A Focus on Community Recovery and New Response Technology.”

The United Houma Nation is an indigenous nation of approximately 17,000 citizens who currently reside along coastal, southeast Louisiana. Today, nearly 90% of our citizens reside in coastal Terrebonne, Lafourche, Jefferson, St. Mary, St. Bernard and Plaquemines Parishes. The majority live in communities that are at or below sea level.

The relationship between the Houma People and these lands is fundamental to our existence as an Indian nation. The medicines we use to prevent illnesses and heal our sick, the places our ancestors are laid to rest, the fish, shrimp, crabs and oysters our people harvest, our traditional stories and the language we speak are all tied to these lands inextricably. Without these lands, our culture and way of life that has been passed down generation to generation will be gone.

Tribal citizens have been living, hunting, fishing, shrimping, crabbing, trapping and harvesting oysters in the coastal marshes and wetlands of our communities for centuries. Our people follow the seasons. In the summer we catch shrimp, crabs and garfish. In the winter we harvest oysters and trap nutria, muskrat, and otters. This is not just how my father and countless other tribal citizens make their living, but how they bring home food to feed their families.

The lifestyle of our people is now in jeopardy. Not only are many tribal citizens both directly and indirectly dependent on the commercial fishing industry, but also our culture could die out in my lifetime. Houma citizens harvest palmetto in the coastal marshes for basket weaving, Spanish moss for traditional doll making and many herbs and plants for traditional medicinal remedies used by tribal traiteurs or traditional healers. All of these traditions are in danger of disappearing once the continuing flow of oil infiltrates the innercoastal marshes and wetlands of our communities. These plants are irreplaceable and many only grow in our rich marshes.

During my 13 year tenure as Principal Chief, I was intimately involved in several of the most severe disasters to ever strike the American mainland. Within the

last five years, we have dealt with four major hurricanes – Katrina and Rita in 2005 and Ike and Gustav in 2008 – and, though these storms presented incredible challenges, we have made significant progress in recovering. We have always been a self-sufficient Tribe and we asked for and received little from the federal government in these crises. Through our own efforts, we have been able to get tribal citizens back on their feet and some back into their homes. However, we now find ourselves in an extremely precarious situation as the federal government and BP have refused to acknowledge the horrendous problems that they have jointly created for all of the citizens of the gulf coast of the United States.

I was intimately associated with the fallout from the oil spill from its earliest days. My father is a commercial fisherman and many of my family and friends make their livings as both fishermen and oilfield workers. Additionally, my husband is a physician whose practice largely involves the areas of the state most affected by the spill. Our parish, especially the most southerly end, is the epicenter for deepwater oil and gas exploration in the Gulf of Mexico.

Early on we recognized that there were major inconsistencies in the responses of the federal government, state and local leaders, and in BP itself. It soon became apparent that BP was ignoring the mandates of the Environmental Protection Agency and using chemicals that were illegal in all of Europe and most of the rest of the world. Their contentions that the magic dispersants were harmless and somehow floated below the water's surface but never touched the floor of the Gulf were illusions that few dared to challenge. We now know that these dispersants have layered the bottoms of our bayous and lakes and have coated the floor of the Gulf with toxic sludge that will remain in place for unknown generations to come. It is our impression that dispersants are still being used on the coast. Spraying of these toxic chemicals needs to be stopped immediately.

We are concerned that waste produced by the spill clean up will find its way into disposal sites in our tribal areas, in particular our Grand Bois community. Grand Bois is located adjacent to an open pit oilfield waste disposal site in Lafourche parish. We were already painfully aware that the Oil and Gas Industry had received an exemption from Congress for the disposal of oilfield waste and could legally place hundreds of thousands of gallons of extremely toxic materials into the environment while under the protective veil of the federal government. The 1980 Resource Conservation and Recovery Act (RCRA) defined any wastes that are generated during the exploration and production of petroleum, which will include any wastes generated in the clean up of this spill, as non-hazardous – no matter how poisonous it actually is. Neither the crude oil nor any dispersants used in responding to this disaster are regulated as hazardous waste, despite the fact that they're toxic. The designation of NOW, or Non-Hazardous Oilfield waste, had been created specifically for the oil and gas industry and was not regulated by the EPA, OSHA or any other state or federal agency. It's toxic, it's poisonous, it's going to kill people and, by an absurd loophole in the laws, it's considered

non-hazardous.

One year after it began, BP's oil drilling disaster is not over. America's Gulf Coast is still suffering, and we need the support of the nation for a full and fair recovery. This is an on-going environmental and humanitarian crisis. BP's crude and toxic dispersants continue to impact the Gulf of Mexico and the Gulf Coast, poisoning people, killing wildlife, threatening ecosystems, and putting fishermen and tourism workers out of jobs. After a full year, Congress and the federal government have yet to adequately act to restore and protect the Gulf, and BP is working to minimize their liability and the perception of the severity their disaster's impacts.

All along the Gulf Coast, communities, citizens, and non-profit organizations are coming together to address the crisis and restore our Gulf. We are a diverse group, representing fishermen, faith leaders, environmentalists, clean-up workers, and residents who live, work, and play on the Gulf Coast. We come from all five Gulf Coast states, and represent culturally and racially diverse communities. . We've all been impacted by the BP oil disaster, and together, we have come up with a way forward for a healthy and whole Gulf Coast.

The administration and Congress must take action now to implement the Oil Spill Commission recommendations. This includes the creation of a Regional Citizens Advisory Council to oversee future oil and gas activity in the Gulf, and prohibit the use of dispersant until found to be safe to human and marine environment. In addition, affordable, accessible health care must be made available at the county/parish level provided by well-trained medical professionals who understand chemical exposure issues. There is also a need to educate healthcare providers and the public on oil-spill related illnesses addressing both physical and mental health impacts. Further, we must track health impacts and illnesses of Gulf coast residents including former and current BP employees through government studies and community efforts. These studies should be overseen and approved by the Regional Citizens Advisory Council. Finally, we must establish new comprehensive federal monitoring standards that guarantee safety of seafood eaten in quantities typical of Gulf Coast populations and long-term seafood monitoring program of state and federal waters.

This oil spill presents a major challenge to our existence as a tribe and residents of the gulf coast. Therefore, I ask that you please support our efforts to bring resources to address the ongoing challenges from the BP Deepwater Horizon Drilling Disaster and to preserve our way of life for current and future generations.