

Testimony of Captain Ryan Lambert
President Cajun Fishing Adventures
Before the
House Committee on Natural Resources
Hearing on
Gulf of Mexico A Focus on Community Recovery and New Response Technology
April 18, 2011 9:00 am

Contact Information

Ryan Lambert
223 Louis Morel LN
Buras LA 70041
504-559-5111
cajnfish@aol.com

I am grateful to the Committee for the opportunity to testify at this hearing on my recovery as well as the recovery of my community and business.

My name is Ryan Lambert I am the President of Cajun Fishing Adventures, one of the top fishing and hunting lodges in North America. I am also the Vice President of the Louisiana Charter Boat Association and a member of Ducks Unlimited and the Coastal Conservation Association. I have been a professional fishing and hunting guide for 30 years in the marshes of coastal Louisiana.

For 30 years I have watched on as Louisiana has disappeared before my eyes. Coastal erosion has taken one third of our wetlands already and it is only getting worse by the day.

The levying of the Mississippi River for navigation and flood control started our problems in the early 1800s. When the levees were constructed, freshwater carrying life sustaining nutrients and land building sediment was cut off. Shortly thereafter saltwater intruded killing freshwater aquatic grasses which serve as nurseries to all finfish shrimp and crabs. Now 180 years later we have lost one third of our natural treasure due to this and other factors.

In later years came the oil industry and the need to get through the wetlands to drill and ship oil and gas. The only way to get to the rich deposits of oil and gas was to dig canals through the marsh for equipment to be brought in. After drilling the wells the oil and gas had to be transported, so they dug more canals for pipelines to carry their product across our wetlands. The digging of thousands of miles of canals throughout the marshes gave the saltwater easy access to the interior of the marshes thus accelerating the erosion by decades. To look at a map today, coastal Louisiana looks like highways have been cut through every inch of our wetlands.

The BP oil spill has simply added insult to injury. The oil coated 1,053 miles of coastline not to mention the millions of gallons sunk with dispersants waiting its

turn to wash ashore in years to come. All this just further weakens the resilience of our wetlands.

The oil spill also stopped the life blood of our coastal communities, the ability to harvest seafood from the rich waters of Louisiana. Most of last year, waters were closed to fishing, crabbing, shrimping and oyster fishing. Now waters are open but things have not recovered. After months of media coverage, consumers have doubts about eating fish and seafood from the oil tainted waters. As a new year is upon us and there are high hopes that there will be adequate amounts of shrimp and crabs to harvest and orders for the catch when it is brought ashore. As for the charter industry, if people won't eat the seafood they surely don't want to pay to come catch fish to eat.

The Charter industry will be the last to recover due to the perception that our fishery is tainted. Other industries will be able to get back to work as the fishery recovers. But the charter industry has to convince fishermen to come back to fish Louisiana again. Most fishermen went to other fisheries when ours closed down, many will not return.

The fate of our fishery is still highly uncertain.. In my personal experience this has been the worse winter in 30 years of fishing in the Buras area. In a normal year our limit of speckled trout can be caught most everyday. This year only three trout made it to my cleaning table. As the spring season rolls around more trout are showing up but none of them are juveniles. Only two trout under 12 inches have been landed this year which gives me great doubt as to the health of last years spawn.

Many fishermen and their families are struggling to get by after a long year with no income. Many have lost their homes and boats and many others do not have the money to get their boats ready to go out this year. Most families filed a claim with BP and got emergency funds in the early months. This gave them hope that BP was going to make this right as they said. Now after months of filing papers and jumping through hoops, they are struggling to survive. Many are having to take the minimum \$25,000 payment and are required to sign papers not to sue so that they can save their homes and boats not to mention feed their families. The claims process has been a dismal failure.

Bp has failed to make good on their promise to make people whole. While they spend millions on public relations the people that they put out of business still suffer. We have seen TV commercials and whole page adds costing millions telling the world that they are doing what they promised. We watch Ken Feinberg say what a great job he is doing. He has boasted that 70% of the claims have been settled and he doesn't think that he will need to use all of the 20 billion that has been set aside to settle the claims. I know of not one person that has been made whole at this time. I know of but two persons that have been offered a settlement, both of those have been disgracefully low and turned down.

As for my personal claim, I have not been made whole either. I paid my CPA to give them everything asked for. First it was three years of taxes, next they wanted quarterly taxes shortly follow by monthly taxes and last but not least monthly P&L statements. I received an emergency payments of \$5000 followed by another \$5,000 the next month. After looking at my first paperwork they sent \$25,000 and

another \$30,000 after many phone calls to the Worley group. Then it was time for more paperwork. My CPA gave BP a claim of \$904,000 after using a "loss of income" figure given to him by BP forensic accountants. He then subtracted all monies already paid by Bp. I received only \$151,000 of that settlement and was not content with that amount and started dialog with the Feinberg office. Mr Bill Mulvey looked at my case and found what they had done wrong and instead of paying my at that time stated that I could file for that money with the next packet that was going to come out near the end of the year. That was my last contact with BP or the GCCF. I have now turned my claim over to an attorney.

This experience has given me a new outlook on the oil industry and the power that they have. New guidelines should be written to protect victims of the next major oil spill from going through what the people of the Gulf Coast have endured from this one. A true third party should be assigned to distribute the funds to the claimants. Not one paid and controlled by the oil company. The fund should be set aside and controlled only by the assigned parties. If money is left over it should then be returned to the companies at fault. As for this spill it looks as if the lawyers will settle who gets what. This will be after many years, many dreams and many lives have been ruined by the waiting process.

This brings us to the recovery process of our great wetland. We have to reopen the Mississippi River to our estuaries and let the freshwater infiltrate back into the natural bayous. We can pump sediments to accelerate the process but without freshwater from the river this is not sustainable and our grandchildren will be pumping again later.

We need money to make this happen. The President's independent bipartisan Oil Spill Commission indicated that Congress should direct 80% of fines that will be levied against BP and others responsible parties under the Clean Water Act should be directed to support implementation of a Gulf wide restoration strategy.

The Commission recognized that the Gulf coast has provided America with oil and gas resources for decades at great cost to our natural environment. Louisiana has born the brunt of the damage receiving only minimal royalties for doing so and should get the lions share of that 80%.

The other full 20% should go into a separate catastrophic oil liability trust fund, or used to increase the limit of the current fund. This money should be set aside in an interest bearing account incase a smaller company should have a similar spill. This should not hurt the other oil companies and will not add to the cost per barrel for the existing oil liability trust fund and will not have to be passed on to the consumer. As for the detractors who that say this will take money out of the general fund they can balance the fund by taking away the same amount in oil industry subsidies.

Lastly, the Oil Pollution Act should be rewritten with input from business that will be devastated by the next catastrophic oil spill. The current law is a one sided law protecting oil companies from taking total responsibility for the damages made.

We all know that oil drilling is essential to our country and will go on. Keep in mind that all catastrophic oil spills are not just from deepwater drilling. Two of the

recent ones have been from shipping accidents. Proper oversight should be increased to make sure that more safety measures are put into place as we resume drilling. I think that the oil industry will police itself and come up with better ways to control spills on their own in the future. The cost of a spill is reason enough to make this happen. This does not take into consideration complacency and human error and that is reason enough to make sure funding is put in place for more inspectors to police the industry.

In closing, Mr Feinberg stated this week that persons who talk and complain the loudest typically have the most dubious claims. I publicly challenge Mr. Feinberg to find my claim invalid for it will be I shouting from the roof tops.

I thank the committee for letting me share my thoughts on the recovery of our communities.