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BRIEFING DOCUMENT: IMPACT OF BP OIL SPILL ON AFRICAN-AMERICAN FISHER COMMUNITIES IN LOUISIANA

“Resiliency can only take me so far”

WILL THIS WAY OF LIFE DIE OUT?

Travel to any marina in the Mississippi River Delta this time of year and one is greeted by teems of fisher folk of all races and nationalities. But not this year. Two weeks ago staff from Louisiana Justice Institute traveled to Pointe A’La Hache, Louisiana and only one boat was set to go out. There were men at the marina, but they were mostly just talking, having a beer, and speculating on the spill.

“The spill” for these mostly African-American fishermen in East Point A’La Hache, Louisiana, a small fishing village in Plaquemines Parish, population approximately 300, is the April 20th British Petroleum Oil Spill. Seafood is the primary industry, with most family fisheries engaging in harvesting oysters and shrimp.

The worst oil spill in American history is being measured in environmental and economic terms — especially given the threat it poses to Louisiana’s \$2.4 billion seafood industry. But the cultural toll must also be considered. The disaster may signal the end of Louisiana towns like Phoenix and Point a la Hache, which comprise one of the state’s largest stretches of African-American fishing communities. Nearly two months after the deadly explosion on the Deepwater Horizon rig, many fishermen here are grappling with the realization that their way of life might be disrupted for a long time to come.

The National Oceanic and Atmospheric Administration and the Louisiana Department of Wildlife and Fisheries has extended the closed fishing area in the Gulf of Mexico, and now about 39 percent of these once fertile waters is off limits to commercial fishermen. The notion that the spill will not be cleaned up in a few months, or possibly years, has hit “like the death of a family member,” said Byron Encalade, a third generation oyster fisherman who currently serves as President of both the Louisiana Oysterman Association and the South Plaquemines United Fisheries Cooperative.

African Americans in lower Plaquemines Parish, where Pointe a la Hache and other black towns such as Davant and Phoenix are found, have raised their families and communities on this seafood for generations. Fishing in this area, about 50 miles south of New Orleans, has also been a steady source of income and employment for them since the early 20th century. At peak, hundreds of black fishers occupied this area, but their numbers have dwindled. Hurricane Katrina, which entered Louisiana through this region in 2005, retired many fishers early by destroying their boats and homes.

For much of the 19th Century, the parish’s life was dominated by African-Americans — slaves, as well as freed descendants of Africans, Native Americans, and French and Spanish settlers. Many of those descendants were granted land carved from the plantations that lined the river. They took to the water: fish, shrimp, oysters and crabs, all of which formed the base of the area’s diet. By the 1970s, many of the blacks had moved from sharecropping potatoes and okra to buying their own boats. They became a force in the local seafood industry. Women mostly took jobs at a local furniture factory.

The anxiety remains high. No one knows what will happen to these communities. The Rev. Tyrone Edwards, pastor of Zion Travelers Baptist Church, Phoenix’s largest, is concerned many residents will become depressed — and, eventually, succumb to ailments triggered by polluted oil and drinking water. So he’s enlisted his wife, a registered nurse, to begin a health assessment of the town’s residents. Families often make gumbos from the seafood pulled from the water. But soon, even that may be untenable.

Now, the question everyone asks with dread is: Will the BP oil spill finish off what Katrina started: the vanishing of a proud, historic black fisher community?

“We Fish; We Hunt; We Guide. We live off this land.”

THE EXPANSIVE ECONOMIC IMPACT OF THIS OIL SPILL

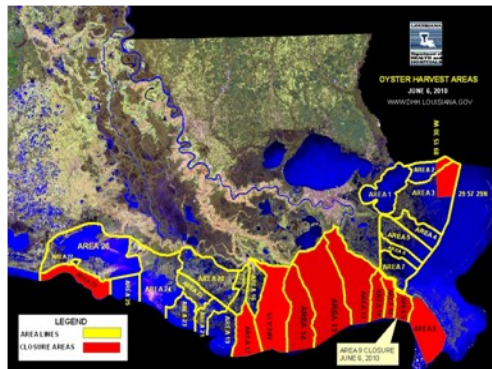
Now the worst U.S. oil spill ever, the economic and environmental impact of the BP accident is devastating.

AFFECTED COASTLINE

- Louisiana, the nearest state to BP's gushing undersea well 42 miles out in the Gulf of Mexico, has been the most affected by the spill so far. According to Louisiana Governor Bobby Jindal, more than 100 miles of Louisiana's 400-mile coast has been affected so far by the spilled oil, including fragile marshlands and wildlife refuges.
- He and other state and local officials have reported shown the world the heavy sheets of oil soiling wetlands and seeping into marine and bird nurseries, leaving a thick stain of sticky crude on the Roseau cane that binds the marshes together.
- Billy Nungesser, president of Plaquemines Parish, said he saw dying cane and “no life” in parts of the Pass-a-Loutre wildlife refuge.

FISHERIES

- The U.S. government has declared a “fishery disaster” in Louisiana, which makes the state eligible for federal funds to offset the current and future impact on fisherman and their communities of the oil pollution in their fishing grounds.
- Louisiana's \$2.4 billion seafood industry supplies up to 40 percent of U.S. seafood and employs over 27,000 people. The state is the second-biggest U.S. seafood harvester, after Alaska, and the top provider of shrimp, oysters, crab and crawfish.
- NOAA has extended the area closed to fishing in the Gulf as a result of the spill to over one-third of Gulf U.S. federal waters.
- This ban affects hundreds of thousands of commercial and recreational fishermen, hitting the livelihoods of shrimpers, oyster-catchers and charter boat operators.



WILDLIFE

- Oil, some of it in thick sheets, but also in the form of sheen and tar balls, has already come ashore in Louisiana wildlife reserves like the Breton National Wildlife Refuge on the offshore Breton and Chandeleur Islands, and the Pass-a-Loutre refuge farther to the south.
- Wildlife officials have reported more than 300 sea birds, nearly 200 turtles and 19 dolphins were found dead along the Gulf Coast during the first five weeks after spill.
- Journalists and scientists have also reported seeing sharks and other creatures like eels and turtles, swimming through surface oil. Wildlife officials say they expect more marine creatures, birds and mammals will be affected as more of the oil comes ashore.

TOURISM

- Tourism operators in Louisiana — from hotel owners to restaurateurs and boat charterers — have reported cancellations as a result of the spill. Officials say even the threat of pollution that could come from the spill is enough to make a significant “dent” in the tourism industries of Louisiana and other Gulf states.

SHIPPING

- Major shipping channels and ports on the U.S. Gulf Coast remain open, although some industry sources have reported possible delays caused by the oil slick.
- NOAA has begun work to survey a new ship anchorage site at the mouth of the Mississippi River for ships to undergo inspection and oil decontamination before entering ports.
- U.S. authorities are anxious to keep Gulf shipping operating to maintain vital U.S. exports and imports.
- NOAA says Lower Mississippi River ports export over 50 million metric tons of corn, soybeans and wheat each year, more than 55 percent of all U.S. grains inspected for shipment.

“We thought 2010 was the year to finally recover from Katrina.”

**THE DEMANDS FOR REMEDY AT LAW AND EQUITY TO
RESTORE OUR LIVES AND LIVELIHOOD**

African-American fishermen and fisher communities have not been able to amass wealth to sustain our communities; therefore, occurrences such as Hurricane Katrina and the BP Oil Spill have caused distress and uncertainty for these already underserved communities. These men and women have invested monies in their boats and company infrastructure. This oil spill has been devastating for fishermen and fisher communities in Plaquemines Parish, and it will be extremely difficult these next few months for fisher folk who depend on this way of life as a source of income and also a food source.

These fishermen and fisher communities need Congressional oversight, transparency, and accountability. The demands by African-American commercial fishermen, seafood workers and residents of maritime communities in the Gulf Coast are no more onerous than others, but the effect of government neglect may be far more devastating:

1. **Responsibility and Accountability:** The President of the United States and the U.S. Congress must ensure British Petroleum (BP) and its subcontractors are held financially responsible for the full immediate, short-term, and long-term impact of this disaster. Further, BP, its subcontractors, and any other corporate entities deemed responsible parties for this disaster, must provide all appropriate assistance to fishermen, seafood workers and maritime communities dealing with the long term impacts of this disaster and its yet unforeseen impacts on the fishing, seafood, recreation, and culture in Gulf Coast communities;

2. **Oversight:** The President and the U.S. Congress must provide public oversight, information, and administration of support to assist fishermen, seafood workers and Gulf Coast communities in this disaster. The federal government must have complete oversight over the BP oil drilling claims process, and BP must relinquish this control immediately;

3. **Compensation:** The President and the U.S. Congress must ensure that immediate compensation is paid to fishermen, fishing crews, seafood processing workers, seafood industry related workers and others, to provide for income replacement and family living expenses. The lack of federal or state income tax returns must not preclude any fisherman, fishing crew member, seafood processing worker, and seafood industry related workers and others from receiving compensation. This claims compensation protocol must include:

- A system for classification of claimants;
- Immediate compensation for six (6) months of lost income that is equivalent to at least an annual income of \$24,000. Fishermen, fishing crews, seafood processing workers, seafood industry related workers and others who can substantiate higher annual income from fishing will receive higher payments;
- In 6 months (October 2010) a sum equal to one half of one year's lost earnings (and no less than \$12,000 per worker) shall be paid to every fisherman, seafood processing workers, seafood industry related workers and others remaining out of work as a result of this disaster;
- Within 12 months of the initial payment, the President of the United States must make a final assessment of full damages for lost earnings to be made to fishermen fishing crews, seafood processing workers, seafood industry related workers and others and seafood workers. This determination should include evaluation of other long term losses beyond loss of earnings such as damage to boats and equipment, damage to oyster beds and fishing grounds, and other longer term losses.
- All other workers along the Gulf Coast, directly or indirectly connected to the seafood industry, must receive emergency unemployment compensation, retroactive to the beginning of this disaster, from the appropriate state agencies, reimbursed by BP and other responsible parties.

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4. **Forbearance of Loan Re-Payments.** A consequence of the BP oil disaster is the indefinite interruption of income for people whose livelihood is based on the fishing and seafood related industries. Therefore, the President must provide a mechanism whereby payment obligations for home and business related loans are placed in forbearance.

5. **Prioritizing Local Communities:** Priority in contracting and hiring must be given to local fishermen and firms along the Gulf Coast; and that firms that use workers receiving substandard pay be excluded from contracting.

6. **Language Access:** All information and documents related to providing information and instruction to fishermen and seafood workers must be translated, into Vietnamese, Cambodian, Laotian, Spanish, and other languages so that the residents of the multicultural maritime communities across the Gulf Coast will be able to read and understand the information provided.

7. **Access to funds:** There are significant unspent Federal funds for Katrina Hurricane relief and rebuilding that are unspent which must be re-programmed and utilized to meet these un-met needs so vulnerable Gulf Coast people and communities can better deal and respond to the current oil drilling catastrophe.

