

The University of Southern Mississippi
Center for Oral History and Cultural Heritage

Deepwater Horizon Oil Disaster–Gulf Coast Fisheries
Oral History Project

An Oral History

with

Daniel Nguyen

Interviewer: Linda VanZandt

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An Oral History with Daniel Nguyen, Volume 1043

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Biography

Mr. Daniel Nguyen is the environmental justice coordinator for the Mary Queen of Vietnam Community Development Corporation in New Orleans Versailles Community. He also currently serves as the project manager for the Viet Village Urban Farm and Sustainable Aquaculture Park, managing daily activities and helping to organize community fisherfolk and gardeners in a cooperative effort to market their goods to local New Orleans restaurants.

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AN ORAL HISTORY

with

DANIEL NGUYEN

This is an interview for The University of Southern Mississippi Center for Oral History and Cultural Heritage. The interview is with Daniel Nguyen and is taking place on February 22, 2011. The interviewer is Linda VanZandt.

Interviewer's Note: This recording is an impromptu interview that was conducted outside the office of Mary Queen of Vietnam Community Development Corporation [MQVN CDC] as Mr. Nguyen was leaving for a meeting. There is some ambient noise from a nearby air conditioner.

VanZandt: This is Linda VanZandt with the Center for Oral History. Today is February 22, 2011, and I'm here at the office of Mary Queen of Vietnam Community Development Corporation. And if you could, tell me your name and what your job title is.

Nguyen: My name is Daniel Nguyen, and I work as the project manager for the Viet Village Urban Farm and Sustainable Aquaculture Park as well as the environmental justice coordinator at MQVN Community Development Corporation.

VanZandt: First of all, tell me a little bit, if you would, about this community, this Versailles community that we're in and the population that you're serving, just a little bit about that.

Nguyen: OK. So this community came over in 1975, and the first thousand families came to Versailles with the sponsorship of Archbishop Philip Hannan. He sponsored the first thousand Vietnamese families to come, and they first settled in Versailles Arms, which is, if you go down—well, this isn't a visual interview. But basically it previously was a Section Eight Housing apartment complex, and since Hurricane Katrina, hasn't come back yet. So the original housing developments there are completely abandoned. So this is how the community has become known as the Village de l'Est or Village called Versailles because this is where the Vietnamese community first settled. And it was called Versailles Arms. So that was the first sort of word that they attached to home. And as they started coming out and moving away from the apartment complex and buying homes, it still retains its name. And since then the Vietnamese community has been heavily involved in the agricultural sector and the seafood industry. So as you can tell that, the BP oil-drilling disaster really had a hard-and-heavy hit on this community because they're so involved in the seafood industry, whether it be shrimping, long-line fishing, crabbing, or oyster shucking, even

the seafood processing. I mean, somewhere like two of every three shrimping vessels in the Gulf Coast are Vietnamese-owned, so you can sort of see the predominance of Vietnamese involvement in the seafood industry. And in terms of agriculture, when you go along this neighborhood, one of the key indicators that you're standing in front of a Vietnamese house is you'll see produce being grown, whether it be lettuce, whether it be squash, whether it be water spinach, whether it be citrus fruit trees. These are signs that you're in the front of a Vietnamese household because agriculture is such a huge part of our livelihood, and that's something that the elders keep going. And every Saturday morning they self-organize a farmer's market. So that's been going on, and of course there are a couple of dates that define the community's stay here. It's 1975 when they first came over, and then 2005 of course with Katrina, and then now, with the oil spill. So Katrina, it hit everybody pretty hard, but most people, especially the fish folks you'll talk to, will say that BP oil spill is probably worse than Katrina just because Katrina came and went, and the community knew when they can start rebuilding again. But with the oil spill, they're uncertain about how long it will last. They're not able to go back to work, and this isn't something tangible, or like completely tangible or within their control that they can fix themselves. So that's one of the big issues with the BP oil-drilling disaster is people's ability to self-determine is mostly taken away.

VanZandt: And you said the majority of this community; how are they involved in the fishing industry? Are the majority fishermen, as far as the men, or business owners? Can you kind of describe the mix?

Nguyen: Right. So there's a lot of different distinctions. I mean, with the fishing industry, it's predominantly men, like going out into the ocean. So the way it works is there's basically three titles. You can be a boat owner, a boat captain, or a deckhand. Usually the boat owner and boat captain are synonymous, but sometimes what will happen is someone will buy five boats and lease it out to a boat captain to actually operate it. And then so the captain is basically in charge of operating the boat while it's at sea, charting where to go and things like that, and the deckhands are basically like contractors, people for hire. And they will be the ones on deck to assist the boat captain, pulling in the lines, sorting the catch, and things like that. The other industry you can get into is you can be a dock owner. So a dock owner is somebody who is in charge of buying the seafood once the vessels come to shore. So they're in charge of marketing the seafood, selling it to wholesalers, for example, things like that. And that's mostly how they make their money, and also with charging like a fee, if there's a docking fee. And then of course the predominantly women sector of the industry is the seafood processing side whether it be—oyster shucking is a really big one, and then shrimp peeling. And that's sort of the ways you can be *directly* involved in the seafood industry. But as you know, with the BP oil spill, there's a lot of peripheral effects, a lot of collateral damage, I guess you would say, is a lot of the patrons of some of these stores, some of the restaurants, some of the nail salons are people who are directly involved in the seafood industries. So you can imagine with such a huge sector being involved in the seafood industry, the overnight unemployment of this segment of the population will mean that there's a significant drop in business in the

nail salons, the supermarkets, the restaurants, the jewelry stores, the pharmacies that are community-owned. So there's a lot of ripple effect that we haven't seen till maybe a month or two months later because at first it was just the seafood industry coming to us with needs, helps, and need for compensation. But now we definitely see people in the restaurant industry, the nail salons, and folks like that who may not directly be involved in the seafood industry but are definitely affected because most of their customer base survives off some sort of cash flow from the seafood industry.

VanZandt: And could you tell me a little bit about the claims process that's going on? And are they able to file claims as well? And just how that's working or not working.

Nguyen: Right. So the history of the claims process, it originally started with BP. BP was British Petroleum. They came in. They were the ones that initially set up a claims process, and the initial one was like five thousand [dollars] for a deckhand and twenty-five thousand [dollars] for a boat captain. That was the initial, first few months of the oil spill. And from the oil spill, which happened April 20 to August 23 of 2010, that was BP-run. But after August 23, that was when Ken Feinberg came into play. And he manages basically the Gulf Coast Claims Facility, which is the new claims process that BP and [President] Obama were supposed to get together and pick a third-party person, but he's sort of been restricted from saying that he's completely independent because he is paid by BP. And so when he came in, he established the six-month, emergency advance payment, which was supposed to be something sort of like a emergency payment so people can survive, pay their bills, and make ends meet while he sets up a definitive claims process. And about a couple months into that claims process, that's when a lot of people in the peripheral industries started coming in, people in the restaurant industry, the nail salons. That's when they really started coming in and filing, and they're allowed to file, most definitely. And a lot of folks have been paid off, not paid off, but rather received compensation from Gulf Coast Claims Facility, who aren't directly in the seafood industry. So it's definitely not just a seafood industry claims process, but there's been a lot of tension because a lot of folks are wary of fraud. A lot of people think that some of the people who aren't involved in the seafood industry don't rightfully deserve to claim but are getting the money, and people think that's the money that belongs to the fisher-folks. So there's a lot of tension regarding that, and there's also a lot of tension regarding supporting documentation. That's one of the biggest contentions right now is that a lot of folks are saying that Ken Feinberg doesn't possess, I guess, a certain level of competency about the seafood industry to be handling a claims center that deals with a lot of folks in the seafood industry. One of the key examples is subsistence use, for example. For a while it was basically understood that subsistence wasn't being paid out. It was something like originally it was sixteen thousand people who claimed, and only one got paid out. And subsistence use is really a livelihood. It's something that we define as something that's almost undocumentable by, I guess, like federal or Feinberg's guidelines, where it's like, it's something that's not taxable, basically. So for example, subsistence use is, for example, if you're a shrimper, and you bring home a hundred pounds to the dock, you'll take twenty-five pounds home to your family and

friends. So this is something you subsist off. This is something that goes and feeds your family. You give it to your neighbor. And say your neighbor is a carpenter. If you ever need carpentry work done on your house, he'll do it for free because it's that sort of communal understanding. So this is sort of that subsistence-use economy that isn't documented—but it's understood—that's not being recognized and paid out. So that's one example of supporting documentation issues. So after the six months, what we fall into now is he's trying to establish a definitive claims process, and it's relatively new. And there's three sort of processes that he outlined. The first one is the quick payment. Quick payment is for anybody who's already received a six-month, emergency advance payment, which I guess he assumes the premise is that this claim wouldn't be a fraud, so he would be OK with paying out this claim with minimal documentation. So it goes something like five thousand dollars for individuals and twenty-five thousand for businesses, and you don't really need to show supporting documentation. All you need to show is that you have a claim number, and it's been paid out already in the six-month, emergency advance payment process. The thing with this claims process is that you have to sign a waiver to receive the money, and this waiver will basically waive your rights to sue, appeal, or demand for new compensation from parties that are responsible for the oil spill. And it's not just BP. And it's not just Halliburton or Transocean. The list of corporations actually runs pages long. So that's sort of the waiver that people are being asked to sign before they receive the quick payment. The second one is the interim payment, which is paid off quarterly, so every three months, the fisher-folks or whatever claimant, can fill out a form, and if they can prove for every three months that they've suffered losses, they will continue paying out. And sort of the benefit of this one is you don't have to sign any waivers. So you can actually continue to do this while you assess how much the oil spill is going to cost you in the long run. I'm talking about like *years* down the line. The only down side is it's just rigorous. Every three months, you have to go through the same paperwork process again and sort of prove your case over and over and over again. And from my understanding, actually recently I found out that they're only continuing this process until 2013. So 2013 is the last date before they shut off the interim payment system. And the final track you can take is the final claim payment. And final claim payment's a *little* tricky because I mean, from my understanding under OPA [Oil Pollution Act] he's supposed to just be doing interim payments first until people can really find out how long the oil spill's effects last, but what he's done is he put all three on the table at once. And the thing is, it's almost impossible to ask a fisherman to assess his situation and guess how long he's been affected for, because that's basically what he's asking. And to provide the documentation to prove such a case like that, that's almost impossible. I mean, the government hasn't even been able to do that under the National Resource Damage Assessment. They, themselves, have not been able to fully determine how long the oil spill's effects are going to last, and they estimate that's something that's going to take years, at least three years, I think Ken Feinberg said, for the National Resource Damage Assessment to finish its study. But this is something that he's asking, and the burden is put on the people to prove a case that their damage is going to last five years, for example. And one of the big issues with this is that they have to sign a waiver to receive the money. So what's happening is we were finding a lot of people either go

for the quick payment or the final payment, but no one's opting for the interim payment. What's happening is a lot of people are going to end up signing away their rights, and our big question is what happens when the National Resource Damage Assessment comes out and says that the oil spill's effects are going to last for ten years. Well, people have already signed away their rights for quick payment, or for example, with the final payment, people didn't know how much to claim for, and they only claimed for two years, for example. And they already signed their rights away, so one of the things we're asking for is there needs to be a reopener clause, which means that even if people signed this, waived their rights, if the National Resource Damage Assessment comes back and says that the damage lasts for *ten* years, that there should be an option for people to reopen their claim and file and be compensated for what's justly theirs. So that's some of the things that we're fighting for, and also the fact that Ken Feinberg came out with his methodology, and it's my understanding the way he calculated it was it's two years worth of compensation. We're not sure how he came up with the two years, when he clearly said in a meeting in Lafitte that he's going to wait for the National Resource Damage Assessment to come up with its assessment. And another issue is also a \$250,000 cap. So he put a \$250,000 cap that you need to receive up to \$250,000 worth of compensation in order to appeal your claim. And that will actually bar pretty much 99 percent of this community from appealing just because no one's going to receive that amount. And he says he's not really barring appeals because you can always go to the Coast Guard, for example, but the Coast Guard is a whole other process. So these are some of the things that we're dealing with with the claims issue, and this is not just fisher-folks, but also folks involved in the restaurant and the nail industry, as well.

VanZandt: That's a great summary of everything that's going on, Daniel. And just if we can, just quickly get to what you-all are doing to help in this interim period. And you mentioned you're the work-force-development guy. So what kind of things are you doing with Viet Village and the agricultural project? And tell me about that. That's really exciting for the future.

Nguyen: Yeah. So with the Viet Village Urban Farm and the Aquaculture Park, our idea is we need to figure out a way to create work-force development for our community. And this was in progress long before the oil spill. The oil spill really cemented the need, the urgency for such a project. So what we did first of all was we held community forums to see if this is something the community even wanted, and they said yes. They said a couple of their key concerns was the future of the seafood industry, whether or not there's going to be seafood, but even if there is going to be seafood, is it going to be safe to eat? So one of their concerns is whether or not the seafood is even safe. So we had a two-day summit in November with community members, something like sixty community members with hundreds and hundreds of community members coming in and out with government departments, funders, to really outline what is aquaculture, and for the community members to have a chance to really establish a vision and also a rough working plan that we're following right now. So currently in the working plan, we're doing a feasibility study, which would assess sort of, given our community right here and our surrounding area, is it feasible to do

an aquaculture park and an urban farm and aquaponics system, and what types of species would be most suitable, given the local market demand and things like? So that's where we're at. And the working plan is something along the lines that once we finish the feasibility report, we go back to community members, report to them, and if they say it's a go, given what the feasibility report suggests, then we will convene an investor's workshop to try and get some funding to start breaking ground. And in the meantime, we have a grant that actually pays for community members to undergo workforce development training. So the grant is the NEG grant, and it's the National Emergency Grant under the Department of Labor. And it's a really great grant because what we can do is we can say, for example, we gather a hundred fisher-folk and say, "If you-all are interested in aquaculture, we can actually send you off to be trained to be someone who can raise fish in an aquaculture system. And while you're doing it, you get paid." So they'll be able to pay the bills, and at the same time they're learning a new industry that they *want* to learn. And it's something that will benefit the community because this will not only provide a sustainable alternative industry but also provide seafood that people can be assured is safe. And a lot of folks are optimistic that it's not only going to provide an opportunity for them, who have been displaced by the oil spill, but also opportunities for their children. And that's one of the huge concerns is, for a long time there hasn't been economic opportunities out here for the youth. And so there's a brain drain problem where if the youth can, they're up and out. So that's sort of the premise that we're going on. It's a community-driven process, and so the vision behind it is that community members want to be able to grow fish, and with aquaponics, aquaponics is using the water that the fish are swimming in to fertilize the plants because there's nitrogen waste that the fish produce. And then you funnel it to the plants, and the plants will take all the toxins up as nutrients, and then you funnel the water right back. So it's completely recirculating. And this is something that community members are already familiar with, so you would have a sector that would be growing fresh fruits and vegetables, then a sector that's growing seafood, and then they also want to look at livestock like chickens and ducks. And they want to expand to an urban—to have a bigger farmer's market than already is. They want to be able to sell to the regional market, then potentially a national, wholesale market. And then some of the things they also threw out was value-added products like fish sauce, for example. There's a lot of restaurants, they don't take the entire fish; they only take filets. And a lot of community members say, "We can make fish sauce with maybe some of the byproducts. And all the fish sauce that we're currently consuming in America is imported anyways." So they're saying we can have the first generation of American-produced fish sauce. So this is the vision that the community members have for workforce development, and we're trying to make it come to fruition right now.

VanZandt: This is amazing because I'm just thinking of all these skills that this community, these community members already had, that they practiced back in Vietnam, and are now able to translate that into a more viable, sustainable future for their own community here.

Nguyen: Right.

VanZandt: Yeah. Well, what are the biggest challenges, then, just—because I know we don't have much time, but wrapping up—that you see toward making this happen? Obviously funding. (chuckle)

Nguyen: Yeah. (chuckle) It's definitely funding. One of the biggest problems is land. So I mean, we just met with the city of New Orleans City Planning Commission. So one of the biggest things is aquaculture is really new to the United States, especially land-based, recirculating aquaculture, which is what we're looking at. So it's going to be completely enclosed in tanks, on land. And one of the things is they're not sure what type of zoning would be required for something like this to exist, so one of the things is just land use. And of course, there's so much wetlands out here that wetland mitigation is such an expensive process that it's almost—it makes urban farming economically unfeasible unless you do it guerilla style, under the radar, which this is something we're looking to do on a large scale. So one of the things is wetland mitigation, like land acquisition for example, because the current project hit a road block because we found out if it's a one-to-one mitigation ratio, meaning if it's—so the way wetland mitigation is you have to buy credits per acre of wetlands that you own. So one-on-one means you get one credit; you have to mitigate one credit per acre, which is what we got. So what we found out is if it's a one-to-one mitigation ratio, it'd be \$20,000 per acre. So that's at a high cost to mitigate wetlands. So that's one of the barriers we're facing. So it's not only funding, but it's also just the land acquisition and the zoning process. It's really difficult.

VanZandt: Right. In passing, on my way, driving into this area behind where the old amusement park, Six Flags, was, I understand that that's been a possibility.

Nguyen: Oh, yeah.

VanZandt: Some land there that someone was donating, or—

Nguyen: Yeah. So we're looking into a sublease with the City and working with Southern Star Amusement, which is the company that's looking to come in and take over the Jazzland Theme Park. We're looking into getting about ten acres of the parking lot to do the initial stage of the aquaculture. So ten acres would allow us to produce about five hundred metric tons of fish a year, which is over a million pounds. And that's just a start. With that revenue, we can expand from there, and they're also looking to give us about eight acres for a farmer's market to start up as well. And that's a prime location because it's close to the freeway access. And if the theme park comes back, then it'll be an attraction as well, that will put us on the map.

VanZandt: And what kind of support are you getting from the City and maybe even state, for that matter?

Nguyen: We have a lot of support. I mean, so far it's been a lot of trying to leverage funding. So whereas the city and government officials haven't been able to maybe

directly give us funding, they've given us support in terms of they are trying to help refer us to people who might ease the land acquisition process, such as the city planning commission, for example, trying to keep us in mind as they start to rezone, for example, to do research on their part as to what type of zoning would be needed for aquaculture. So when they rezone they make sure that they set aside some property in this area for us to do aquaculture, so we don't have to do the rezoning processes ourselves. Other departments are trying to get us funding by forwarding us grants and things like that. So that's the source of what we've been getting. And we've been really grateful for all the support we've been getting so far.

VanZandt: Sounds like y'all are taking on a lot. And I understand you're opening a health facility, too?

Nguyen: Yes. The health center is going to be right around the corner.

VanZandt: So that will address mental health issues, as well as physical issues, and preventative health care?

Nguyen: Oh, yeah. Yeah. Preventative health is one of our big things especially with diabetes patients and especially that subpopulation. That's been one of our big ventures is public health in terms of diabetes, especially with the elders.

VanZandt: Well, just in closing, then, could you just kind of give me a gauge of what you feel like the mental health is in this community since the oil spill? Now, we're going on almost a year, ten months out, since the oil spill.

Nguyen: It's been very difficult, I think, just because early on, the spill, we convened with folks in Alaska to learn from past events similar to ours. And one of the things they told us is you really have to watch out for the fabric of the community because this isn't something that's going to dissolve overnight, but ten years down the line you'll start to see the fabric of the community dissolve where there's going to be high divorce rates, suicide, domestic abuse, and things like that. So this is something they're warning us, but early enough, it's already something that we're seeing. We've seen cases of—as the oil spill has progressed and especially with the claims process being so taxing on people, having to prove their income, having to prove their livelihood, it's just a very tedious process, and it puts a lot of stress on them, and them not being able to control when they get the money and having to wait months on end to get a claims check to even pay on a mortgage or having the prospect of going homeless, which many people have. They've gone homeless because of the oil spill, having to sell their boats and cars. We have seen a lot of mental health issues, and you have to keep in mind that mental health is a taboo in the community. So for folks to be coming out and saying these things, and for us to see the signs, means that it's really bad, for folks not to keep it on the down-low. And that's not something we want anyways, but we've seen instances where fisher-folks will tell us that they have felt suicidal. There are wives of fishermen who have come in because of the domestic violence, things like that. I mean, we've had some deaths in the community. We

don't know what the cause is, so we definitely see a lot of issues that we have a lot of reason to believe are not normal and are attributed to mental health and are attributed directly to the oil spill and the stress that it's placing on the community. And it's not those just that are directly affected, but their family members or friends, their wives, and their children and things like that. So we definitely see these mental health issues that, we hope that we're able to implement a program that addresses these issues and provides a venue for community members to sort of express their frustrations without having to go to another measure that might be self-destructive.

VanZandt: Right. So you're a resource, right here, in the middle of the community, and then you're also working toward building a future for them with workforce development.

Nguyen: Yeah.

VanZandt: And that's so important to give them some hope for—

Nguyen: Exactly.

VanZandt: —maybe an alternative future or hopefully continuing what they love to do.

Nguyen: Exactly.

VanZandt: Thank you so much, Daniel.

Nguyen: Yeah. No problem.

VanZandt: I appreciate your time.

Nguyen: No problem.

(end of interview)