

WASHINGTON, DC – Today, Congressman Michael M. Honda, chairman of Congressional Asian Pacific American Caucus (CAPAC) and member of the House Committee on Transportation and Infrastructure issued the following letter to the U.S. Army Corps of Engineers urging that a proposed New Orleans landfill opposed by the city's Vietnamese American community not be opened. The letter was co-signed by fellow U.S. Representatives Neil Abercrombie (D-HI), Xavier Becerra (D-CA), Ed Case (D-HI), Al Green (D-TX), Zoe Lofgren (D-CA) and Del. Madaleine Bordallo (D-GU) .

The site of the planned construction at 1600 Chef Menteur Highway in eastern New Orleans abuts a wildlife refuge and is unequipped to handle the dangerous waste that would be dumped there. The project has been denied two non-emergency permits in the last decade. Congressman Honda and his colleagues are convinced that opening Chef Menteur would be an unwise decision that trades serious long-term costs for short-term expediency:

Dear Col. Wagenaar and Brigadier General Crear,

I am writing to urge you to rescind the recently granted temporary emergency permit and deny the pending non-emergency Section 404 permit for the 1600 Chef Menteur Highway landfill site in eastern New Orleans. As the Chairman of the Congressional Asian Pacific American Caucus (CAPAC) and as a member of the House Committee on Transportation and Infrastructure, I have a keen interest in the rebuilding effort and its effects on regional ethnic communities.

The arduous and massively complicated long-term clean-up of New Orleans poses unique challenges at all levels of government for which standard procedures and regulations were not designed. It is, therefore, understandable that the Army Corps of Engineers would consider emergency landfill authorization in the hopes of accelerating the immense clean-up operation. However, I believe that the recent decision to allow Waste Management of Louisiana to commence landfill operations is not in the long-term interests of the nearby communities, the city of New Orleans, nor the federal government.

Potential environmental consequences give us much reason to be alarmed by the rush to open the Chef Menteur landfill. The site, which abuts the Bayou Sauvage National Wildlife Refuge, the largest urban wildlife refuge in the country, has no protective clay lining to help ensure the containment of any dangerous leachate. More than a 1,000 Vietnamese-American families live less than two miles from the proposed landfill; they use the water from the canal proximate to the landfill for their tiny waterside gardens that supply the community the bitter melon, sugar cane and Vietnamese vegetables.

In the last 10 years, two separate bids for the site had previously been denied through the

standard process. This process has now been circumvented and temporary approval has been given for the delivery of construction material debris to the site. Under the emergency protocols in place in the area, the definition of construction materials has been greatly expanded to include materials that may contain a number of dangerous toxins, including asbestos. This is an unacceptable situation.

The permit and the expanded 'construction materials' definition are purportedly "temporary," but any debris dumped at Chef Menteur will certainly remain there for a long, long time to come. If we make a hasty decision based on immediate considerations without at first thoughtfully considering the longer-term consequences of our decisions, we may very well regret our "temporary" relaxation of the rules. Although the devastation wrought by Katrina and Rita are in many ways unprecedented, the past is still instructive. A very similar decision was made in the aftermath of Hurricane Betsy in 1965, when the Agriculture Street Landfill was reopened to handle the city's debris. That site is now on the Superfund list. We cannot risk repeating the mistakes of the past by trading an environmental crisis in the present for an environmental crisis (and its potential liability) in the future.

The emergency approach taken to opening the site has denied the public the critical opportunity to comment and prevented them from receiving due notice. Since the temporary permit was granted, it has become clear that there is vociferous opposition to opening Chef Menteur, especially by the robust and vibrant Vietnamese community in Village de L'Est a few short miles away, a community I recently visited. These residents are among those who have returned to New Orleans most quickly. 1,200 residents have already returned; 40 out of 70 businesses in eastern New Orleans are Vietnamese-American. Placing a landfill that might pose serious health risks in the coming years to the courageous and hopeful residents of Village de L'Est who are leading the way in rebuilding a still ravaged and debilitated city is not an appropriate reward.

The arguments against Chef Menteur are sufficient grounds to keep the site closed. Arguments in favor of the site seem far less compelling. Support has been based on the assertion that a lack of landfill space is retarding the rate of clean-up and that opening a new site would accelerate the process. It is not clear that other factors, like the preparation of debris for removal, are not more important impediments to clean-up. Indeed, the area around the proposed Chef Menteur site is favored because of its proximity to the city. The area is so close that it actually flooded after Katrina. If the landfill is loaded with debris, the next major hurricane could very well flood the landfill and cause it to spill dangerous leachate into the nearby areas. The site may or may not hasten clean-up. What is clear is that these are shaky foundations on which to ground a controversial and potentially hazardous policy decision without extensive environmental studies or public input.

I urge you to rescind the temporary permit and deny Waste Management's pending Section 404 application. We all know how difficult it will be to restore New Orleans, but it is up to us to rebuild better, smarter, and stronger than before. We must look to the future, not just to next year, but to the next generation. Opening Chef Menteur may be the expedient choice, but the long-term costs appear far too high.

It is the responsibility of the Army Corps of Engineers to ensure that the debris removal is done in an environmentally safe way. I look forward to a timely response to my concerns.

Sincerely,

Michael M. Honda
Neil Abercrombie
Madaleine Z. Bordallo
Ed Case
Al Green
Zoe Lofgren
Xavier Becerra

CC:

Charlie Melancon, Member of Congress
Bobby Jindal, Member of Congress
William Jefferson, Member of Congress
Mayor C. Ray Nagin, New Orleans
Governor Kathleen Babineaux Blanco
Dr. Mike D. McDaniel, Secretary Department of Environmental Quality
Reverend Nguyen The Vien, Pastor, Mary Queen of Vietnam Church