

## Interview Summary Form

## Interview Details

Interviewee Name:	<b>LCDR Dan Lauer</b>	Date:	<b>9/21/10</b>	Time:	<b>3:00pm</b>
Interviewee Title:	<b>Liaison Officer, LA Governor's Office</b>	Interviewee Job Location:	<b>New Orleans, LA</b>		
Interviewer Name(s):	<b>Team</b>	Interview Location:	<b>New Orleans, LA</b>		

## Interview Questions

Initial Question 1: What was your job/role and how did it evolve (if at all) during the DEEPWATER HORIZON Incident?

Focus Area:	<b>Question 1:</b>	How did you coordinate with BP to address the parish needs?
Focus Area:	<b>Question 2:</b>	What were the lines of communication for parish wants and needs? Did they have to be coordinated through the UAC?
Focus Area:	<b>Question 3:</b>	Were you aware of the decision for BP to give funds directly to the parishes? What impact did that have on UC decision making? What signal did it send? What did they do with the money?
Focus Area:	<b>Question 4:</b>	Do you know why the state made a disaster declaration and seemed to treat the response similar to a Stafford Act vs. OPA90/NCP?
Focus Area:	<b>Question 5:</b>	Boom deployment was rolled out in accordance with the ACP – who directed that part of the operation? Was it under Ops in a near shore response group? When were you involved from a LNO perspective?
Focus Area:	<b>Question 6:</b>	What was your view of the release of the State SOSOC? How did that impact the response? What about when they were not allowed to sign the IAP, any impacts? Who filled the gap in communications?

Final Question 1: What were the top 2 "best practice(s)" during this incident, from your perspective?

Final Question 2: What do you assess to be the top 2 "areas needing improvement" (or downright "failures") from your perspective, and do you have any related recommendations regarding these areas?

Final Question 3: Is there anything else we should know?

Final Question 4: Who else should we interview?

**What was your job/role and how did it evolve (if at all) during the DEEPWATER HORIZON Incident?**

- LCDR Lauer's regular job is as a port security planner at Sector New Orleans (as a civilian), although he is a reserve officer.
- LCDR Lauer has been a part of the LANT IMAT and supported other events such as Hurricane Ivan, Gustav, and the 932 oil spill.
- He served as the Deputy Planning Chief beginning on April 21<sup>st</sup> as part of initial D8 IMT.
- He then moved to Robert and worked night watch as the Planning Chief for the UAC.
- On April 27<sup>th</sup>, as he was getting ready to go back he was called to serve as the Liaison Officer (LNO) to the Governor's Office by CAPT Hanzalik, the Deputy AC at the time.
- When he started serving as the LNO, he would work issues for the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP), he was primarily tied in with Operations and Planning Chiefs.
- LCDR Lauer was the first LNO pushed into the field.
- He met Governor on day 1 as LNO; his Chief of Staff asked for expectations and LCDR Lauer explained how he could help. The first month was spent attending operational briefings, as no oil had reached the beaches, but he would provide daily operating picture, and help to coordinate.
- He tried to teach ICS and inform the Governor and GOHSEP about the NCP, OPA90 and One Gulf Plan.
- Before leaving active duty as Chief in Corpus Christi, LCDR Lauer had worked on the One Gulf Plan and tried to share his knowledge of the plan and how the USCG would be prioritizing operations, the boom strategy, etc.
- There was not an understanding of the One Gulf or New Orleans ACP.
- When information started being distributed to the parishes, they had a lot that they wanted to bring to the priorities and sensitive areas conversations.
- LCDR Lauer had gone through the 932 oil spill and Hurricane Gustav, so he had a prior understanding of the unique aspects of Louisiana, and how they operate very differently from other states, such as TX.
- He thought I had a good understanding of how the parishes worked.
- LCDR Lauer tried to ask for the Governor's assistance and realized quickly that due to the nature of state law, he will not get politically involved in parish decisions. So he then needed to determine a way to get the parishes involved and help prioritize the areas that were important, it was then that they started to use (or develop) the individual parish boom plans, which were then consolidated into a state plan.
- He worked closely with State reps such as Garrett Graves and Jerome Zurang.
- He was also dealing with strong issues on how the USCG responds, which tied back into a need to teach ICS and show what happens during an operational period.
- It got to the point that the parishes had their own operating period and would report this information back to the ICs.
- LCDR Lauer explained the capability and flexibility of the Branch Deputy ICs in changing things that were in the IAP per emergency situations.
- When Governor Jindal went on a media blitz, LCDR Lauer offered to be the person with him all the time. From that day forward (beginning of June forward), he would fly with Governor Jindal daily, he was not in his helicopter, but in a secondary helicopter with Louisiana National Guard and the media.

- This position was a lot of explaining to various reps from state/media and trying to share with them information about what the USCG were trying to do and what the different things looked like.
- He worked at State EOC, was provided an office off the floor as we were too busy answering questions.
- That was the battle rhythm through July; flying daily. Once the cap was on, we saw less oiling and things began to settle down.
- He worked to prepare parishes with transition plans and move to the next phase of recovery.
- As of September 21<sup>st</sup>, he is there about 2 days a week with the Governor, Governor's cabinet and his Unified Command Group. He provides operational briefs to answer questions, and then they have a closed door meeting. It worked very well; they were a quick decision making body. Governor is always 2 steps ahead; he is very articulate and graciously tenacious.
- LCDR Lauer has been working to help them to delegate down to the SOSC rather than have it all done at the senior level.

#### **How did you coordinate with BP to address the parish needs?**

- There was a rep from BP there about 2 days after LCDR Lauer arrived, so he coordinated everything through her.
- In July, she left, and they brought in a BP contracted attorney from New Orleans; the Governor took offense to that as he knew that all parishes had a BP employee. That day Mr. Dudley was flying with us, he asked LCDR Lauer what BP could do to improve the relationship with the state, and LCDR Lauer advised that although the attorney was doing his job, BP needed to get a BP employee liaison back with the Governor. Following that, there was almost always a BP rep.

#### **What were the lines of communication for parish wants and needs? Did they have to be coordinated through the UAC?**

- LCDR Lauer always said that if there was an issue from the Parishes, he would let the liaison know and allow them to work it through the BP channels at their location. If it was something for him to address, he would put it in his daily briefing or get whoever the Deputy FOSC was and would call them immediately. He had direct lines of communication to the UAC.
- In late July/Early August, his reporting changed to be routed through ICP Houma, but he still had an open door to FOSC/Deputy FOSC.

#### **Why were LNOs being thrown out?**

- The State never threw any LNOs out that happened at the parish level from the Parish Presidents. This is related to a bigger issue: the autonomy and authority of the Parish Presidents is equal to that of the Governor of Louisiana.
- State and locals are used to Stafford Act responses from their recent hurricane experiences, and did not clearly understand or care to understand that this was not a Stafford Act response, but OPA90/NCP.
- LNOs that are used to working anywhere else in the United States came in and were used to working where there is a clear chain of command (clear expectation on how things occur during a response). The Louisiana politics are unique, and without prior understanding of them, it was a challenge.

**Were you aware of the BP decision to give funds directly to the parishes? What impact did that have on Unified Command decision making? What signal did it send? What did they do with the money?**

- Do not think anyone was prepared for the politics that drove this response. We lost the bubble in a lot of ways when the money was provided directly to the Parishes.
- Part of the problem was the span of control down to the branches.
- It was fine operationally, but funds being provided (carte blanche) were a mistake.
- In Louisiana, we are dealing with a place where politics are tough; some parishes have had incredible loss and devastation because of the hurricanes. Giving the money was not the best way to handle things.
- Most parishes tried to show through a 213 form where the funds were going to be spent.
- For BP, when the initial allotment was given, it was \$5 million per parish and \$25 million per state; that is a sign of good faith, they were trying to do the right thing, but I don't think that they did it the right way.
- LCDR Lauer has seen where some of the money was spent; one parish got a second mobile command post, another Fish & Wildlife boat. Some Parishes even seemed to put money aside or give to the attorney generals office for long term legal cases after the event.

**Do you know why the state made a disaster declaration and seemed to treat the response similar to a Stafford Act declaration vs. OPA90/National Contingency Plan response?**

- LCDR Lauer has worked oil spills in LA before, and the response went flawless (932 spill); he has also worked closely with Roland Guidry before.
- For the DWH event, it became so widespread. There were multiple parishes involved, and this event impacted marshes, fishing grounds – the heartbeat of Louisiana.
- The Governor's office got so many calls from Parish Presidents and pressure was then put on everyone about the immediacy of what needed to happen.
- LCDR Lauer believes that Louisiana did not feel that they saw the immediacy in the response that they felt needed to happen. They didn't see equipment and resources rolling in as quickly as they thought they should be coming in. So to them the natural thing is to take charge...
- There are some underlying factors to consider:
  - Several Parish Presidents are in election years, and through this event they had good media coverage and attention.
  - Overall the response probably could have done better about rolling out resources quicker; in past responses we have put out political boom, or do what we had to do to respond to the political pressures.
  - Oil did not hit land, but it was a wide geographic area that was potentially going to be impacted.

**When comparing/contrasting the Deepwater Horizon to the 932 spill, they were completely different Responsible Parties. Did that play a factor?**

- It probably did.
- LCDR Lauer would also say that there were some subcontractors who did not move as fast for BP as they could have.
- He knows that from flying into staging areas and seeing response equipment on the dock that should have been out already.

**Were the resources not rolling in fast enough or was it a reporting issue? Would we have ever had it there fast enough?**

- The perception was that it was not rolling in fast enough.
- LCDR Lauer did not think that the problem was in the reporting.
- Governor brought in the Louisiana National Guard to count boom in every staging area; the USCG let them do it on our behalf, and also had USCG and BP checking the numbers. This gave the Governor a comfort factor, as he trusted his TAG and the National Guard.
- Reporting became pretty accurate; the ICP reports matched the NG reports.

**It sounds like it was not a reporting issue, but that equipment was not being deployed as quickly as it should have been. Some say that no matter how much oil, we were putting everything out there?**

- LCDR Lauer would say that for some resources we couldn't get it fast enough.
- One thing that he hopes we all learned is that it does not matter how much boom you had, in a SONS, booms effectiveness is very limited.
- He thinks the issues we saw politically were reflections back to Hurricanes Katrina and Gustav for when parishes were in competition for PODS.

**Were the OSROs not getting responses out in a timely matter? Were shoreline protection and strategies put on back burner to stopping the uncontrolled release?**

- Resources not rolling out fast enough were two-fold: we started to have oil hitting the beaches and did have protective boom placed in accordance with the ACP. Tier I & II were done.
- Politically we did not roll it out fast enough. In actual response, we did what we could.
- Later we started to put out more boom than was needed – and then you have to maintain it, and you have millions of feet of boom in the marsh and that is an environmental issue in and of itself.

**What is the parish response to the boom in the marshes?**

- A big part of the response now is removing the boom from the marshes as it is an environmental hazard.
- The parishes wanted to have the VOOs do that work. We recommended the OSROs with particular equipment to get it done. The parishes wanted to use the VOOs as they had a lack in trust and thought that we were pulling out good boom, having it cleaned and then used elsewhere.
- Trucks were stopped at parish borders because of a lack of trust.
- However, LCDR Lauer doesn't think you will ever hear them say that it was not the right move to put the boom out.
- An example of boom placement was with one of the western parishes – they knew they were going to be hit by oil, wanted to have boom placed, so that they could tell their constituents that they tried – that boom was placed, even though they knew it wasn't going to stop the oil.

**Boom deployment was rolled out in accordance with the ACP, who directed that part of the operation? Was it under Operations in a near shore response group? When were you involved from a LNO perspective?**

- LCDR Lauer's involvement was to have a common operating picture to provide to the Governor to meet his and the parish concerns.
- It was all driven out of ICP Houma, and then the branches were established, but did not originally have decision making authority. They were given the authority later because of political pressures.

- When the LNOs were designated as Deputy ICs and given the authority to enact operations for the next operational period based on what they saw, it satisfied the Parish Presidents and provided a way for them to reach out.
- In the same breadth, we asked for an SOSC with decision making authority and we didn't get it.

#### **What was Roland's involvement as SOSC and why was he pulled?**

- Roland was working out of the State EOC.
- Do not know why he was removed. The Louisiana Oil Spill Coordinator's Office (LOSCO) was put under the State police (about 2.5 yrs ago); this was after the 932 spill. For the 932 spill, Roland was the SOSC. Even then, he was not very outspoken, he would mostly take info and report back.
- LCDR Lauer did not know if the issue was with Roland or with the fact that the state decisions are made through the Governor's Unified Command Group.
- In other states, the SOSC makes decisions based on what is happening.
- LCDR Lauer was not in Houma or the UAC with Roland and he did not have much interaction with him on this response.
- Garrett Graves is the SOSC. Garrett holds a cabinet level position, and comes in with a bit more of a stronger posture. He has the approval from the Governor to do that, and really don't know if Roland ever did.
- Graves has a more direct relationship with the Governor, as he is direct appointee.
- Told LOSCO reps to go and see how things work in TX, and use that model.

#### **What was the impact of LA Signing/Not Signing the IAP?**

- There was no impact from LCDR Lauer's perspective, as the UCG still had issues come up daily and he would reach out to UAC or ICP Houma to get the needed answers.
- The LA SOSC is now able to sign the operational guide.
- When they were not signing, it was a direct order from the Governor (LCDR Lauer was at that meeting). It was a result of someone from DEQ at a mid-level signed off on a plan, and at the first Parish President meeting called by ADM Allen, Governor Jindal said that the state had not signed off on a particular plan, and ADM Zukunft was countered and said that there was a LA signature and showed that it was a mid-level person who did not realize what they were signing. That is when everything stopped.

#### **Who filled the gap in communications?**

- A lot of those responsibilities came stronger to LCDR Lauer as the LNO.
- Many of those responsibilities were placed with LCDR Lauer from day 1, as the Governor wanted to keep control; he would use people in Houma to verify that what LCDR Lauer (or the Feds) said were accurate.
- Governor also knew a lot of what was happening at Houma and at the Parish level already; parishes had no problem calling Governor Jindal or the Chief of Staff regularly.
- LCDR Lauer quickly learned that there were 3-4 people that he could trust completely, some were LA National Guard who he had built past relationships with during past events.
- He would attend briefings with the Governor and the Governor's Unified Coordination Group (UCG), but following his briefing, he would often be excused, and they would continue with a closed door session. LCDR Lauer would be offered information on what was discussed after

he left, such as discrepancies, etc. The UCG is the Governor's decision making body, and he allows certain decisions to be made, but then there are many that need to go through that group.

- LCDR Lauer did not know about the White House Governor's calls for quite a while, then I was given the information to call in and listen; he found it beneficial in helping to find the information that the Governor was looking for. The Governor would get information on these calls, but it wasn't as granular as what he was looking for.
- Governor Jindal is very detail oriented and smart. LCDR Lauer found he had to keep files of reports of what he said/reported, so that when referenced 3 days later, and the Governor would quote what he reported, he could respond appropriately.
- A few different people ran the White House Governor calls; Valerie Jarrett ran them for a while.
- LCDR Lauer was not involved in the S2 LNO calls as they seemed to go on at the same time as the White House calls.
- There was also a GOSEP Parish President call, and it was extremely important for him to be on that. Mark Utsler (from BP) typically led them.

**At Houma, even after signature authority was pulled, DEQ rep remained in SOS-C-R role. Did the Governor's office have someone at UAC? If not, why not?**

- For a while they had people at both. Roland started at Houma, went to UAC, then back to Houma.
- People were moved from DEQ to help to evaluate technology issues such as what were beneficial response suggestions, but they did not serve in a position of leadership.
- Louisiana NG was embedded at all levels, though not at the Command level.

**What was the rationale for the berm proposal? Was it supposed to be effective as an oil spill response technology?**

- We are still dealing with that today. LCDR Lauer has had long conversations with Garrett Graves on this topic.
- The idea came from the Dutch and the berms done in Europe. LCDR Lauer believes that they did think it would be beneficial.
- It is much easier to clean oil off of sand than a marsh; it is also less detrimental to the environment.
- He didn't think that they anticipated that it would take so long to resolve the berm issue.
- The response – at all levels – didn't do a good enough job letting the public know what we were able to accomplish through dispersants, in-situ burning, skimming, etc.
- The public was under the mistaken impression that there was a huge pool of oil coming in to damage the shoreline. It ended up as little streamer here, sheen there. No one conceptually thought the oil would come in as it did, although I also don't think anyone will ever admit that. It was driven by fear.
- This is also related to the Gulf Coast Recovery, to protect areas that were impacted by other spills.

**Under ICS, branches do have decision making authority in executing actions in the IAP. What additional authority did they need to have to make things work? How was there a disconnect?**

- LCDR Lauer didn't know if he could answer.
- The branches were always given flexibility to adjust if things changed overnight.
- That wasn't enough for the political officials.
- The responders in the branches were from outside the local area and didn't know their boundaries and were afraid to make a bad call, while also being blasted in a political sense like never before.

- He thought that direction needed to be more explicit since they were new to this organization.

**Early on your responsibility was to teach NIMS, did the responders in the State EOC have a good handling of the NIMS/ICS construct?**

- Within the Cabinet and the decision making body, no.
- GOHSEP staff absolutely had an understanding.
- GOHSEP has the emergency management experience, but no authority under an oil spill. They work with the parish officials daily.
- The disconnect is that although LOSCO works under the authority of the state police, do not know how much NIMS/ICS knowledge they have.
- The best thing to do would be to build a bridge between GOHSEP and LOSCO.
- Look at the place where TX GLO sits in the Governor's Cabinet and where GOHSEP sits, it is very different, but in learning from other states, it can be reconciled.

**Intersection of NRF and NCP**

- OPA2012 have more provisions for local entities?
- In my opinion, LA will continue to operate under a Stafford Act framework. Parish Presidents position is a very powerful position. They have eminent domain capabilities under an emergency declaration.

**Did you sense that the VOO Program was more a need to keep them employed or that the assets were needed?**

- A little of both.
- The VOO Program was coordinated at the branch level.
- LCDR Lauer mostly dealt with them on a rotation process to ensure that it was a fair process.
- Mostly dealt with the process or when things were blown up/gone awry.
- There was a push to use VOOs as a priority.
- LCDR Lauer never thought we would be teaching HAZWOPER to fishermen/shrimpers and teaching them to do burns, or lay boom.
- He thought it was a good opportunity to get them involved; it gave them a sense of importance. It was a win in concept, not always in how it was run.
- VOO program was a unique concept. RADM Zukunft wanted to use VOO as priority to remove boom, and then he was told by the state that was not the best thing to consider because LA had fish and shrimp houses not opening due to a lack of supply.
- When asked about priority of the state, having fishermen employed in response or through normal job, even state was in a bind on how to proceed.

**Best Practice**

- Off shore control, containment and recovery was unprecedented. Barrels released vs. what hit the beach (thanks to in-situ burning, dispersants, skimming, etc.).

**Area for Improvement and Recommendation**

- We did not prepare well enough for the people who were here, political and media, never ready for the blitz that happened.



- We learned quickly in talking to the LA Technical Advisory Group (TAG), USCG looked stellar during DM923 and Katrina. They learned as they were on the hot seat during Katrina, and helped to set LCDR Lauer up with the expectations of what we could best hope for.
- Look at AARs that LA National Guard did after Gustav and Katrina, the #1 priority was a media team to get out quickly.
- Responders were sent here who did not understand the State structure within Louisiana.