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## **COMMERCIAL FISHERMEN'S ASSOCIATION TAKES ON FOSSIL FUEL COMPANIES Pacific Coast Federation of Fishermen's Associations Files Lawsuit Over Repeated Closures of West Coast Dungeness Crab Fishery**

(*San Francisco*) - The Pacific Coast Federation of Fishermen's Associations (PCFFA), the West Coast's largest commercial fishing association, today filed a lawsuit to hold 30 fossil fuel companies accountable for losses caused by four straight years of fishery closures that have harmed crabbers, their businesses, their families, and local communities in California and Oregon. The lawsuit was filed in California State Superior Court in San Francisco asserting state law claims, including negligence, defective product liability, nuisance, and failure to warn about the dangers associated with products the fossil fuel companies knew would cause, among other things, warming of the oceans and atmosphere.

Americans are well aware of the damaging and sometimes catastrophic effects of climate change. For crab fishermen, that means significant portions of the Dungeness crab fishery have been closed repeatedly since 2015, [including parts of the coast this year](#). The Dungeness crab fishery contributes hundreds of millions of dollars to the economy in Oregon and California each year. But harmful algal blooms can cause a buildup in crabs of domoic acid, a potent neurotoxin that is a health threat to people and an economic threat to the entire crab fishery. The algal blooms and domoic acid flare-ups are linked to a warming of the Pacific Ocean knowingly caused by the fossil fuel industry.

"We're taking a stand for the captains and crew, their families, and the business owners that support the fleet," said Noah Oppenheim, PCFFA's executive director. "The fossil fuel companies named in our lawsuit knowingly caused harm, and they need to be held accountable. We are seeking to implement measures, at the fossil fuel industry's expense, that will help crabbers adapt to a world in which domoic acid flare-ups will be increasingly common, and also help those crabbers who suffer financial losses as a result."

The complaint states, in part:

*Defendants have known for nearly 50 years that greenhouse gas pollution from their fossil fuel products has a significant impact on Earth's climate, including a warming of the oceans.... [PCFFA] represents commercial Dungeness crab harvesters and onshore crab processors and wholesalers that have suffered, and continue to suffer, substantial economic losses due to those lost fishing opportunities. The severe curtailment of the*

*crab fishery, which is among the most productive, lucrative, and reliable fisheries on the west coast, had damaging ripple effects throughout California's and Oregon's fishing families and communities, creating severe hardships that many fishermen and fishing businesses, including Plaintiff's members, have struggled to overcome.*

"We're out fishing all the time, and it's obvious the oceans are getting warmer," said John Beardon, who fishes for Dungeness out of Crescent City, CA. "That's bad for crabs and other fish, and it's bad for those of us who make a living on the water. The last three years have been really hard. Our community came together and held a fish fry to help our crew members. But fish fries and disaster relief are no solution to these closures we're now seeing year-after-year-after year."

A disaster relief appropriations package passed by Congress in 2018 will aid affected crabbers, but it provides only partial relief, leaving a substantial recovery gap.

There are nearly 1,000 Dungeness crab permits in California and Oregon, and the crab fleet is responsible for thousands of jobs on the boats and thousands more in the local businesses that support the fishery.

"The families and businesses in our coastal communities should not have to bear the costs when fisheries are closed because of domoic acid flare-ups directly linked to fossil fuel companies and global warming," said PCFFA's Oppenheim. "In addition to seeking compensation from fossil fuel companies for losses suffered by crabbers and others from those closures, we're demanding these companies pay for additional measures that will help mitigate future impacts. Those costs should not fall on the shoulders of hard working fishermen, first receivers, and their families when the only reason they're needed is because of what the fossil fuel companies have done."

Some measures that might be available after further testing and development include:

- holding crabs in depuration tanks until they rid themselves of domoic acid; and
- rapid testing kits that would allow crabs to be tested individually, instantly, and affordably, enabling the marketing of clean crabs even during a domoic acid flare-up.

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***The Pacific Coast Federation of Fishermen's Associations (PCFFA)*** is the largest and most active trade association of commercial fishermen on the West Coast. PCFFA has led the fishing industry in protecting the rights of fishermen and fishing communities since 1976. We constantly fight for the long-term survival of commercial fishing as a productive livelihood and way of life.

#### Downloads/Links:

- Full copy of [the complaint](#)
- [Backgrounder](#) on the fossil fuel industry's role in warming oceans and crab fishery closures
- [Interactive timeline](#) showing what the fossil fuel industry knew about the damage their products would cause, when they knew it, and what they did (and didn't) do about it.