

## **PRESS RELEASE – FOR IMMEDIATE RELEASE**

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### **SAN FRANCISCO BAY HERRING FISHERS SUE CHEVRON TO HOLD IT RESPONSIBLE FOR RICHMOND REFINERY OIL SPILL**

SAN FRANCISCO, February 16, 2021. The San Francisco Herring Association, John Mellor, and Chris Cameron—respectively, a herring fishers’ association dedicated to protecting the Bay’s herring stock and fishery and two career herring fishers—filed a class action suit, today, in Contra Costa Superior Court, against Chevron, in response to the devastating oil spill that occurred at the Chevron Richmond Refinery on February 9, 2021. Hundreds of gallons of poisonous petroleum product spilled into the waters of San Pablo Bay, directly into some of the Bay’s best herring spawning grounds. As alleged in the Complaint, the spill is certain to cause immediate and long-term damage to the Bay’s Pacific herring stock and the fishery dependent on it.

As alleged in the Complaint, this oil spill is the latest in a long line of environmental disasters and close calls at the Richmond Refinery, the result of Chevron’s long-standing pattern and practice of placing profits over the safety of the environment. Not only did Chevron’s carelessness result in the spill, but its careless actions and failures to act before and after the spill greatly exacerbated the harm the spill caused to the Bay’s herring stock and habitat on which it depends. No booming or other spill mitigation measures were in place prior to the spill. And after the spill, Chevron dragged its feet putting such measures in place, and then, it boomed the spill in such a way that its effects were concentrated in highly productive herring spawning grounds.

John Mellor, a named plaintiff, class representative, and Vice-President of the San Francisco Herring Association, stated, “Herring fishers don’t just fish. We have been working for years to preserve and protect the herring that spawn in the Bay. You dedicate your life and career to something like that, and then an oil company that sits on the water goes and reverses your work to save a buck. It’s more than a little frustrating.”

Petroleum products of the type spilled into the Bay last Tuesday are loaded with toxic compounds, including polycyclic aromatic hydrocarbons (“PAHs”). PAHs are “genotoxic”, in that they damage the genetic information within a cell and cause mutations. When herring eggs and herring larvae are exposed to PAHs, very significant levels of mortality occur both acutely and over-time. Thus, PAH exposure both kills off a large portion of exposed fertilized eggs and larvae and weakens the surviving herring, decreasing the long-term survival of the fish.

As alleged in the Complaint, last Tuesday’s spill occurred in some of the Bay’s best herring spawning habitat, where a spawn had been observed just weeks prior. As a result, the vast majority of those eggs and larvae will die, those that don’t will live dramatically shortened lives, and herring will likely not return to spawn at the site for many years. The spill’s impact on the Bay’s herring stock and fishery will be felt for years.

Matt Ryan, President of the San Francisco Herring Association, noted, “All of the herring that you see spawning in the Bay were, themselves, spawned here as many as eight years before. Thus, when a spill like this occurs, its effects are felt for years.” He continued, “As part of the association’s settlement with PG&E regarding contamination along San Francisco’s waterfront, we secured millions of dollars to improve the Bay’s herring habitat. This includes a project to remove the creosote pilings just around the corner from the spill, on San Pablo point, and eelgrass restoration work elsewhere in the area. It’s very frustrating to see that progress setback because of Chevron’s carelessness. The point of all this work is to improve the overall health of the Bay’s herring stock, not to create herring habitat for Chevron to destroy.”

“Herring fishers livelihoods depend on the long-term health of the herring stock and its environment. Thus, they steward that stock and the environment, which ultimately benefits us all,” said Stuart G. Gross of Gross & Klein LLP, which is representing the plaintiffs. “Chevron takes the opposite approach: it cuts corners to add a little more to its billion-dollar bottom line, externalizing the costs of its conduct onto the environment and those that depend on it. This lawsuit seeks to reverse that equation.”

The lawsuit is titled *San Francisco Herring Association, et al. v. Chevron Corporation, et al.* A copy of the Complaint is available on request.