



Rights of Nature for Rivers and Watersheds

Gary Wockner, Save The Colorado

What's Wrong With Environmental Laws

- **Federal (50 years old):**
- **Endangered Species Act:**
 - Kicks in only once a species is on the brink of extinction.
- **Clean Water Act:**
 - Many waters excluded; fails to protect the entire watershed.
- **National Environmental Policy Act:**
 - Merely cause “analysis”, not protection.

What's Wrong With Environmental Laws

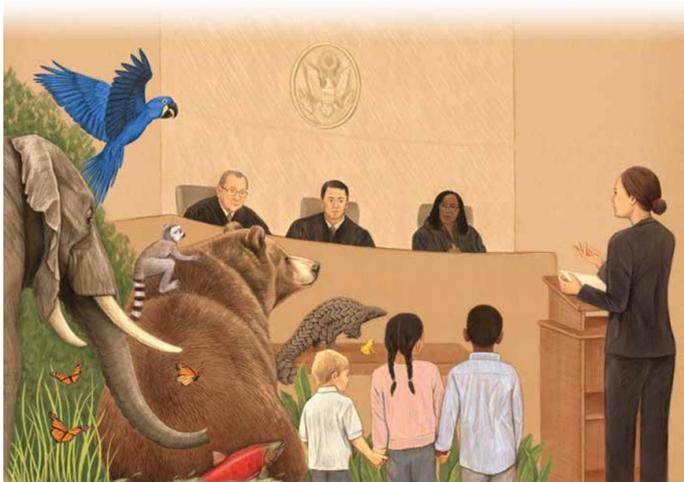
- **State:**
Clean Water Act:
 - Poorly enforced and rife with political manipulations
- **Local:**
 - 1041 Regulations (Boulder County)
 - Other local land use regulations

ASPEN COURSEBOOK SERIES

Anthony R. Zelle • Grant Wilson • Rachelle Adam • Herman F. Greene

Earth Law

Emerging Ecocentric Law—A Guide for Practitioners



 Wolters Kluwer

Earth Law “Rights of Nature” is often called “ecocentric” law. It is an emerging body of law for protecting, restoring, and stabilizing the functional interdependency of Earth's life and life-support systems.

Rights of Nature

Corrects flaws within legal system

- Nature has fundamental rights to exist, thrive, be free from pollution, etc.
- Goal: Restore nature to health.
- Supports human rights, indigenous rights, and others.

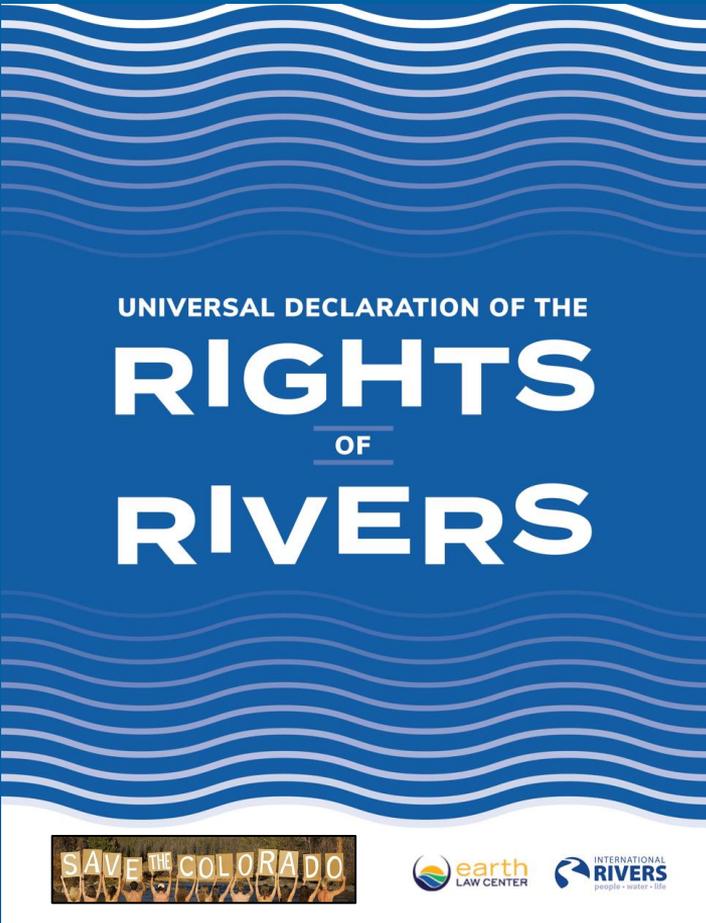
Gives Nature a Voice

- Guardianship bodies.
- Political representation.
- Rights of Nature must be considered in decision-making.

Right's Of Nature: A Global Movement

- Constitutional amendments
- Court decisions
- Local ordinances
- Indigenous law



The poster features a blue background with white wavy lines at the top and bottom. The text is centered and reads: "UNIVERSAL DECLARATION OF THE RIGHTS OF RIVERS".

UNIVERSAL DECLARATION OF THE
RIGHTS
OF
RIVERS

The Health of a Community Can Be Measured by the Health of the River that Flows Through It.

- The Right To Flow
- The Right To Perform Essential Functions Withing Its Ecosystem
- The Right To Be Free From Pollution
- The Right To Feed And Be Fed By Sustainable Aquifers And Glaciers
- The Right To Native Biodiversity
- The Right to Regeneration And Restoration



Whanganui River – New Zealand

“Te Awa Tupua” has the rights, powers, duties, and liabilities of a **legal person**.

- Whanganui River Claims Settlement



U.S.: Rights of the Snake and Klamath Rivers

- Nez Perce Tribe on Snake.
- Yurok Tribe on Klamath.
- Rights to exist, flourish, evolve, **flow**, regenerate, and to be restored.
- Legal guardianship body to enforce.
- Formalization of longstanding tribal belief system.



UNIVERSAL DECLARATION OF THE
RIGHTS
OF
RIVERS



Colorado communities are adopting Rights of Nature for Rivers and Watersheds resolutions

- Nederland
- Ridgway
- Grand Lake



The screenshot shows a news article from The Colorado Sun. The page header includes the newspaper's name and a navigation menu with categories like 'MENU', 'PODCASTS', 'NEWS', 'POLITICS', 'HOUSING', 'OUTDOORS', and 'OPINION'. The article is categorized under 'WATER' and has the headline 'Ridgway grants “rights” to its river, joining several Colorado towns in push for new water protections'. The author is Michael Booth, and the article was published on Nov 17, 2021, at 4:08 AM MST. Below the text is a photograph of Ridgway Mayor John Clark standing on a rocky bank next to the Uncompahgre River. A caption at the bottom of the image reads: 'Ridgway Mayor John Clark stands for a picture along the Uncompahgre River in Rollins Park near downtown Ridgway on Nov. 12, 2021. (William Woody, Special to The Colorado Sun)'

Lyons: “Rights of Nature for the St. Vrain Creeks”

- A non-binding resolution, not ordinance, not law.
- Avoids contentious litigation.
- Doesn't impact any of Lyons' water rights or existing dams.
- Creates opportunity for a friendly community-wide conversation about giving Nature a voice in Town policy and decision-making.
- Allows the Town Board to create “guardians” who are appointed to speak for the Creeks.
- Would set Lyons on track as a world leader in the Rights of Nature movement.

