

RIGHTS OF NATURE RESOLUTION

A RESOLUTION OF THE TOWN COUNCIL OF BLUFF IN SUPPORT OF
RECOGNIZING AND IMPLEMENTING THE INHERENT LEGAL RIGHTS OF
THE SAN JUAN RIVER AND THE WATERSHED

WHEREAS, the Town of Bluff is defined and distinguished by its bond with the natural world that encircles, permeates, and enlivens the Town; and

WHEREAS, the San Juan River flows adjacent to the Town and serves as its physical, social, and cultural heart; and

WHEREAS, the River is the lifeblood of this area in its course and it sustains a huge diversity of species; and

WHEREAS, just as it sustains all of the living things in the Watershed, the River also sustains the Town and its people, binding the community together, supplying a hub for activities and gatherings, providing town residents with immediate access to the rejuvenating powers of Nature; and

WHEREAS, humans living by the River and within its Watershed have long understood that their own health and welfare are inextricably connected to the welfare of the River and Watershed. The Dine and Ute have long enjoyed the River and Watershed before the Town was founded and may indigenous peoples continue to do so; and

WHEREAS, today, federal law, the State of Utah Constitution, state law and policy, and local laws afford some protection to the natural environment, including water quality, but those laws have proven to be grossly inadequate; and

WHEREAS, their inadequate results, in large measure, from the faulty underlying legal assumption that the natural world is mere human "property." As such, current law protects its use and exploitation by its owners-be they individuals, corporations, or other entities-for their own, private, short-term economic gain, generally with inadequate regard for the longer-term, sustainable health of all living things. The resulting environmental exploitation has led to the current multi-faceted environmental crisis which is so severe that it threatens to end all life on Earth as we know it; and

WHEREAS, to address this crisis, municipalities and countries around the world have recognized that Nature must be respected and protected by recognizing its rights and affording it a voice in our decision-making processes and legal systems; and

WHEREAS, many such enactments recognize the rights of waterways, lakes and ecosystems. Tribal Nations are amongst the first to recognize the rights of rivers, with the Yurok and Nez Perce Tribes who recognized the rights of the Klamath and Snake Rivers, respectively; and

WHEREAS, the Town Council hereby determines that it may best protect the health, safety, and welfare of its residents, which are inseparable from the welfare of the River and the Watershed and can best contribute to the global movement to respect and promote the rights of Nature, by recognizing their rights and effectuating them through guardianships.

NOW, THEREFORE, THE TOWN COUNCIL OF THE CITY OF BLUFF DOES RESOLVE AS FOLLOWS:

Section 1. ***The Rights of Nature of the River and Watershed.*** The River and its encompassing Watershed, and the living and other things existing naturally therein, exist and function as an integrated and interdependent system of natural communities and are therefore undersold, respected, and recognized in this Resolution as a living entity, possessing fundamentals and inalienable rights.

Section 2. ***The River's Rights.*** The Town recognizes that the river and all its tributaries possess at a minimum the following fundamental and inalienable rights.

1. The right to maintain natural flow sufficient in quantity to maintain ecosystem health;
2. The right to support essential functions within its ecosystems, including by horizontal and longitudinal connectivity, recharging groundwater, moving and depositing sediment, providing adequate habitat for native plants and animals;
3. The right to feed and be fed by sustainable precipitation, glaciers, and aquifers;
4. The right to maintain native biodiversity;
5. The right exist free of pollution;
6. The right to be restored to, and preserved in, a state of ecosystem health; and
7. The right to exist free of activities, practices, or obstructions, that interfere with or infringe upon these rights.

Section 3. ***The Watershed's Rights.*** The Watershed and its living and non-living natural components and communities possess, at minimum, fundamental and inalienable rights to exist, maintain integral health, regenerate, evolve, and be restored.

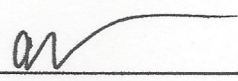
Section 4. ***The Town's Support.*** The Town Council intends to protect the River and the Watershed and effectuate the rights recognized in Sections 1, 2, and 3.

Section 3. ***Effective date of Resolution.*** This Resolution shall take effect immediately upon its passage.

Passed and Adopted by a Majority of the Bluff Town Council on this 8th day of June 2021.

APPROVED BY THE TOWN COUNCIL OF THE TOWN OF BLUFF, UTAH, ON THIS 8th DAY OF JUNE, 2021 BY THE FOLLOWING VOTE:

	YES	NO	ABSTAIN	ABSENT
Town Council Member Hook	<u>X</u>	___	___	___
Town Council Mayor Leppanen	<u>X</u>	___	___	___
Town Council Member Murray	<u>X</u>	___	___	___
Town Council Member Sayers	<u>X</u>	___	___	___
Town Council Member Sosa	<u>X</u>	___	___	___

Mayor: 
Mayor Ann K. Leppanen

Attest: 
Town Recorder Sosa