

LEBOR-like bill in New York seeks rights of nature for the Great Lakes

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Two years after a federal judge invalidated the Lake Erie Bill of Rights that Toledo voters had passed in a special 2019 election, a similar effort is underway with New York's state legislature.

New York State Assemblyman Patrick Burke, a 37-year-old Democrat from the Buffalo area, has introduced legislation "that will create a Great Lakes Bill of Rights with the goal of securing legal rights for the entire ecosystem and giving people and nature a role in the decision-making process regarding current and future projects that impact the ecosystem."

That's according to a statement issued recently by his office and the Pennsylvania-based Community Environmental Legal Defense Fund, which has worked with communities across more than 10 states trying to enact rights-of-nature laws.

Much like the mothballed LEBOR effort, the language for Mr. Burke's legislation was written with CELDF's assistance.

The legislation states "that the people and the natural environment, including each ecosystem of the state of New York, shall possess the right to a clean and healthy environment, which shall include the right to clean and healthy Great Lakes and the Great Lakes ecosystem."

Mr. Burke said it is especially important to protect the Great Lakes now because of climate change's impacts on that system.

"We have shown ourselves abysmally unwise and abundantly foolish to think the Great Lakes and its complex hydro cycles could filter the enormity of our toxic assault on its watershed," Mr. Burke said. "Without immediate consequential action to change course, we will, every one of us, be complicit in that crime against Earth and humanity. Now is the time to act decisively."...

Mike Ferner, who created the Toledo-area Lake Erie Advocates group in response to the city's 2014 algae-driven water crisis, said nothing's etched in stone.

"Over time, different formulations, different legislatures, and different courts may eventually decide that we should quit treating nature as someone's property to exploit and invest it with rights like it deserves," Mr. Ferner said. "It took 50 years for the Supreme Court to overrule Jim Crow laws. It took nearly 100 years for women to get the right to vote. If we don't completely destroy the planet, one day nature will also have rights." ...

<https://www.toledoblade.com/local/environment/2022/03/06/lake-erie-bill-of-rights-lebor-effort-updates/stories/20220302129>