

Community Stewardship: The Interdependence of Land and People

Friends of Buford Park and Mt. Pisgah Fall Gathering

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I.

It is such a privilege to join you all as we celebrate the Friend's remarkable accomplishments. I am so truly honored to be in a room full of people who have created this legacy area at the Willamette confluence. And it is a heightened honor to have a table filled with high school students from the South Eugene EG 350 club, which is a citizenship club making youth voices heard on the climate emergency.

I was asked to reflect this evening on Community Stewardship and the Interdependence of Land and People. That's a deep subject, and I can only approach it through a personal lens. I think about growing up on the banks of the Columbia River, on land that my family had lived on for over a century. That land and the river that flowed by it molded my sense of belonging and my love of the natural world, and instilled in me an integral sense of stewardship duty.

The Corps of Engineers identified the place as River Mile 114. We called it Wood's Landing.

Our home was also home to chum salmon, which, like all Pacific salmon, go out to the ocean and then come back to the exact place where they were born to spawn. As a child, I would hide in the tall grasses by the river, and be enthralled by these salmon slicing their fins through the water's surface as they carried out their ancient spawning rituals. And while these creatures are spawning, they are also dying. It's a massive

physical struggle and a race against time for them to find mates and create their nests, and then to deposit eggs. They perish just days later. Hundreds of salmon corpses pile up along the riverbank after leaving a glorious renewal embedded all along that cobbled shore. Months later in the spring, hundreds of thousands of baby fish emerge and travel down the Columbia River to the ocean. But only a tiny fraction will survive three years later and make the journey all the way back to Wood's Landing, where they will repeat this display of tenacious life.

When I was growing up, it just never occurred to me that our civilization would assault such wondrous river basins and life forms. Justice Holmes famously said, "a river is more than an amenity, it is a treasure." To people who are drawn to rivers, and spend time near them, I would say, a river is more than a treasure, it is sacred. For it not only flows through space, it flows through time. It is the great connector between our ancestors, and us, and our descendants. The waters themselves seem to deliver a covenant of obligation through the lineage of humanity to protect this priceless legacy.

But the story of the Columbia River Basin is the story of nearly every major river basin in America, and it forms the backdrop to conservation here as well. Over the last 150 years our society has ravaged Nature. The great Columbia has been dammed and diverted, drained and polluted. It now runs through huge scabs of urban sprawl. Up in the higher reaches of its basin the ancient forests bear the scars of massive clear cuts. Factories still use the river as a dumping ground for their toxic effluent. And over the course of just a few decades, the salmon's ecosystem has unraveled across this region.

Wood's Landing was surrounded by this destruction. In the 1980s, the county became a feeding frenzy for California developers, and thousands of acres of farmland

became wall-to-wall suburbia. Pockets of ancient forest that took Nature thousands of years to evolve were razed in a matter of days. And this environmental annihilation continued incessantly, all with the blessing of federal, state, and local agencies. Permits from these jurisdictions issued like rows of falling dominoes. These agencies had turned environmental law inside out, using the statutes to legalize the very destruction they were designed to prevent.

The land ownership system also fuels this destruction. As Aldo Leopold wrote, “We abuse land because we see it as a commodity belonging to us. When we see land as a community to which we belong, we may begin to use it with love and respect.” And while one landowner may take great care to guard the ecosystem on his or her lot, the adjacent neighbor may freely tear into the land without any care, viewing it a right of property ownership, and that is when the boundaries created by surveyors show themselves as the fictions that they are, for when we are talking about ecosystems, there is really no way to slice and dice them and neatly contain them like a package of processed potatoes.

At Wood’s Landing, 20 years ago, my family learned that our chum spawning ground formed the last habitat on a hundred mile stretch of the river, and was a linchpin for the survival of the whole species. So, we gave a conservation easement to protect our part of the spawning ground in perpetuity. But a developer acquired the adjacent property and made plans to bulldoze his part of the riparian area, and pave over the hydrology that fed the spawning grounds with cold spring water. His objective was a set of condos and a badminton court. And the permits for this were ready to roll, because quite simply, that is the way our permit system and land ownership system operates, still

today. The law was poised to allow one person to snuff out of existence a population of salmon that had been making its home there since time immemorial.

Even when a community of citizens fights off destructive proposals and win, no victory is permanent, because the applicant can always come back and apply again for a permit. The citizens are drawn into an endless legal game of whack a mole. So conservation ownership is always a necessary platform for all long-term restoration projects, including those here. And behind every conservation land deal is a willing seller who saw the potential for creating a lasting legacy and worked with partners to achieve that vision. The community a hundred years from now will remain grateful for that momentous choice.

But these outcomes are still rare in our world. Today's environmental losses boggle the mind and sicken the soul. And now we face a climate crisis about to careen out of our control. Society will pummel our planet until Humanity as a whole makes a great turn – a turn towards legacy. And in this vein, while the Friends' confluence restoration is certainly impressive in acreage and river miles, the more immeasurable aspect is how it helps turn Humanity back towards life and natural abundance, and at the same time, forward, towards legacy.

II.

When we put our collective effort into restoring what we damaged a mere few decades ago, our outlook changes. We are humbled by the enormity and uncertainty of the challenge. We discover how very arduous and tenuous it is to heal the wounds of nature, to cleanse the waters and landscapes of toxins, to coax life back into the

rechanneled riverbeds and their barren banks. We can't help but feel a sense of power greater than ourselves and our bulldozers – a Mother Nature that herself will decide if life comes back regardless of our Desired Future Condition. We come to realize that we don't hold the power of life. And when we see the tragedies emerging from our climate disruption – horrifying pictures of Houston under 10 feet of water and miles of California subdivisions reduced to ashes in a matter of hours – we start to recognize that we don't really own the land either. As a matter of fact, the land owns us.

This is part of a great turning of the modern American mind, a turning that cannot happen quickly enough. It is both a looking ahead to see the inevitable collapse if we continue our assault on Nature, and yet it is also a turning back to an ancient wisdom that still blankets our Pacific Northwest. It is a fundamental change in how we perceive our human role on this landscape, and a yearning for ancestral memory and knowledge to guide us. For we know at some level that our society's ecological purge is an aberration in the history of this region.

III.

For thousands of years, stewardship principles guided humans on this landscape. You have heard the ancient Indian proverb: “We do not inherit the earth from our ancestors; we borrow it from our children.” In the Pacific Northwest, the tribes managed the salmon fishery as a perpetual trust, an endowment that they knew their children and grandchildren would need as much as they would. Under tribal trusteeship, ten to sixteen million salmon returned to the Columbia River basin every year – for 10,000 years. State and federal managers brought this great salmon trust to the brink of extinction in just a century and a half.

Our society assumes that it can create its own ecological reality. But we now face a harsh wakeup call. For our reality is not defined by our human-made laws, but rather by the laws of Nature, which keep planetary life systems in balance. These laws determine whether we survive or not. This basic truth has informed indigenous thinking for thousands of years on this continent. As Oren Lyons, explains it, “The thing that you have to understand about nature and natural law is, there’s no mercy. . . . There’s only law. . . .” Industrial society detached us from this basic truth.

Our crisis mirrors a human-centered world-view, a business culture of greed, and an individual code of conduct that celebrates consumption. The challenge is to create a full paradigm shift across all realms—legal, economic, social, and moral. Pope Francis calls for nothing less than a transformative “ecological culture,” a “way of thinking, . . . a lifestyle and a spirituality which together generate resistance to the assault of the technocratic paradigm.”

IV.

So as a legal scholar, I have worked to develop a framework to cohere with Nature’s reality. It centers on the ancient public trust principle, which affirms lasting community stewardship rights and obligations in crucial natural resources like air and water. This principle legally requires government, as the trustee, to protect our survival resources for present and future generations. And as many of you know, the federal district court of Oregon drew in part upon this principle to declare a constitutional right to a stable climate system. The court said, “*Exercising my reasoned judgment, I have no*

doubt that the right to a climate system capable of sustaining human life is fundamental to a free and ordered society.”

Those words will go down in history as a legal turning point, and they came right out of a case filed here in Eugene, Oregon, and the lead plaintiff bringing the case, Kelsey Juliana, is with us this evening and was just named by the Eugene Weekly as one of the top three local people changing the world.

V.

So the law is a big part of this great turning, but we must also change our whole culture of how we relate to the Earth. And, that sounds like a huge job, changing the culture. But culture comes from the organic ways in which a community chooses to define itself and to organize its collective energies. The Friends’ projects are re-defining and building community, creating that “ecological culture” that Pope Francis called for. There are many levels to this community building.

Perhaps most tangibly, we build community with each other when we restore. Every hand on a shovel, every finger in the soil, and every signature on the pledge card at your table contributes to this endeavor; it takes it everyone giving what they have to give. And when people act in concert to restore, they start shaping the broader culture. We all start leaning towards that ancient worldview that still blankets this land, and we start seeing the stewardship way of life as our way of life, as the only sensible and morally correct path, and then we pollinate that worldview far and wide. And through these projects we also signal to government agencies that we need them to build natural wealth,

not bankrupt it. We announce that they are trustees of our community's invaluable natural resources, and we call out to them to rise to that role.

And on another level, through restoration we build an ecological community. We invite back species that were evicted long ago. The enhanced seasonal flows and plantings in the river's side channels will create a home for salmon, lamprey, turtles, ducks, geese, frogs and salamanders; and the streamside grasses, wildflowers, and shrubs will bring back butterflies, foxes, meadowlarks, and other residents. And in turn, we change our own role "from conqueror of the land-community to plain member and citizen of it," as Aldo Leopold urged.

The community that we restore will have a life of its own that we will never precisely know, for as one ecologist said, "Ecosystems are not only more complex than we think, but more complex than we can think." But we do know one thing. We need this local ecosystem as much as the salmon and butterflies do, and to think otherwise is sheer arrogance and stupidity. Climate disruption is coming at us like an oil train about to derail on our doorstep, and communities around the globe are racing to restore natural ecosystems to build resilience against droughts, fires, floods, and sea level rise. The Friend's projects boost our local resiliency by allowing the river to function in the ways it used to, providing flood control, water filtration, and species habitat. When we start supporting these natural functions, Nature can better absorb change, recover from it, and recalibrate towards balance. Every single wildflower and native shrub planted by the Friends embodies this irrepressible impulse of life.

But we could also talk in money terms, since we all know money talks. We can think of these restoration projects as investments in Nature's portfolio of stocks. They

build natural capital in what amounts to our children's one and only survival account. And from that capital, Mother Nature gives more of a return on our investment than any banker ever could. For life is priceless, and only Mother Nature, not Wells Fargo, gives us life.

Now let's look at how these very local projects build community at the global level. As Humanity faces the threat of runaway planetary heating, society must mount a huge global project not only to slash greenhouse gas emissions, but also to remove the excess carbon dioxide that is up there in the atmosphere causing the climate chaos we now see across the world. Our restoration projects, here at the confluence, scale directly from the local to the global level because the trees that take root also sequester carbon. Those trees come "into community" with the planet's atmosphere and help clean it up. This ecological community reaches from the soil to the sky. And through this work, Eugene, Oregon comes "into community" with a rising tide of Humanity acting in urgent defense of all life on Earth.

And finally, through these projects, we form a community that stretches across time itself. We demonstrate to our children a commitment to this place --- what many tribal people call "staying power." We proclaim that we will try to heal this place, and to steward it, so that you, your children, and your grandchildren, and our whole community generations from now can live right here. This message of permanence, of rootedness, of belonging to a land, is a profoundly inspiring shift from a majority culture that is largely bereft of any sense of place. America's hyper-mobility has made us into brittle tumbleweeds tossed across the country. When we restore, right here, we put down roots and we build identity, and we gain a staying power that our children will draw from and

then pass on to their children. One hundred years from now, the breezes that blow across this very landscape will carry the whispers of those people who today, with undaunted intention, decided to unite in purpose, to stake a claim to legacy.

VI.

And so tonight, we should celebrate much more than the trees planted, the industrial waste removed, and the river channels now reunited – we should celebrate the many forms of community catalyzed by the Friends’ work -- community each other, with other species, with the world, and with the descendants who we will never know. I will close now by returning to the place where I began this evening’s remarks, Wood’s Landing.

Those chum salmon are going to be coming home any day now to spawn. And my family and I will go up there to join with cousins, siblings, nieces and nephews to host our annual chum salmon homecoming event to thank our community there. Why? Because 20 years ago, when that developer proposed to eradicate the spawning grounds for condos and a badminton court, literally hundreds of people stepped forward to help put this vital habitat into permanent conservation. Working together, the community saved it all, but it took every single person giving what they had to give.

When I watch those magnificent salmon spawn, I am overcome by a primordial sense of place. These salmon were born at Wood’s Landing three years ago, and have been drawn home over thousands of miles, by instinct honed over thousands of years.

Their only legacy will be a continuous strand of life – at Wood’s Landing, and at no where else on Earth. These fish shun every other place on the river for one simple reason: they were not born there. I can’t help but think when I see them, *what more perfect deed could they have to this land?*

And in the end I suppose we might ask, did we save the salmon, or did the salmon save us in some way? When we truly understand that there is no distinction between the two, then we know we are walking an age-old path back towards *Community Stewardship*.

Like those salmon returning any day now, we too are one living generation in a long lineage. But our generation occupies a pivotal moment defined by climate tipping points. We carry the fate of our children and descendants on our shoulders in a way no other generation has. It is time to illuminate something very, very old – a way of thinking that travels down the Nile, the Mississippi, the Amazon, the Columbia, and, certainly, our Willamette River – this thinking embraces, in exactly the same way, our treasured local wetlands and our planet’s vast atmosphere. Please join me now in thanking the Friends of Buford Park and Mt. Pisgah for their tremendous work on the ground, and for helping us all embrace that ancient thinking that asserts not the power of life, but the trust of life.

Thank you.