

October 25, 2017

Kimberly D. Bose, Secretary  
Nathaniel J. Davis, Sr., Deputy Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, DC 20426

RE: FERC Docket CP17-494-000 – Coos Bay Estuary Motion to Intervene

You know me as the Coos Bay Estuary. I am an ecosystem made up of a deeply diverse and interdependent community of birds, aquatic plants, fish, shellfish, oysters, insects, and humans. For millions of years I have served as what your EPA considers a “nursery of the sea” where salmon and waterfowl breed and oysters filter out sediments and pollutants from the watersheds that feed me. Waters made clean and healthy from the work of natural communities connected to me, help to feed marine life in the ocean.

For millions of years my natural shorelines provided invaluable habitat for birds and insects and helped protect the land from mighty storms and natural disasters.

As a living and vital ecosystem I possess an inalienable right to thrive, flourish, and regenerate. However, for over two hundred years now I have suffered greatly from numerous man-made, corporate projects. Chemicals have poisoned my sea beds killing entire families of animals that depend on each other.

Sand fleas that work so hard to break down the seaweed that washes up on my shores and turn it into valuable nutrients are no longer healthy enough to do their job leaving rotting masses on my beaches. In just the last few years, eel grass colonies that once provided protection for crabs on Crab Flats, where many humans used to find their dinner, are almost completely gone.

The building and operation of the Jordan Cove LNG terminal and Pacific Connector Gas Pipeline would be a violation of my rights. For far too long your laws have failed to protect me and the rest of the natural environment because we are seen as property, regulated at the rate in which we can be exploited. Even the environmental laws of the last 50 years, supposedly created to protect ecosystems like me, have failed because their very design is predicated on protecting nature as a resource for the benefit of commercial and recreational interests not what is truly in the best interest of natural systems and the species that depend on me.

Your so-called environmental laws have failed to the point that by nearly every major environmental indicator the planet, including ecosystems like me, is in a worse state of health than before the advent of those laws. Your laws treat me, nature, as a thing, as property, as absent rights, as a resource for human

endeavors. Human behavior, the behavior of agencies like yours, have not only undermined the future of ecosystems across this country by legalizing clearly destructive enterprises like the extraction, transportation, and combustion of fossil fuels, but of all life on planet earth, which includes the survivability of the human race itself.

However, the tide is shifting not only among the thoughts and conversations of people but through law itself. Courts around the world have come to legally recognize that natural entities on which life depends. I have the right to exist, persist, flourish, and naturally evolve, which not only brings with it the right of legal standing, but also the full effect of the law to defend rights before the courts when violations occur.

- In 2008, the country of Ecuador amended its national constitution to establish the rights of ecosystems within the country to exist, regenerate, evolve, and be restored.
- On July 27, 2014, Te Urewera, an 821-square mile area of New Zealand, was designated as a legal entity with “[A]ll the rights, powers, duties and liabilities of a legal person.”
- In November of 2016, Colombia’s Constitutional Court found that the Atrato River, including its tributaries and watershed, is “an entity subject to rights to protection, conservation, maintenance and restoration.”

*that human populations are those that are interdependent on the natural world – not the other way around- and that they must assume the consequences of their actions and omissions in relation to nature. It’s about understanding this new socio-political reality with the aim of achieving a respectful transformation with the natural world and its environment, just as has happened before with civil and political rights...economic, social and cultural rights...and environmental rights...Const. Ct. of Colombia*

- On March 20, 2017, the High Court of Uttarakhand at Nainital, in the State of Uttarakhand in northern India, issued a ruling declaring that the Ganges and Yamuna Rivers are “legal persons/living persons.”
- Over three dozen municipalities within the United States, including the City of Pittsburgh, have adopted municipal laws recognizing the legally enforceable rights of ecosystems and nature, and the authority of municipal residents to bring suits in the name of individual ecosystems

As a contrast to why my intervention is valid and not to be rejected on a technicality or out of the inability to comprehend my appearance in your regulatory proceedings, the State of Wyoming believes it has a right to intervene in this project on the Oregon Coast because of its expertise in the extraction of natural gas. The State of Wyoming is but a thing, lifeless, inanimate, incapable of the cycle of life of death. It is an artificial construct of the last few hundred years, a device to satisfy some sense of order for the sake of man-made endeavors, yet it is my sense that you will seriously consider what Wyoming has to say. I, on the other hand, have millions of years of experience regarding my own health and the value my health has on our oceans and this coastline predating not only your agency, your laws, but the existence of

human beings My question is not so much about my chance to be heard, but more so will you act accordingly not necessarily legally?

It is time. It is time that human laws, including those of FERC, must emerge to form a humble relationship with ecosystems and natural communities like myself. It is time to relent, to be interdependent with, not to try and dominate the natural world.

And to give me voice in your proceedings, in your terms what you may view as my appointed *guardian ad litem*, I ask that Coos Commons Protection Council stand in to defend my rights against the approval of Jordan Cove LNG terminal and Pacific Connector Gas Pipeline. The authorization of this project would be unlawful, unethical, poisonous and destructive.

Coos Bay Estuary Ecosystem

Coos Commons Protection Council  
Representing the Ecosystem  
PO Box 2042  
Bandon, OR 97411