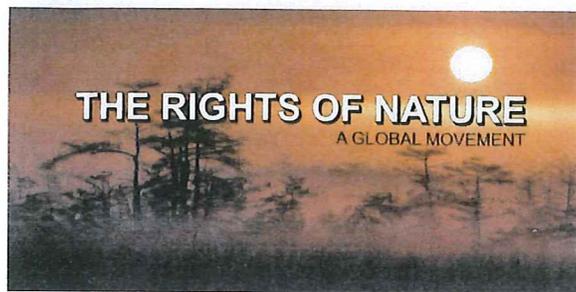


4600 Summerlin Road, C-2495
Fort Myers, Florida 33919
Info.cwn2019@gmail.com



*Caloosahatchee
Bill
Of Rights*

HELLO,

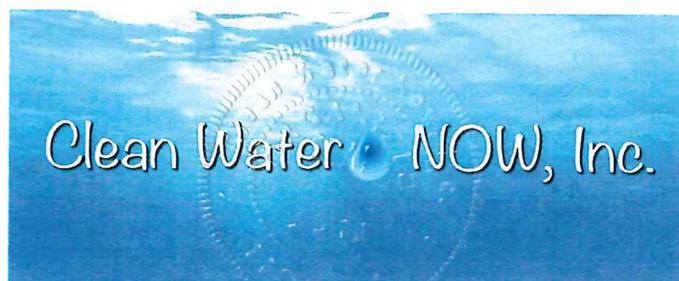
Our organization, Clean Water Now, Inc., a Florida Nonprofit Corporation, is working to bring awareness and education to the public at large about The Rights of Nature Movement that is currently gaining global recognition and being implemented in several Florida Counties as well as multiple states within the USA and countries around the world including Ecuador, Mexico, Tibet, & New Zealand to name just a few.

The Rights of Nature Movement is an environmental protection initiative that seeks to give ecosystems the highest level of protection allowed by United States law; This is to give ecosystems "Personhood" as inalienable, constitutional rights just like each American citizen. The Movement holds that Nature has a Right to Exist, Flourish, Regenerate, Carry out its ecological functions, and the Right to be free of activities or practices, as well as obstructions, that interfere with or infringe upon these rights. With the guidance of The [Community Environmental Legal Defense Fund \(www.CELDF.Org\)](http://www.CELDF.Org) these Rights are achieved by amending the organizational charter of a city or county to provide the people a voice to restore their Community Rights of Home Rule while giving Rights to Nature. Protective laws will be created where none now exist. Historical Movements have achieved such success; so to now, Nature MUST be protected. This concept, a bit difficult to grasp initially, can easily be clarified by reading these [FREQUENTLY ASKED QUESTIONS](#) from CELDF.

Our grassroots speakers from Clean Water Now, Inc. are seeking an opportunity to meet with your group(s) or organization(s) to provide a presentation on how changing our laws will benefit generations of citizens into the future. Please contact us at info.cwn2019@gmail.com to set a date and time and we will be happy to explain the details of the Movement workings and how you can participate in bringing effective and permanent environmental protections that defeat the historical challenges of working within the current regulatory agency pathways.

Sincerely yours,

Sherry Straub
President
567-322-1055



Capt. Karl R. Deigert, R.Ph.
Treasurer
239-898-2044

SAFEBOR

Sherry Straub <ssstraub66@gmail.com>

Wed, Aug 28, 12:11 PM

To: Dawn Piner <dawnmpiner@gmail.com>, Sherry Straub <ssstraub66@gmail.com>

CHARTER AMENDMENT PETITION FORM

- All information on this form, including your signature, becomes a public record upon receipt by the Supervisor of Elections.

- Under Florida law, it is a first degree misdemeanor, punishable as provided in s. 775.082 or s. 775.083, Florida Statutes, to knowingly sign more than

- one petition for a candidate, a minor political party, or an issue. [Section 104.185, Florida Statutes]

ALACHUA COUNTY, FLORIDA, HOME RULE CHARTER

I am registered to vote in Alachua County, Florida, and I hereby petition the Alachua County Supervisor of Elections to place the following proposed amendment to the Alachua County Charter on the ballot in the 2020 general election:

Full Text of the Amendment: The Home Rule Charter of Alachua County is amended to add Article 5 as follows: Article 5

THE SANTA FE RIVER BILL OF RIGHTS**5.1. Rights of the Santa Fe River**

The Santa Fe River possesses rights including, but not limited to, the right to naturally exist, flourish, regenerate, and evolve; the right to restoration, recovery, and preservation; the right to abundant, pure, clean, unpolluted water; the right to natural groundwater recharge and surface water recharge; the right to a healthy natural environment and natural biodiversity; the right to natural water flow; the right to carry out its natural ecosystem functions; and the right to be free of activities or practices, as well as obstructions, that interfere with or infringe upon these rights.

5.2. Rights of the People

The people of Alachua County possess the right to a healthy, flourishing Santa Fe River; the right to pure, clean, unpolluted water, including the right to sustainably access, use, consume, and preserve water drawn from natural water cycles; the right to a healthy natural environment and natural biodiversity; and the right to be free of activities or practices that interfere with or infringe upon these rights.

5.3. Prohibitions

It shall be unlawful for any business or government entity to violate any of the provisions of this Article.

5.4. Implementation and Enforcement

5.4.1 Implementation and Enforcement by Alachua County. The government of Alachua County shall take all necessary steps to implement, defend, and enforce the provisions of this Article.

5.4.2 Enforcement by the Santa Fe River. The Santa Fe River may enforce or defend the provisions of this Article through legal action brought in the name of the river as the real party in interest. The Santa Fe River shall also have the right to intervene in any litigation concerning this Article in order to enforce or defend it.

5.4.3 Enforcement by Residents of Alachua County. Any resident of Alachua County may enforce or defend the provisions of this Article through legal action. Any resident shall also have the right to intervene in any litigation concerning this Article in order to enforce or defend it.

5.4.4 Enforcement Actions and Burden of Proof. Where probable violations of the rights secured in this Article are shown to exist, lack of full scientific certainty shall not be used as a reason for denying or postponing enforcement or defense of the provisions of this Article. The burden of proving the absence of a violation of rights shall lie with the proponent(s) of the activity in question, and not with the party or parties enforcing or defending the provisions of this Article.

5.4.5 Penalties.

5.4.5.1 Civil Penalties. Any business or government entity that violates any provision of this Article shall be subject to an appropriate civil penalty as provided for by Alachua County codes and ordinances.

5.4.5.2 Criminal Penalties. Any business or government entity, or individual acting on behalf or for the benefit of such an entity, that willfully and intentionally violates any provision of this Article shall be subject to any appropriate penalty as provided under the Florida Statutes.

Ballot Title: THE SANTA FE RIVER BILL OF RIGHTS

Ballot Summary: Shall the Home Rule Charter of Alachua County, Florida, be amended to recognize the rights of the Santa Fe River? (Y/N)

Continued on Back of Form

5.4.6 Damages. Any business or government entity that violates any provision of this Article shall be liable for any damages caused to the Santa Fe River as a result of the violation. Damages shall be measured by the cost of fully

CalBOR Draft - Member Revised 1.0: August 25, 2019

RIGHTS OF THE CALOOSAHATCHEE RIVER

DRAFT HOME RULE CHARTER AMENDMENT

LEE County, Florida

Summary:

Shall the Home Rule Charter for LEE County, Florida, be amended to recognize the rights of the Caloosahatchee River?

Text of the Amendment:

The Home Rule Charter for LEE County is amended to add Section 704.1 as follows:
(New provisions are underlined, and deletions are delineated by strikethrough)

Section 704.1

RIGHTS OF THE CALOOSAHATCHEE RIVER

Preamble

WHEREAS, we the people of Lee County recognize that we live at a time of unprecedented species extinction, ecosystem collapse, and global warming;

WHEREAS, we recognize that environmental laws which regulate the use and exploitation of nature are incapable of protecting nature;

WHEREAS, Article II, Section 7, of the Constitution of the State of Florida, declares, "It shall be the policy of the state to conserve and protect its natural resources," and further, "Adequate provision shall be made by law for the abatement of air and water pollution;"

WHEREAS, in Lee County, and across our state, natural waterways, including the species and ecosystems which depend upon them, are increasingly at risk from pollution, global warming, algae blooms, red tide, and other threats; and

THEREFORE, we recognize that to protect nature, we must secure its highest protection through the recognition of legal rights, through the adoption of this Charter Amendment.

A. Rights of the Caloosahatchee River

The Caloosahatchee River possess rights, including but not limited to, the right to naturally exist, flourish, regenerate, and evolve; the right to restoration, recovery, and preservation; the right to abundant, pure, clean, unpolluted water; the right to natural groundwater recharge and surface water recharge; the right to a healthy natural environment and natural biodiversity; the right to natural water flow; the right to carry out their natural ecosystem functions; and the right to be free of activities or practices, as well as obstructions, that interfere with or infringe upon these rights.

B. Rights of the People

The people of Lee County possess the right to a healthy, flourishing Caloosahatchee River ecosystem; the right to pure, clean, unpolluted water, including the right to sustainably access, use, consume, and preserve water drawn from natural water cycles; the right to a healthy natural environment and natural biodiversity; **the right to possess and exercise all rights and privileges, available to, provided to, and bestowed upon all incorporeal corporations of Florida origin and/or those corporations organized elsewhere but operating within the State of Florida(KD*);** and the right to be free of activities, practices, **and state and federal laws preempting environmental protections (KD)** that interfere with or infringe upon these rights. **As trustee of its natural resources and scenic beauty, Lee County shall conserve and maintain them in protection of the people's rights (JB).**

REF: (KD*) -

<https://www.google.com/search?q=incorporeal&oq=incorporeal&aqs=chrome..69i57j0l5.4432j1j7&sourceid=chrome&ie=UTF-8>

C. Prohibitions

It shall be unlawful to violate any of the provisions of this Section.

D. Implementation and Enforcement

(1) Implementation and Enforcement by Lee County. The government of Lee County shall take all necessary actions to implement, defend, and enforce the provisions of this Section.

(2) Enforcement by the Caloosahatchee River. Caloosahatchee River may enforce or defend the provisions of this Section through an action brought in the name of the river as the real party in interest. The Caloosahatchee River shall also have the right to intervene in any action concerning this Section in order to enforce or defend it.

(3) Enforcement by Residents of Lee County. Any resident of Lee County may enforce or defend the provisions of this Section in any appropriate court. Any resident shall also have the right to intervene in any action concerning this Section in order to enforce or defend it.

(4) Enforcement Actions and Burden of Proof. Where threats of violations of the rights secured in this Section are shown to exist, lack of full scientific certainty shall not be used as a reason for denying or postponing enforcement or defense of the provisions of this Section. The burden of proving the absence of a violation of rights shall lie with the proponent(s) of the activity in question, and not with the party or parties enforcing or defending the provisions of this Section.

(5) Civil Penalties. Any business or government that willfully violates any provision of this Section shall be subject to a civil penalty in an amount of \$1,000 per day of violation.

(6) Damages. Any business or government that willfully violates any provision of this Section shall be liable for any damages caused to the Caloosahatchee River as a result of the violation. Damages shall be measured by the cost of fully restoring the Caloosahatchee River to its natural state before the violation, and shall be paid to Lee County to be used exclusively for the full and complete restoration of the river affected by the violation.

(7). Business or Government Entities. Business or government which violate any provision of

this Section shall not be deemed to possess any of the rights, privileges, powers, or protections which would interfere with the enforcement of rights secured within this Section.

(8). The rights of the Caloosahatchee River secured within this Section shall not be interpreted to confer liabilities, duties, obligations, or responsibilities on the Caloosahatchee River.

E. Definitions

“Caloosahatchee River,” for the purposes of this Section, shall mean the Caloosahatchee River within Lee County, including its constituent tributaries, streams, watersheds, aquifers, spring-sheds, ecosystems, natural communities and the native species directly impacted by, or which directly impact, the Caloosahatchee River within Lee County.