

NEWS

LANDMARK CASES ON CLIMATE CHANGE HAVE TIES TO EUGENE

As Oregonians swelter in the heat and drought, landmark decisions on climate change came down from courts in the U.S. and Europe just hours apart.

Here in the U.S., Oregon-based Our Children's Trust is celebrating a June 23 decision in Washington state's King County Superior Court on a climate case against the state brought by eight youth. Meanwhile, the Dutch Urgenda Foundation and 900 co-plaintiffs won a climate case on June 24 that forces the government of the Netherlands to adopt more stringent climate policies.

Both cases could have implications for future court cases aimed at halting climate change.

Our Children's Trust has worked collaboratively with the attorneys in the Dutch case since 2011, Julia Olson of Our Children's Trust says. She says while emailing with the partners they noted the irony of both landmark climate rulings coming down within hours of one another.

In the Dutch case, the nonprofit Urgenda (urgent + agenda), together with hundreds of citizens who joined in a "crowd pleading," filed a case against the Dutch government in 2012 for not taking sufficient measures to reduce the greenhouse gas emissions that cause climate change. Urgenda says it is the first case in Europe "in which citizens attempt to hold a state responsible for its potentially devastating inaction."

The group says that it is also the "first case in the world in which human rights are used as a legal basis to protect citizens against climate change."

According to a press release from the district court in The Hague, the Dutch government has to take more action to reduce the greenhouse gas emissions in the Netherlands. It also must ensure that emissions in the year 2020 will be at least 25 percent lower than those in 1990. Previously its goal was 17 percent, "which is below the norm of 25 percent to 40 percent for developed countries deemed necessary in climate science and international climate policy," the court says.

Urgenda says that with this verdict, more people can start their own climate cases. Currently there is a similar case in Belgium, and people in Norway are preparing one as well. According to Urgenda, "The science is

crystal clear: We need to prevent the Earth's temperature from rising more than 2 degrees. Currently, the Earth is headed for a temperature rise of 4, or even 6, degrees Celsius, which will mean an unlivable planet."

Meanwhile in the U.S., young climate activists in Washington filed a case — similar to legislation filed in Oregon — grounded in the Public Trust Doctrine, which says "it is the duty of the government to protect the natural resources that are essential for our collective survival and prosperity."

Andrea Rodgers of the Eugene-based Western Environmental Law Center was the attorney for the youth petitioners in *Zoe & Stella Foster v. Washington Department of Ecology*. She says that this is the first time in the U.S. that "a court of law has ordered a state agency to consider the most current and best available climate science when deciding to regulate carbon dioxide emissions."

Olson says Oregon's case is awaiting a decision in the Oregon Court of Appeals that should come out in the next three or four weeks. The difference in Washington, Olson says, is that the state has a statute on reducing greenhouse gas emissions, while in Oregon the goals are "just aspirational" with no enforcement or mandate.

Olson says that the court originally told the kids they had to petition the state's Department of Ecology to set rules to reduce carbon dioxide emissions. The young activists petitioned Ecology, and Olson says the "agency said, 'No,' even though they didn't dispute the science." She says, "We took that to court and challenged it."

Judge Hollis Hill ordered Ecology to reconsider the petition the eight youth filed with the department and to report back to the court by July 8 regarding if they will consider the current climate science.

The judge's opinion describes the youth petitioners as "frustrated by an historical lack of political will to respond adequately to the increasingly urgent and dire acceleration of global warming."

To stabilize the climate and protect oceans from acidification, climate science says the Earth's atmospheric carbon dioxide levels must be reduced from the current global annual mean concentration of 401 parts per million, to 350 ppm by 2100.

Olson says all eight youth were there when the judge told the agency it "actually needed to consider the science." She says, "By July 8 they have to tell her whether they will do rulemaking based on the science or not. If they still don't do their job, I think she will write a longer opinion on their one more chance to correct course." — *Camilla Mortensen*

Sutherland points out that if you stand at the location of the proposed tower, "the first thing you see is a playground where there are children."

Unlike the AT&T cell tower controversy in a residential neighborhood in Eugene's south hills involving a tower on the Crossfire Ministries Church property, the Relief Nursery is not worried about danger in relation to the tower's electrical emissions, nor is it worried that the tower, which would be disguised as a fake tree, would be an eyesore. Rather, the Relief Nursery is concerned over the dangers posed if the 85-foot tower or the 45-foot structure surrounding it were to fall.

In a residential zone, Sutherland says, there is a set-

'It is the duty of the government to protect the natural resources that are essential for our collective survival and prosperity.'

— PUBLIC TRUST DOCTRINE

RELIEF NURSERY WORRIES OVER CELL PHONE TOWER

The Relief Nursery's Springfield location gives aid to at-risk children and families with a multitude of challenges, according to Executive Director Kelly Sutherland. But Sutherland and others at the Relief Nursery are worried that a proposed Verizon cell phone tower might pose a danger to the children and families who come there for the therapeutic nursery school and other classes the Relief Nursery offers.

The Springfield City Council will discuss the proposed Verizon cell tower at a July 6 meeting.



The former **Musgrove Family Mortuary** property on 11th on Olive downtown is looking bleak this week after heavy equipment came in and chewed up all the big trees but one along the alley. The site is being leveled for a new Home2 Suites by Hilton. What will happen to the old cinder block building next door that currently houses a dog grooming and do-it-yourself dog laundry? We asked around and it appears it won't be sold and demolished anytime soon. So keep those dirty, shaggy doggies coming.

Historic preservation projects involving businesses, residences and public buildings are active in Eugene and Springfield this summer. In Eugene, one of the oldest still-standing buildings in Oregon is the Clerk's Building on the south side of the Lane County Historical Museum at the Fairgrounds. The building was constructed by pioneer Prior Blair in 1853 at 10th and Willamette to house the Lane County clerk and provide space for public meetings and trials, and has been moved four times. A grant from the state's Preserving Oregon program will help repair and restore the building, according to Heather Kliever of the Lane County Historical Society.

In Springfield, new attention is being given to the city's Historic Overlay zoning maps and to structures within the urban growth boundary built before 1915 for potential inclusion into the overlay. City planners have surveyed 247 addresses within the overlay and are asking owners with potentially historic properties to work with the Springfield Historic Commission on "how you can go about restoring your property in a manner that is sensitive to historic character," says Tim Hilton, chair of the SHC. This is the first citywide survey since 1980 and "record-keeping has been spotty," Hilton says. A display of maps and old photos can be found beginning at the Second Friday Art Walk July 10 at the free Springfield Museum, 590 Main St. See photos on our website. Applications to join the SHC board can be found at Springfield City Hall.

More than 80 artists from eight states will show their work at the **Art and the Vineyard Festival**, which begins Friday, July 3, and continues through Sunday, July 5, at Alton Baker Park. Maude Kerns Art Center is organizing the festival. The Artists' Marketplace will showcase art in a wide variety of media and styles, including acrylic and oil paintings, watercolors, handcrafted wood furniture, hand-built and thrown ceramics, silver and gemstone jewelry, custom blown glass, hand-crocheted purses, designer hats, nature photography, illustration and book art, steel sculpture and Japanese shibori silk scarves.

Lane County Farmers Market is doing something different this summer, offering tours of the market on the first and third Saturdays of the month to help visitors get the most out of their experience. The next tour is on Saturday, July 4, and participants will be offered samples of products from half a dozen market vendors while learning about the vendors' farms and practices. Sponsored by Friends of the Farmers Market. RSVP by calling 346-1216.

Fox Hollow Antiques in Creswell will have its grand opening on Saturday, the Fourth of July. Proprietor Beau Wright says the new business will offer antiques along with high-quality new and used furniture, home décor, garden and patio items, jewelry and gifts. The shop is located at 104 S. Main St. and is closed Mondays and Tuesdays. Call 912-2191. The opening joins numerous other events in Creswell on the Fourth of July.

A-Lamp Design is a recent start-up business in the Eugene area. "Things are picking up speed," says owner Erol Chandler. "I recently received a large order from Rejuvenation in Portland, as well as for their other stores across the Northwest." Chandler is a former middle school science teacher who is now a woodworker. He has been making custom furniture but is now expanding into unique, hand-built lamps made from locally sourced wood and parts. Chandler has launched a Kickstarter campaign to help fund his new venture. Find it at wkly.ws/21g.

The nonprofit **Serenity Lane** is soliciting nominations from the community to honor people who have championed recovery from addictions. Deadline is Aug. 1; categories and the nomination form are at serenitylane.org/csa.

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