

MATT TERRY

& the Ecuadorian Rivers Institute



Each year, the Kayak Session Awards celebrate athleticism, innovation, and contributions to our sport. The 2020 award for river-centric nonprofit went to the Ecuadorian Rivers Institute. For a few days, the ERI enjoyed a brief and overdue burst of international recognition. Following reports that the ERI was making significant headway in protecting 12 rivers in Napo province - where Ecuador's best whitewater is concentrated - Chandra Brown reached out to ERI founder Matt Terry to propose an article about the ERI. She found, of course, that it's impossible to separate the organization from Matt himself, and his uncommon, uncomfortable, and unforgettable work of doggedly changing the course of river conservation from the Andes to the Amazon.

Words: Chandra Brown

Matt Terry showed me Ecuador's Inchiñiqui River - the aptly nicknamed "Hakuna Matata run" - sometime in 2010. He paddled a tandem ducky with his then girlfriend, and my friend Rosada and I followed them down in kayaks. In a place where many rivers are polluted to the point of malodor, the Inchiñiqui is clean. It's a small drainage, trickling from jungle foothills through nearly untouched selva before slipping, almost unnoticed, into the Misahuallí on its path toward the Napo and then onto the Amazon. It is the perfect class II creek: no stress, no people, and water that still smells sweet as the epiphytes that adorn its banks. Matt Terry does not discriminate against any river: The Inchiñiqui is as vital and precious to him as the Jondachi or as Ecuador's big rivers - the Jatunyacu, Quijos, or Napo. I wonder if the Inchiñiqui bears some nostalgic resemblance to the Ozark streams of Matt's childhood, and I wonder about his backyard creek, the little river that raised him. Did that creek ignite the curiosity that has led him to explore the distant watercourses crisscrossing this troubled, beautiful earth? Was he ever afraid for its future, or for his own?

"I've always been drawn to rivers," he says. Growing up, Matt's family regularly traveled from Missouri to visit friends in Colorado, and Matt attended some summer camps out West. When he saw kayaks on the Arkansas River for the first time, he thought they "looked like the perfect vehicle to explore the world." Matt began paddling on his local Southeastern rivers and hooked up with the Lexington, Kentucky-based Bluegrass Wildwater Association, a consortium of "human-powered watercraft enthusiasts" who moonlighted as attorneys and policy-makers. Influential people who were, alongside American Whitewater, renegotiating dam relicensing on Appalachian rivers. "We would take long drives to paddle in West Virginia and across the Kentucky Plateau," Matt remembers. From the backseats of those lawyers' cars, Matt had his first conversations about conservation and stewardship.

He began working at Nantahala Outdoor Center, guiding and kayaking on the Nolichucky, but also coordinating river clean-ups - "coordinating the community and organizing people toward a common objective." Matt went on to work on the Chattooga, the only Wild and Scenic river in all of Georgia and South Carolina. He watched as American Whitewater advocated for consideration of in-stream environmental flows for recreational use in dam relicensing processes on the Cheoah, Gauley, and Russell Fork.

While Matt was working in Guatemala in the mid-1990s, a friend invited him to Colorado to work on Clear Creek. "There was a great group of people there, and we paddled everything we could in the Colorado Rockies and beyond. I was in my prime then, and guided the fastest raft in the Gore Canyon Race, on my third time down the river and the second time in a raft. I lived mostly out of my car, but also in a cabin in Wondervu, overlooking Upper South Boulder Creek canyon and the Continental Divide." He worked summers in Colorado, springs and falls at Nantahala Outdoor Center, and Gauley seasons in West Virginia. A few years later, Matt relocated to the San Juan Mountains and "spent a couple of endless summers working on sustainable off-the-grid ranch development, paddling, and playing bluegrass music on my time off with another amazing group of friends." This, says Matt, "was where the vision of the ERI was born."

Matt first went to Ecuador in 1997, spending six months a year there until in 2002, disillusioned by the events of 9/11, he sought a permanent resident visa. He was discouraged by the US government's cultivation of targeted fear and defensiveness within its population. "I was frustrated that I could not do anything to change this misguided course of direction and was drawn to where I saw an opportunity to make a difference in the world, where rivers still flowed freely and were waiting to be explored, in a country that had not yet developed most of their water resources, with people who were eager to embrace new ideas and excited about what paddling had to offer."

Within a few months in Ecuador, Matt and his crew - which included Dan Dixon, Gynner Paris, and Duncan Eccleston - had paddled all the known runs, and in subsequent years they logged countless first descents. Ecuador offered endless potential, yet "there were a lot of things going on that were concerning for the future." For example, in 1999 a Canadian mining company acquired 25 hectares of mining concessions between the Jatunyacu and the Anzu Rivers, deep in the heart of Napo province. Matt witnessed the way unchecked alluvial gold mining eviscerates a riverine landscape. With no apparent governmental oversight in place, this first exposure to large-scale illegal mining was "the impetus to do something."

Matt had spent a couple of seasons in the Maipo and Pucon regions of Chile, where he'd worked as a safety kayaker for the old Cascada Expediciones. He witnessed the loss of the Bio Bio. He volunteered for Chris Spelius and the community celebrations on the Futaleufu.

After seeing what had happened in Patagonia - how the Futaleufu was effectively spared a second dam by a local movement and the economic promise of river-based tourism - Matt was ready to go to work in Ecuador. Ecuador was, in the late 1990s, by Matt's estimation, perhaps 30 to 50 years behind Chile in hydro development. "It was the first country I'd been in the world where I felt I could get involved at a critical moment." He began to visualize an Ecuadorian permutation of the US's Wild and Scenic Rivers system, wherein rivers are protected for their inherent values, where crimes against them are punishable, and where the protections are enforceable. An international Wild and Scenic program became his guiding vision, his North Star.

During the 1980s and 90s, Central America and the Andean region were suffering or enjoying the effects of the hydroelectric ambitions of Northern corporations. In the US, the post-industrialist dam-building frenzy had ostensibly come to an end, and hydro companies shifted their sights to the earth's midline - yet another transition toward the economic neoliberalism that continues to define the "development" of the Global South. At the same time that new threats arose in Ecuador - hydro development, instream mining, and deforestation of riparian zones - paddle sports tourism was taking hold as a driving force within global economies.

The Napo River, Ecuador's largest tributary to the Amazon, is yet undammed, and between 2001 and 2009 the ERI organized the Napo River Festival in Tena as an effort to engage local communities in celebration and protection of the river. "In Ecuador, lifestyle and culture at the local level revolved around rivers. Indigenous cultures related directly to the cycles in the river. Fishing, swimming, bathing - a really close connection with the water resource." In the lower reaches of the Napo basin, people still navigated between communities - and sent and received messages and goods - all by boat, and mostly by dugout canoes. By the time Matt was organizing the Napo Festival, the cedro trees from which original dugouts were forged were mostly gone. More modern canoes were crafted from

milled planks or fiberglass, but for the dugout canoe race at the Napo Festival - the flagship event, along with races for kayaks, rafts, and inner tubes - only traditional canoes were allowed to enter. A nod, maybe, to the tenacity with which Matt stayed his course: promoting strategic preservation of rivers and cultural integrity.

Prior to 2008, when Ecuadorian voters approved their twentieth constitution since the nation's independence in 1830, legal frameworks mandated that to file a lawsuit on behalf of the environment, a human being had to provide proof of personal injury. But according to the wholly progressive 2008 constitution, rivers themselves are living entities - with rights. The 2008 document also grants communities - specifically Indigenous groups - the right to consultation regarding development projects

on their lands and waters. The constitution mandates - as does the 2007 U.N. Declaration on the Rights of Indigenous People - "free, prior, and informed consultation" with impacted communities. Consultation, of course, does not equate with consent.

Matt has been looking for the right mechanism for river conservation for 20 years. "The existing frameworks for river protection don't do enough for the water resources," he says. "They don't have enough teeth." In 2010, discouraged by the government's lack of response to widespread degradation within the Napo corridor, Matt canceled the Napo Festival, stating:

The embarrassment caused by the destructive manner in which mining and development projects have been carried out, the level of impact to local attractions, and the failure of local authorities to control or even respond to the situation have made it impossible to hold a "Celebration of the Napo Watershed and its Importance to Everyone." The current status of this unique resource to Ecuador and the world is cause for alarm rather than celebration.

After that first decade of exploring familiar channels of conservation in Ecuador, Matt says, "We realized there was no other option beyond legal demands." So he temporarily abandoned the community celebration model, and legal challenges became his primary attempts at protection.

New highways, bridges, and dams were the hallmarks of Rafael Correa's 2007 - 2017 presidential term. The country tumbled deep into foreign debt and its rivers were altered at breakneck speed, without regard for downstream consequences - cultural, economic, ecological, or otherwise. Indigenous communities began to organize against development in the Amazon basin. Cuencas Sagradas, a coalition of Ecuadorian and Peruvian Indige-

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nous leaders and activists and their allies, sought to protect all rivers in the Amazon, as well as vulnerable aboriginal groups deep within the basin.

Matt helped draft a sweeping new national water policy that made promises that should have been encouraging: A buffer zone of 50 meters on either side of a river was designated as public domain - permanent protection for every river of every size. But who was going to enforce these new laws? Matt suggested that the government start by applying and enforcing the law on "high value" rivers, those with qualities that appeal to tourists. Tourism had become a priority for Ecuador: the country's rivers brought in \$30 million annually.

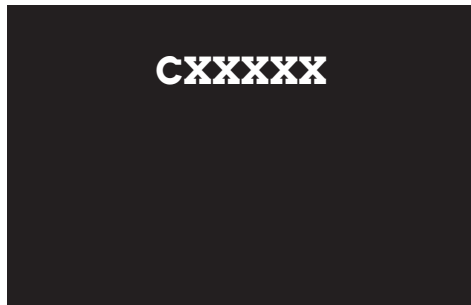
The ERI arranged for local guides to take President Correa rafting in 2010, on the Jatunyacu, with the intention of exposing Correa to illegal alluvial gold mining and demonstrating the value of the otherwise healthy river as a source of tourism revenue. Matt says that at first Correa helped address the mining issue on the governmental level, then "soon after became involved in it himself." Correa sent in a 2010 military operative to wipe out Columbian miners on the Jatunyacu. "We were naive," he says, and believes that the "real interest of the government was to make room for Ecuadorian miners."

The ERI, again with local guides, took Correa rafting a second time in 2013 and what followed is a classically sordid tale of political malfeasance: After the ERI presented Cor-

rea with a report locating the new illegal gold and mining operations on the Jatunyacu, a petition to designate the Jatunyacu as a protected tourism area, and an early version of the proposed model for a Wild and Scenic-style system, Matt received word that Correa had purchased property near the Jatunyacu. "Before long, the excavating machines began to replace the dredges along with giant wash racks, big hydraulic pumps, and motors, and new alluvial gold mining concessions were granted in very sensitive areas without existing road access. More recently, as the Chinese companies finished building their first round of hydro projects in Ecuador, new Chinese gold mining operations began to emerge around Tena."

The ERI has presented dozens of legal demands and initiated hundreds of administrative processes on behalf of rivers and forests, but the fight for the Rio Coca stands out as a particularly instructive case study. The courts ultimately ruled against the ERI and the largest hydro project in Ecuador, Coca Codo Sinclair, was approved. The Chinese firm Sinohydro set up camps along the Coca, filled them with Chinese workers, and by 2016 the Coca was occluded and changed forever. Then in

early 2020, the tallest and most impressive waterfall in Ecuador, Cascada San Rafael, collapsed, disappearing as though it were never there. Ecuador's most beloved expression of moving water literally broke, the big dam upstream having sent the river corridor into a state of regressive erosion.



In 2007, Matt Terry and Dan Dixon completed the first descent of the pristine and remote Rio Piatua. Nine years later, the Piatua hydro project came out of nowhere. President Correa visited the Piatua community of Santa Clara on a publicity stop to promote government-sponsored infrastructure projects in 2016. On national television, he greenlighted the Piatua project without ever conferring with local communities.

"The project was high risk and didn't have a lot to offer, but required opening new roads through forest reserves." The proposed project "justified" the opening of new roads - which, coincidentally, also opened up new access to potential timber extraction. Private companies were being incentivized by the government to identify new rivers for small-scale hydro, and free-flowing rivers who had until this point remained hidden from the hungry eye of development were suddenly vulnerable. While these private projects were proliferating, Ecuador had eight large hydro projects going at the same time. Matt's biggest issue with the Piatua project, though, was how suddenly the contractors had water permits in hand with no prior public notification, no impact studies, and no consent from the area's Kichwa-speaking communities.

Matt granted a Quito radio station an interview in which he discussed the Piatua project: he said the developer had a morally deficient character and was a prominent contractor favored by the government, and that Indigenous communities were in opposition to the project. He never mentioned the developers' names. Not long after, Matt was sued for

slander and damages of \$60 million. "It wasn't the first time I'd been criticized," he says, but this time was formative.

The ERI's modest website and social media accounts were violated. Videos - mostly of other interviews with Matt - were dubbed over and circulated around the internet. "A lot of effort went into making me look bad," says Matt, a notoriously private person with no social media presence of his own. "It was all completely false." Traumatizing as this was, "There was an intense outpouring of support. So many people rallied and posted 'This is bullshit.'"

Matt tried harder than ever to keep a low profile. He poured himself into organizing the new Piatua Libre festival and in 2019 filed a legal demand on behalf of the river. The ERI claimed the Piatua developers were violating the rights of Nature and of Indigenous communities protected by the constitution. He also reckoned with the civil suit - a clear and troubling violation of his own right to speak freely.

In the first round of the Piatua case, the evidence didn't seem to matter to the judge and he sided with the developer. The ERI's appeal then went in front of a panel of three judges. The first judge - who had obviously been swayed in the original case - offered cash to the other two judges on the panel. The second judge then set a trap: a rendezvous with the first in a restaurant during which he would accept the cash bribe. He installed undercover police and filmed the entire caper on his phone. The first judge indeed put the money

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on the table: he was apprehended with two bags of cash, \$20,000 in each, and a box of whiskey. Police later found another \$20,000 in his bedroom dresser. The day before, bank records reflected a withdrawal for \$60,000 from the developer's account. (The government-owned bank, when asked to produce further evidence, refused to provide the numbers from the bills recorded in the transaction.)

Meanwhile Matt was forced to resign his position as the legal representative of the Fundacion Rio Napo, the ERI's locally-registered counterpart. The FRN was audited at the same time it was conducting its case against the Ministry of Environment on behalf of the Piatua and its Kichwa communities. "The audit was meant to keep me busy," Matt says, but his impeccable record-keeping meant that everything was in place; the audit was clean.

Last year, Ecuadorian courts convicted Correa and several of his cabinet members of extensive corruption, but the ex-President is now living in exile in Belgium. In 2020, the court ruled in favor of the Kichwa-speaking communities and the Piatua's rights as a living entity. What comes next, though, depends on the government's willingness to uphold the ruling. Matt is already scheming how to deter any new development within the Piatua corridor. The developers won't likely back down, Matt says, "which is why permanent protection is needed." Just as one case is shuttered, he begins another.

Terry enjoys no organizational protection. Beyond the comfort of a coalition of partners, he is independent, operating in a sphere beyond the nicely appointed offices of northern conservation nonprofits. The ERI has no board room, no perky incentives for membership

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or involvement. (The t-shirts and stickers that circulated after the last few rounds of Jondachi Fest were donated by more friends from the Southeastern US: Al Pabst and his generous crew at Scumbag Ink.) Matt created his niche in the world. He's an innovator - solo and inspired, struggling toward a future in which rules protect the entities which cannot speak for themselves.

The slander suit against Matt was dismissed; he had only spoken the truth. He had spent one year in court, alone with the terrible vulnerability that's exposed when free speech is not protected. In some ways, the experience whittled his spirit and shook the ERI's foundation. But at the same time, local Ecuadorians - among them Andres

Charpentier - stepped in to fill the void created by his forced absence. "People have woken up to Matt's alarms, and the number of people that want to start defending their rivers is always growing," says Charpentier, who is now the legal representative of the FRN. "The biggest footprint that Matt has left on our society is his effort to include laws and rules within our country's legal framework that support rivers for the benefit of future generations. Matt and others have managed to make the Jondachi beloved, the Jatunyacu valued, the Quijos respected, the Piatua eternal. River conservation in Ecuador has moved from ravenous extraction to true conservation and rationality."

The exploitation of natural resources for the benefit of a wealthy minority continues to threaten all natural places, all river systems, across the globe. The Piatua story is just another study in universal greed. For Matt the take-home is the imperative to protect what he calls the pillars of democracy: freedom of speech, civil rights, government transparency, access to information, and public participation.