



SUSQUEHANNA

A Publication of the Community Environmental Legal Defense Fund

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OHIOANS TAKE A STAND FOR RIGHTS

Nearly 13,000 signatures were submitted in five counties to place rights-based initiatives on the November ballot. The measures ban shale gas drilling, fracking, pipelines, and frack wastewater injection wells.

Residents in Athens, Meigs, and Medina Counties submitted petitions for county charters for the November ballot. The Cities of Waterville and Youngstown submitted petitions for charter amendments, also for the November ballot.

Each measure was written with CELDF's assistance and includes the rights of residents to local community self-government and the right of the people to ban activities that may harm their communities.

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OREGON SECRETARY OF STATE FORCES STATE AMENDMENT INTO COURT

Oregon residents, through the Oregon Community Rights Network, have worked with CELDF to draft a state constitutional amendment securing the right to local community self-government. The measure is required to go before the Oregon Secretary of State before advancing to broader petitioning.

As anticipated, the Secretary halted the circulation of the petition. He claims that the *Right of Local Community Self-Government* state constitutional amendment does not meet certain administrative standards. The Secretary halted the circulation of the petition. Oregonians for Community Rights - the political committee of the Oregon Community Rights Network - believes the Secretary is incorrect in his determination and is challenging the state in court. It is unclear how long it will take for the group to prevail.

Support for the amendment to secure the right of local community self-government is growing. Oregonians are subjected to the Oregon corporate-state, which continues to take preemptive action over communities, and refuses to relinquish centralized control over critical community issues such as GMOs, minimum wage, and rent control. We the people are fighting back. Join us! For more information go to orcrn.org and oregoncommunityrights.org.

WHO SAYS CIVICS CAN'T BE FUN?

THE HIGHLAND TOWNSHIP GOVERNMENT STUDY COMMISSION GETS TO WORK



On April 26, residents in Highland Township, Elk County, PA, voted to form a Government Study Commission to explore becoming a Home Rule municipality. Highland Township, retaining CELDF as legal counsel, is embroiled in a lawsuit with Seneca Resources. Seneca sued the Township to overturn a Community Bill of Rights ordinance banning injection wells.

Township residents have sent a clear message to Seneca Resources and state government that they are pursuing options to increase local control over community issues. Home Rule, if adopted, would transfer governing authority from the state legislature to the local community. This ensures that decisions are made by the people who would be most affected by them, rather than legislators and bureaucrats in Harrisburg, hundreds of miles away.

According to state law, the elected-Government Study Commission must:

"study the form of government of the municipality to com-

pare it with other available forms under the laws of this Commonwealth and determine whether or not in its judgment the government could be strengthened or made more clearly responsible or accountable to the people or whether its operation could become more economical or efficient under a changed form of government."

The Government Study Commission completed its study of the 2nd Class Township Code in July, and is beginning to draft a Home Rule Charter to be voted on in November. Their work includes delving into other governing documents, such as the Pennsylvania and federal constitutions, and the Declaration of Independence, as well as reading charters from other home rule municipalities in Pennsylvania.

It's not often the people have the opportunity to re-think and re-imagine what kind of government they want to have. For the people of Highland Township, that time is now.

A RESPITE ONLY FOR SOUTHERN NEW HAMPSHIRE COMMUNITIES

Residents of seventeen New Hampshire towns breathed a collective sigh of relief this summer. Kinder Morgan's subsidiary, Tennessee Gas Pipeline Company, withdrew its Certificate of Application with FERC for the Northeast Energy Direct (NED) pipeline. The communities had been in Kinder Morgan's crosshairs for over a year. Yes, the withdrawal was a relief. No, it was not a victory.

Many southern New Hampshire residents realize the "win" achieved with Kinder Morgan's withdrawal is temporary and partial. Temporary because it lasts only until the next threat - and there will be other threats - and partial, because their communities are no better off now than before the proposed pipeline. Granite state communities are still resource colonies to be profited from against their will, whenever a corporation sets its sites on them. That has not changed.

Our attempted use of regulatory strategies to stop harmful projects does not elevate communities above the reach of corporations intent on using us as resource colonies. Rather, they are a kind of trickery: We are deceived into thinking we have gained meaningful control over our own communities when we obtain better setbacks and fewer parts per million. We are hoodwinked, believing that regulations protect us. Instead, regulations permit and legalize activities that are harmful to humans and the ecosystems of which we are a part.

The residents along the route of the withdrawn Kinder Morgan NED project who have not mistaken trickery for victory are asserting their right of local community self-government. They are joining the Community Rights Movement in New Hampshire. They are working to elevate Community Rights over corporate claimed "rights" and state preemption. Join us as we work to build not a respite from harm, but true sustainable communities based on Community Rights in New Hampshire and beyond.

For more information, contact michele@celdf.org

NHCRN: EMPOWERING OUR COMMUNITIES THROUGH GROWING OUR RIGHTS

The people and ecosystems of New Hampshire face unsustainable projects such as the proposed Northern Pass industrial energy project, fracked gas pipelines, corporate water withdrawals, sludge spreading, and industrial wind. CELDF has assisted communities across New Hampshire to prohibit such projects through local Community Bill of Rights laws, which assert the right to democratic, community self-government - including the right to protect clean air and water.

The next step is growing those rights for all Granite stater. Education empowers, and the New Hampshire Community Rights Network (NHCRN) is launch-

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TIME FOR A PENNSYLVANIA REVOLT: A COMMUNITY RIGHTS TOUR IN PENNSYLVANIA

CELDf Executive Director Thomas Linzey and Pennsylvania Community Organizer Chad Nicholson partnered with numerous community groups for a statewide Community Rights Tour in April. Tour stops included:

- Highland Township, Elk County
- Grant Township, Indiana County
- Town of Bloomsburg, Columbia County
- Borough of Chambersburg, Franklin County
- City of Bethlehem, Northampton County
- Borough of Millersville, Lancaster County
- Borough of West Chester, Chester County

The tour included public presentations, meetings with elected officials, presentations to university classrooms,

conversations with local and statewide media outlets, planning and strategy meetings with community groups, and a Democracy School.

Entitled "*Time for a Pennsylvania Revolt*," the tour's message was rooted in the ongoing struggles Pennsylvania residents face. From fracking to factory farming, and from sewage sludging to GMOs, communities are forced to submit to corporate will, despite their efforts to protect themselves. It is time for a people's movement: Either we remain subservient to the corporate state or we Revolt.

Pennsylvanians are choosing to revolt. For more information, contact pacommunityrights.org.

OHIOANS TAKE A STAND - CONTINUED FROM PAGE 1

Fracking and its infrastructure are spreading across Ohio. Communities are finding their state representatives and regulatory agencies, such as the Ohio EPA, are helping to drive the gas industry into communities - against their will. Even their own Boards of Elections are acting on behalf of industry. In Meigs County, the President of the Ohio Gas Association led the charge to block the Meigs County initiative. He was appointed to the Board of Elections by Ohio Secretary of State Jon Husted, an industry ally.

Local Boards of Elections in Athens and Medina Counties also attempted to block the county initiatives from the ballot in July.

CELDf is providing legal support to county residents as they file protests against the Boards of Elections. Each county group met the requirements to advance their measures.

Last summer, Athens, Meigs, and Medina counties advanced similar measures and were blocked from the ballot by the Ohio Supreme Court. Undeterred, residents collected signatures again and are advancing their Community Rights initiatives, having addressed the Court's concerns.

"People in Athens County were galvanized by what hap-

pened last summer," stated Dick McGinn of the Athens County community group. "They are determined to exercise their right to initiative."

Youngstown residents, running their measure for the sixth time, are also finding more and more residents energized by past efforts to keep their Community Bills of Rights off the ballot.

Waterville was spurred to action, turning to Community Rights when they learned their town is targeted for a large compressor station that would emit toxic chemicals from the Nexus pipeline project.

In addition, Portage County, Franklin County, and Columbus City residents are circulating petitions to place rights-based laws on their ballots.

Across Ohio, there is a growing recognition that people must assert their rights to govern and protect their communities. Neither our state government or regulatory agencies are going to act on our behalf. Undaunted by the courts, the state legislature, or the oil and gas industry, Ohioans understand that the power is in We, the People. They are joining Community Rights activists in Pennsylvania, New Hampshire, Colorado, Washington State, and Oregon, building a new people's movement. To learn more, contact Tish O'Dell at tish@celdf.org.



OREGON COMMUNITIES OUT IN FORCE, SECURING RIGHTS

Lane County - Dynamic Initiative Duo

A one-two petitioning punch is underway in Lane County. Residents are advancing the CELDF-drafted *Freedom from Aerially Spraying Bill of Rights* initiative and the *Right of Local Community Self-Government* initiative. Residents need 14,000 valid signatures to qualify for the ballot, which they anticipate will be May 2017.

Lane County Commissioners are unhappy with residents exercising their right to initiative. They fear future efforts by communities to protect and secure rights for people and nature, including limiting corporate control. Thus, commissioners propose changes to the initiative process. If successful, they will have de facto veto power over the advancement of an initiative for signature circulation. Lane County residents are campaigning to stop this attack on direct democracy by their own elected officials.

For more information:
communityrightslanecounty.org
freedomfromaerialherbicides.org

Coos County - Confronting an Industry, Building a Viable Future

For more than a year, Coos County residents faced the threat of a massive LNG export terminal at Jordon Cove and an accompanying LNG pipeline. Today the projects are on hold. However, Coos Commons Protection Council, a local community rights group partnering with CELDF, continues working to secure a *Right to a Sustainable Energy Future* law. They are nearly complete in the initiative petitioning process. The group is building their campaign for the November 2016 or May 2017 ballot. As part of their organizing, this summer the community hosted the first Oregon screening of *We the People 2.0*,

a film about the Community Rights movement growing across the U.S.

For more information: cooscommons.org

Lincoln County - Aerial Spray Ban Petitioning Effort Underway

Citizens for a Healthy County is the political committee for Lincoln County Community Rights. Lincoln County residents face toxic aerial spraying by the timber industry, and are advancing a rights-based initiative to ban the practice. With CELDF's assistance, the local group prevailed in a pre-petition circulation legal challenge to their *Freedom from Aerially Sprayed Pesticides* ordinance. Residents are now gathering signatures to qualify the initiative for the November 2016 or May 2017 ballot.

For more information:
lincolncountycommunityrights.org/citizens-for-a-healthy-lincoln-county

Columbia County - Slated for a Buffet of Fossil Fuel Projects, Citizens Stand Up

Columbia County is connected to Portland and rests along the Columbia River. For a small county, it is targeted for a large number of projects: natural gas power plants, oil trains, and a methanol plant are proposed or in operation. Residents have a different vision for their community, and are working with CELDF to realize that vision. Confronting the bevy of unsustainable fossil fuel projects, Columbia County Sustainable Action for Green Energy is petitioning for a *Right to a Sustainable Energy Future* ordinance. Residents are working to place the measure on the May 2017 ballot.

For more information: www.ccsage.org

RECOGNIZING RIGHTS OF THE GREAT BARRIER REEF



NHCRN: EMPOWERING - CONTINUED FROM PAGE 3

ing a grassroots education campaign for communities and their local and state-elected officials. The *NHCRN Community Rights Awareness Campaign* focuses on local community self-government, which is essential to achieving economic and environmental sustainability in communities across the state. The campaign will assist the NHCRN in helping protect the rights of all residents, their communities, and nature from harmful corporate activities.

NHCRN's *Community Rights Awareness Campaign* includes:

- *NHCRN Community Rights Awareness Workshops* - provide an in-depth look at how political and legal structures have been set up to protect the interests of a wealthy minority.
- *Resolution Supporting the New Hampshire Community Rights Amendment* - calls upon the New Hampshire legislature to place a constitutional amendment on the ballot explicitly recognizing the right of local community self-government.
- *CELDf's Democracy Schools* - teaches citizens and activists how to assert local control in order to protect the rights of their residents, communities, and nature.
- *New Hampshire Community Rights Amendment* - would empower people and their local governments throughout the state with the authority to protect the rights of people, communities, and nature at the municipal level.
- The film *We The People 2.0 - The Second American Revolution* - features CELDF and partner communities building a new democracy movement across the United States.

The *NHCRN Community Rights Awareness Campaign* will help lay the groundwork to secure Community Rights. Adding [Article 40. Right of Local Community Self-Government](#) to the New Hampshire Constitution's Bill of Rights will recognize and protect those rights. For more information, contact info@nhcommunityrights.org.

Earlier this year, the Centre of Excellence for Coral Reef Studies at James Cook University in Australia released a new study on the Great Barrier Reef. The Centre found that over 90 percent of the Reef is experiencing bleaching, and northern portions of the Reef are dying.

The Great Barrier Reef is the largest coral reef on earth, covering an area of more than 100,000 square miles. It is home to millions of species. These species are dependent upon the Reef's health for their own existence and well-being. Yet human activities that accelerate global warming are raising ocean temperatures and acidifying ocean waters, pushing the Reef into severe decline.

Our activism and use of conventional environmental laws - which rely on a near-global legal framework that regulates the use and exploitation of nature - have proven ineffective in protecting the Great Barrier Reef and coral reefs around the world. It is clear that a fundamental change needs to occur in our relationship with the natural world.

CELDf is partnering with the Australian Earth Laws Alliance (AELA) to realize that fundamental change. Together, we are launching a campaign to recognize rights of the Great Barrier Reef. In Australia, Nepal, Colombia, India, and beyond, CELDF is working with countries and communities to change our legal frameworks: Rather than "better regulating" the use of the environment, we are placing the highest legal protections on nature through the recognition of rights.

Learn more:

CELDf: celdf.org/rights/rights-of-nature

AELA: www.earthlaws.org.au

WASHINGTON

Tacoma Residents Refuse to Fold as Court Strikes Against Democracy

Water is increasingly scarce in Tacoma, WA. Three months ago, Save Tacoma Water began working with CELDF to protect their water and advance their right to local community self-government. The local grassroots group gathered 17,000 petition signatures in those three months, qualifying an ordinance and charter amendment that would protect the City of Tacoma from excessive water use for corporate projects. Despite the record setting petitioning effort and the overwhelming public support, the local corporate state powerbrokers filed a legal challenge to block both citizen initiatives.

On July 1st, on the eve of Independence Day, a local judge bought the arguments of the powerbrokers, deeming both initiatives beyond the scope of the initiative process. He denied ballot access.

This lower court decision comes on the heels of a recent Washington State Supreme Court decision. The Court struck down a Community Rights initiative in Spokane, blocking it from a vote of the people. The Tacoma deci-



sion now strengthens the power of the corporate state to nix any local initiative that seeks to curb corporate control and institute greater protections and rights for people and nature.

Tacomans are outraged by the lower Court's decision in their case, and determined to forge ahead. They are inspired by the first public screening of *We the People 2.0*, a film on the growing Community Rights Movement. The Tacoma Community Rights group is growing their organizing locally, and building state level action to protect water, the local initiative process, and the right of local community self-government.

For more information: savetacomawater.org

WE THE PEOPLE 2.0 SNEAK PREVIEWS



We the People 2.0 is a film about CELDF's work to mobilize the Community Rights Movement across the country. Communities are organizing against fracking, sludging of farmland, and other harmful corporate practices, uniting to save the people and places they love - and to overcome legal barriers put in place by their own government and corporate lobbyists.

We, the people, are building a Second American Revolution. Join us! Sneak previews are being held this summer in key communities across the country, including Pennsylvania, Ohio, New Hampshire, Oregon, and Washington State.

Check out details: celdf.org/we-the-people-2

CELDF IS SPEARHEADING A MOVEMENT TO ESTABLISH RIGHTS FOR PEOPLE AND NATURE OVER THE SYSTEMS THAT CONTROL THEM.

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