



# Susquehanna

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## What Does It mean to "Get Fracked?"

*Ben Price*

Exploding gas wells, flaming faucets, lost land value, floating fish, radioactive road de-icers, roadside dumping of toxic waste...the evidence that our communities are being turned into resource colonies of gas drilling corporations is everywhere. People in the targeted municipalities are waking up to what's in store for them, and they are beginning to understand that no one is going to help them: They are on their own.

State law-makers continue clearing the way for frackers: In Pennsylvania there's a new exemption from clean air requirements, no regulation or monitoring of frack waste water dumping in Commonwealth streams and rivers, and a complete exemption from local control via state preemptive law. In New York, citizens are holding their breath waiting for the moratorium to expire this summer and for the drilling to begin; they've been pushed out of the decision-making loop by a state preemption on local control over drilling corpora-

*(Fracked - pg. 3)*

## Greetings from Maine

Greetings from Maine, where this morning the temperatures dropped so far that the water pipes in Chad's apartment burst. And greetings from New Hampshire, where there is over three feet of snow outside of Gail's window and daytime temperatures have peaked at 29 degrees. Cold, yes. Yet the frigid weather has not slowed or stopped large out-of-area corporations from continuing their assault on New England's communities and environment.

Industrial wind turbine development is quickly emerging as the next frontier for resource extraction in northern New England. Multi-

*(Maine - pg. 2)*

Building sustainable communities by assisting people to assert their right to local self-government and the rights of nature.

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*(Maine - from pg. 1)*

national corporations, including TransCanada and Iberdrola (Canadian and Spanish corporations, respectively, involved also in oil and gas extraction) are receiving enormous government subsidies to install sprawling “wind farms” on Maine’s ecologically-fragile mountaintops.

It is a similar story in New Hampshire, where they are called wind parks, as though it’s the perfect location for a picnic with the family.

Despite being billed as green energy, these turbines have devastating effects on nearby natural and human communities. What’s more, they’re not replacing fossil-fuel based energy production...they’re simply adding electricity to the grid.



*Wind turbine construction site Mars Hill, ME*

Speaking of adding energy to the power grid, New Hampshire is being targeted for use as a transmission corridor by energy utility companies<sup>1</sup> who want to sell electricity to customers in Massachusetts. In the face of citizen protest, the legislature has proposed amendments to the state’s Renewable Energy Portfolio Standard and state law (RSA 72:73) to legitimize this participant-funded energy project known as the Northern Pass.

New Hampshire currently has an energy glut, so why should the pristine northern forests be sacrificed for power that won’t even stay in New Hampshire?

In Maine, another emerging issue is food rights. Farmer’s markets, roadside stands, and community social events like bean suppers are as much a part of life in Maine as picking blueberries. These traditions,

<sup>1</sup> NSTAR (Massachusetts’ largest investor – owned electricity and natural gas company), PSNH (Public Service Company of New Hampshire) Hydro Quebec and Northeast Utilities

and the food that accompanies them, provide the foundations and the fabric for the economic, environmental, and social health of Maine communities.

Independent farmers in Maine are continually being squeezed out by heavy-handed regulations that favor larger, centralized operations whose only interests are efficiency and dollars. In the past 20 years alone, the amount of milk produced in Maine has stayed virtually the same, while the number of producers has dropped from over 1000 to about 300. Same amount of milk. Seventy percent fewer hands. In only 20 years.

In the face of these looming threats, we're putting energy- and food-focused Democracy Schools on the books for this spring and drafting local ordinances that prohibit unsustainable energy and food projects, address state preemption and assert local governance and Rights of Nature, and provide for the creation of local, sustainable energy and food policies.

As well, look for information soon on the Rights Based Forums cited for April and May 2011 in New Hampshire and Maine. Several community members will relate their success stories of using local ordinances to ban corporate water withdrawals, give updates on CELDF New England work, and establish a Community Rights Network.

For more information: contact Gail Darrell, [gail@celdf.org](mailto:gail@celdf.org) or Chad Nicholson, [chad@celdf.org](mailto:chad@celdf.org)

*(Franked - from pg. 1)*

tions. Some are hoping to use zoning to shrink the percentage of their communities they'll have to surrender. In Ohio, in Western Maryland and West Virginia it's the same story -state and federal legislators, judges and governors have become advocates for the privileges of state-chartered drilling corporations and against the rights of people. They've done all they can to silence and neutralize those communities that will be directly affected.

As citizens scramble to educate themselves about the dangers of hydraulic fracturing, the industry continues to lie to landowners as they slide leases under their pens. Corporate public relations flacks take money to misinform and deceive people in print and on camera. And "corporate neighbors" quietly approach victims of fracking's too-common destruction of well water to offer "free" bottled water if the desperate landowners agree to sign non-disclosure agreements. Meanwhile,

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professional corporate prostitutes claim there is no documented evidence that fracking ever ruins wells.

To say the game is stacked against regular citizens would be a major understatement. To attempt to treat only the symptoms of this problem, mentioned above, would be a mistake: we need to cure the disease, and first we need to understand its nature.

Instead of communities being immunized against industrial corporate destruction of our health, safety, environment and quality of life, corporations have been immunized against local control by state and federal lawmakers. Quiet collusion between “public servants” and privileged corporations yielded corporate exemptions from federal, state and local laws. Let’s be clear what it means to be exempt from obedience to laws that command compliance from everyone else: corporate managers hiding behind limited liability protections have placed their corporations above the law.

This injustice is bad enough. Even worse, state governments have placed the privileges of corporations above the fundamental rights of people by issuing permits, against the consent of the governed, that legalize the harms.

For people who still believe state officials serve the public, there’s a predictable tendency to petition them for help. Our municipal officials are developing shoulder cramps from repeated shrugging at the pleas of constituents, as they sheepishly intone “we wish we could help, but our hands are tied.” And they aren’t lying. The handcuffs they’re wearing are marked “property of the corporate state.” But if we leave it at that, then we truly have no remedy for injustice. This is what it is to “get fracked.”

But it’s not inevitable unless we surrender by inaction. It’s not inevitable unless we assume there’s nothing we can do. It’s not inevitable unless we are willing to lose our fundamental rights without a fight.

Instead, people in Pittsburgh, Licking Township and Harveys Lake, Pennsylvania and Mountain Lake Park Maryland and Wales New York and ...soon others...are acting on the premise that their right to community self government, to water and a healthy environment, are higher law than state preemptions and federal exemptions for corporations licensed and chartered in the name of the people. In these towns, people have taken steps to enact local laws establishing a community Bill of Rights and prohibiting corporate fracking in order to protect those rights.

Here are people who will not surrender their rights. They won’t voluntarily “get fracked.” Want to stand with them? Contact CELDF today!

## **Legal Defense Fund Welcomes New Community Organizers**

After six months working in New Orleans as a volunteer coordinator for a non-profit, Chad Nicholson witnessed firsthand the destruction of Hurricane Katrina and the social and political aftermath. He was struck by a community rising up to support and rebuild itself, despite interference and corruption from corporations and governments at the local, state, and federal level. So it wasn’t surprising that when Chad heard a speech that Thomas Linzey made at the Bioneers conference in 2006, the language resonated: our constitutional and legal framework for gover-

nance is designed to protect an elite group at the expense of the majority.



*Chad Nicholson*

Two years later, Chad attended a Democracy School in San Francisco and then became involved in the Envision Spokane project. He was the campaign coordinator, responsible for

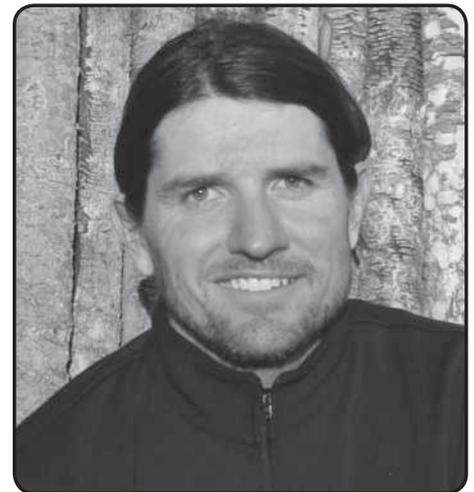
coordinating town hall meetings and the petition signature drive for Proposition 4 – A Community Bill of Rights, to qualify for the November 2009 ballot. He oversaw door-to-door campaigning, phone banking, & teamed up with Kai Huschke to debate opponents of the measure.

Wanting to support CELDF and Rights-Based organizing, and being flexible as to where he lived, Chad moved to Portland, Maine to assist Gail Darrell working in New England. Since August 2010, Chad is a welcome addition to the staff at CELDF as a community organizer. New England suits him well: enjoying the outdoors, Chad hikes, bikes, skes, and snow shoes, as well as enjoys reading and sourdough bread making. Welcome, Chad!

Spokane, Washington is a perfect fit for CELDF's most recently hired Community Organizer: Kai Huschke possesses a strong affinity for nature, & Washington has an abundance of wild places to explore. Kai has lived in Spokane intermittently since 1987, and it is a place he has called home for the last four years.

Kai first became familiar with CELDF through Bioneers, where he was contributing towards the annual event by working with media and strategic partners. Then, in the spring of 2008, he attended a Democracy School taught by Thomas Linzey in Spokane. "It was the premise of the Rights of Nature that drew me in," says Kai. He became deeply involved in the Envision Spokane project, doing organizing and outreach, communication work, and eventually directing the petitioning campaign that led to Proposition 4 – A Community Bill of Rights, being on the ballot in November 2009.

Kai's degrees in marketing and creative writing and his experience in the non-profit sector for many years, as well as his immersion in CELDF's Envision Spokane project for the last three



*Kai Huschke possesses*

years, makes adding him to our staff a seamless and natural move. Welcome, Kai!

## Washington Update

An additional resource has been made available to Washington and surrounding states with Kai Huschke coming on board as a community organizer for CELDF. Kai can be reached by email at [kai@celdf.org](mailto:kai@celdf.org) and by phone at 509-607-5034. The community of Bellingham, through a study group called Living Democracy, is mov-

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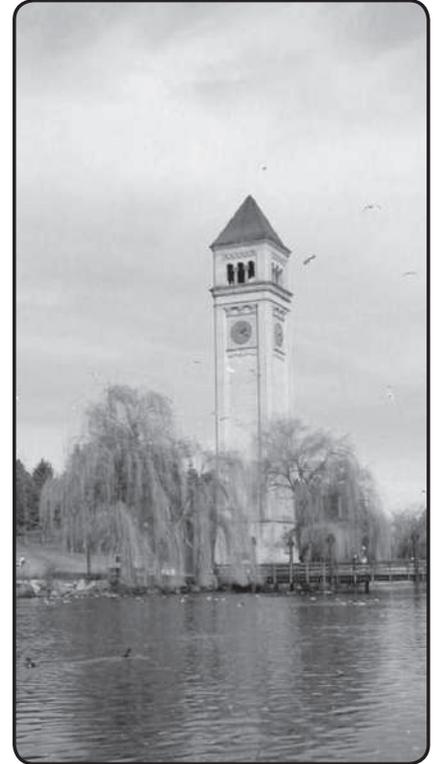
#### Democracy School

Stacey Schmader  
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ing towards a local rights-based campaign. The group is headed up by Rick Dubrow (a local builder) and Stoney Bird (ex-corporate lawyer), the two with a core group of about six others will be working on scheduling a Democracy School in the next few months while at the same moving towards formulating a local ordinance. There are a number of issues of interest to the group including sustainable food systems, banning coal trains and a coal distribution center from citing in the city, protecting local water systems, and subordinating corporate rights to community rights.

Seattle hosted a Democracy School on February 18 & 19. This is the fourth school in Seattle, and the local organizer Jeff Reifman has made extra efforts this time to invite folks to this particular school who would have a higher likelihood of mobilizing an on the ground effort. A Democracy School is scheduled for February 25 & 26 in Spokane. In addition the folks of Envision Spokane have made the decision to qualify a Community Bill of Rights for the November 2011 ballot. These amendments to Spokane's home rule charter would look to expand resident decision making rights on the neighborhood level, greater protections for the river and aquifer, constitutional rights

in the workplace, and limit corporate decision making when it comes in conflict with community majorities. Interest in a rights-based framework have come from the Olympic Peninsula around the citing of large bio-mass incinerators, towns like Anacortes and



*Spokane River by Too Far North Kellie*



*Bellingham, Washington by Iwona Kellie*

Everett dealing with corporate water withdrawal, and Yakima county who is considering adopting a home rule charter.

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