



WELCOME TO THE NEIGHBORHOOD - LIVING WITH NATURE

Man vs. Nature has been a theme of human civilizations for centuries. Whether it's manifested in the eradication of entire species, engineering the natural meanders out of rivers, filling in wetlands to build cities, or individual quests in hostile places to claim the prize of being the first, the dominant culture loves to pit humans against everything else, with all bets laid on humans prevailing. We have been groomed to believe we are masters who hold dominion over the natural world as a matter of entitlement.

Community Environmental Legal Defense Fund's (CELDF) year-end newsletter of 2022 proposed breaking this habit of thinking and behaving. If human communities want to make it on this planet, the us vs. them approach must vanish. In its place we must learn to live in healthy relationship from Nature, with Nature, in Nature, and as Nature. Last year, as part of a four-part installment, we started with living from Nature. In 2023 we move on to the next installment, which is about living with Nature. Not apart or opposite of, but in community with all of the systems and beings that make life on Earth fantastically rich.

Think about it. How often have you spoken or heard others speak with a sense of awe about the non-human world? The night horizon festooned with the glow and sway of the northern lights. The grace of a porpoise pod breaching the ocean's surface. A parade of ants moving bits of leaves from tree trunks across the jungle floor back to their high rise nest underground. The sunset or sunrise. The power of a winter storm. The flight of an owl at dusk. The caves,

the desert, the mountain tops, the ocean floor, a meadow of young wildflowers. We live with these wonders and more everyday. And everyday we show our appreciation, humility, and connectedness to all that stands with us and next to us.

Living with nature means not only being aware and appreciative, but being resolute that life 'other than human' can thrive independently of human needs. CELDF has been working with people, communities, and forward-thinking governments since 1995, advising them to be mindful of protecting the needs of ecosystems and the natural communities that make them whole. Back then, we didn't yet call it Rights of Nature.

This year-end newsletter we are featuring three amazing stories of what living with Nature is about when communities and systems take their responsibilities to heart. In October, Cleveland played host to CELDF's inaugural Truth, Reckoning and Right Relationship event, which focused on the health and future of the Great Lakes. In some systems with a history of unfathomable assaults on human rights, we know that it is possible for culpable parties to own their mistakes. The first step to moving in a different direction is to own the truth and reckon with it no matter how dark and violent. The testimonies we gathered in October are now framing the agenda for a two-day gathering in April 2024, where artists, activists, educators, students, physicians, farmers, and Indigenous participants will work on what it means to be in right relationship with the Great Lakes.



With a growing network of Indigenous and non-Indigenous supporters, legislation that would secure the inherent rights of the Great Lakes has been introduced in the New York Assembly. Such a law has the potential to bring the state into greater balance with the ecosystems of which it is a part. In Pennsylvania, the community resilience and resistance lessons coming from Grant Township never seem to end. One of the latest examples is a reminder of the fierceness and love the community has shown in honoring and protecting the Hellbender Salamander that lives in the creeks near Grant. Saving the Hellbender was a key reason the resistance came together nine years ago to oppose the dumping of toxic frack waste in the community. *Hellbent* is a new documentary that features both the people and the salamander of Grant Township and their aspiration to live with one another.

Many of you who are active community rights advocates and supporters of CELDF have your own stories and challenges of being the best stewards in living with Nature.

Your efforts to be resilient and resist a system that wants to dominate Nature are critical to the changes we need. The stories of the Great Lakes and of Grant Township are featured here to applaud all those involved in those efforts, and to remind us all of what deep transformation looks like.

Thank you for all you do and for supporting CELDF. Your donation makes it possible for us to support others. We still have much work to do.

*Living from Nature. Living with Nature.
Living in Nature. Living as Nature.*

GIVING VOICE

WHAT CONNECTS THE LITTLE MAHONING CREEK, LAKE ERIE, COLORADO RIVER, SILETZ RIVER, AND CRYSTAL SPRING ECOSYSTEM? THANKS TO CELDF AND ITS RIGHTS OF NATURE EFFORTS ALL THESE WATERWAYS FOUND A VOICE IN THE US LEGAL SYSTEM. HOW WAS THIS POSSIBLE? BECAUSE PEOPLE LIKE YOU DONATE TO CELDF.

TRUTH, RECKONING, AND RIGHT RELATIONSHIP

It's no secret that we live in turbulent, chaotic, polarizing, and confusing times. For decades, CELDF has taken calls from people trying to determine how best to confront community crises in the form of corporate harms. Real quality of life-altering harms like toxic waste disposal, fracking, corporate water withdrawals, aerial pesticide spraying, factory farms, ecosystem destroying industrial wind and solar projects and on and on.

For over two decades CELDF has been attempting to shift culture and laws by educating local residents on how the system isn't broken, but set up to protect corporations and their profit-making over all else. The system is so fixed that eventually the people in the communities under threat come to understand that landmark "protection laws" like the Clean Water Act and Clean Air Act were never about stopping the harm, but about authorizing it through the issuance of permits.

In partnership with CELDF, these communities then tried using the legal system and the courts to enforce new community rights laws to protect things like the rights of nature and the peoples' rights to local self-governance

as a direct means to stop the corporate harms. Those efforts of resilience and resistance suggest a paradigm shift in the law and a cultural shift in people's thinking about nature are needed. Despite the daily pressures and the realities of the destructive toll of the system being what it is, the spark for that paradigm shift has yet to ignite. The question that nags us is: what will it take?

Then one day in 2019, we received an email from an internationally recognized activist artist in Los Angeles. She wanted to meet with us about the Lake Erie Bill of Rights (LEBOR) that CELDF had drafted and the people in Toledo, Ohio enacted into law. That artist is Andrea Bowers. She grew up in Huron, Ohio just feet from the shore of Lake Erie. She was inspired by the Lake Erie Bill of Rights law-making effort and wanted to create artwork and an exhibit about Rights of Nature and Lake Erie. At first we were skeptical. We are a public interest law firm....what does art have to do with law?

The more we talked and connected, the more we began to realize that we had a "what comes first" question before us. Do changes in the law change culture or does

culture change the law? As we were reflecting on this, the pandemic hit and everything shut down. As awful as this was for many humans, it gave nature a bit of a break from human industrialized culture and allowed some humans to take notice of what they are a part of. It also gave all of us at CELDF time to reflect. Maybe the time had come to expand the kinds of community engagement necessary to not only set the spark for the needed paradigm shift but to keep the flame lit for as long as it takes.

As Andrea continued to plan her art projects related to Rights of Nature and using the laws that we had helped develop, the Museum of Contemporary Art Cleveland offered us space to host an event. What could we do to challenge people to consider the possibility of transformational change without resorting to the courts and legal system? What would help them see a more complete picture of our interconnectedness with Nature? We're not just connected; we are, in fact, Nature...one species out of millions on this amazing Earth. As we harm and destroy Nature, we are also destroying ourselves.

Western culture and its associated legal system, does not recognize that we are connected to nature, let alone that we are Nature. Our laws, our governance structures, our religions and our culture, see humans as separate and superior to Nature, and that Nature is simply a collection of resources for our benefit and use. Since laws should reflect the values and attributes of what makes a healthy community, how do we shift the current value of seeing Nature as property to be owned and used, to seeing Nature as part of the community and one that must be whole if the humans and all life are to be healthy within the community?

This is when the idea for a Truth, Reckoning and Right Relationship experience for Nature and the Great Lakes was born.

Today most of the environmental discussions, and legal actions initiated by community activists are centered on stopping a single project, activity or harm. For example, electric car manufacturing will bring jobs and will reduce carbon emissions, but what is the impact on communities and Nature where lithium and rare earth minerals are extracted? How do we grapple with doing what might be better for humans while not considering the full impact on Nature?

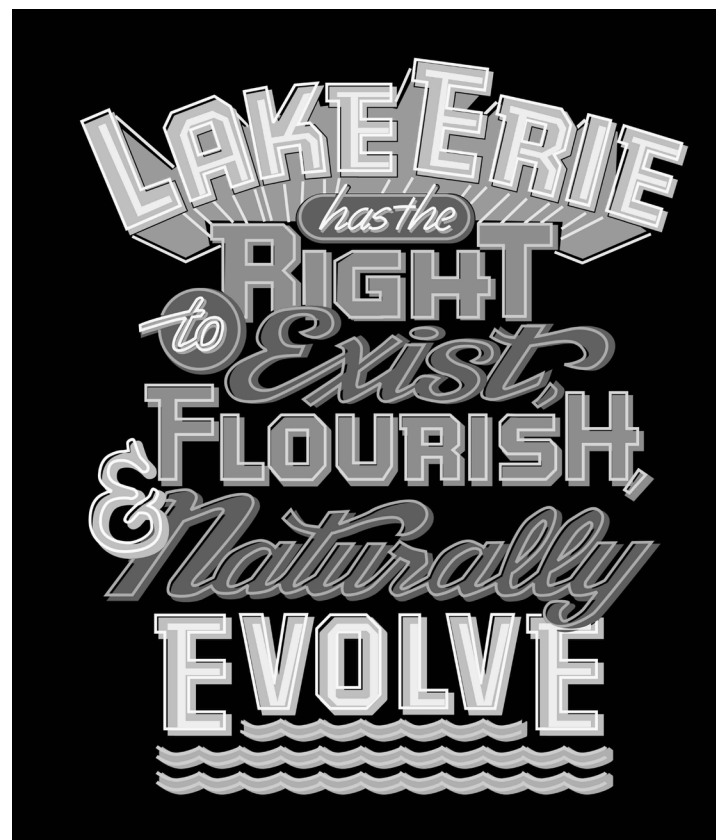
Maybe in order to answer how to grapple with these big issues, we first have to be truthful about our culture, our

system and our roles. On October 16, 2023 on the shores of Lake Erie in Cleveland Ohio, over 70 invited guests attended Part One of CELDF's Truth and Reckoning event at the Rock and Roll Hall of Fame. Right Relationship with the Great Lakes will be the culmination of this project, to be held at the Museum of Contemporary Art, Cleveland, in April 2024.

The October gathering included testimony given by 15 individuals from New York, Pennsylvania, Ohio and Michigan in front of many witnesses. We heard a wide range of perspectives and voices as to how our culture is impacting the Great Lakes, Nature and people.

Coming together was not about assigning blame but rather about having the courage to acknowledge how the culture we have been born into harms both Nature and future generations.

Sundance, American Indian Movement Cleveland Executive Director, challenged everyone in attendance with thought provoking questions and statements like, "Ask yourself what your connection is to the natural world and how to establish a connection. What does it mean to have a connection to the natural world? Is it simply—I own this land?" and "I do not doubt that to recognize your participation in the context of colonization



is uncomfortable, yet to invite the truth, is to honor the truth."

Sister of Charity, Carol De Angelo spoke honestly and openly about the role Christianity played through the Doctrine of Discovery in doing harm to both Indigenous people and to Nature and how our court system upholds these harms. She also spoke about how being open about the past is allowing conversation about change in the Christian community too. "I believe we are at a new moment and are part of a movement that is articulating and acting to reduce harm....We recognize that conscious awareness, networking, collaboration, addressing root causes and seeing the intersectionality of issues are critical if we are to move forward from our adolescence as humanity to becoming a humanity that is mature and conscious of our collective power to co-create our future."



From Susan VonderHaar who worked under contract for the US EPA for over twenty-five years, "...I'm still waiting for that first Earth Day. A true Earth Day that holds the new vision we need. The one we're bringing into focus here today. That vision is beyond science, it's beyond policy, and it's beyond government. It gets to the heart and soul of the issue, which is, to correct the perverse and abusive relationship we have had with the natural world for far too long."

And Dr. Kirk Scirto, gave heartfelt testimony about how humans are being harmed by our for profit health care system, but also touched on how this negatively affects Nature, "Pharma's TV commercials stir up demand for many unnecessary and harmful meds (Kiefner, 2010), and their production—along with medical supplies—is largely responsible for the health care system burning 8% of all greenhouse gasses in the US (Sherman et al., 2022)."

From attorney and author, Will Falk, "If we're truly going to stop the destruction and return human cultures to right relationship with the natural world, we must change our legal system from one that objectifies Nature to one that recognizes that the needs of the natural world are primary, that the health of the Great Lakes is more important than the health of the economy, and that in killing our relatives in the natural world, we are killing ourselves."

Those in attendance also heard powerful testimony from University Professor Dr. Dave Riley, award-winning journalist Valerie Vande Panne, Executive Director of moCa Cleveland, Megan Reich, Grant Township Supervisor, Stacy Long, Global Alliance for the Rights of Nature (GARN) North American Hub facilitator, Caitlyn Sutherin, along with Community members Sherry Fleming from Williams County, Ohio and Paul Winnie of the Tonawanda Seneca Nation. Also representing the youth perspective, were Reed Singer, student at Ohio University and Olivia Sheldon and Jessica Bisbee from Niagara University.

How we more broadly get in "right relationship" with Nature and with each other will also take being brutally honest about how our culture, our system and how each of us individually contribute both negatively and positively to the problems we face. We have to "reckon" with all this openly and that is exactly what participants did in Cleveland - taking the first steps in thinking about real cultural shifts needed along with legal change. CELDF will compile these powerful testimonies into a report to kick off the April 2024 event.

We want to thank and acknowledge our partners and supporters — moCa Cleveland, Andrea Bowers, Rock and Roll Hall of Fame, American Indian Movement Cleveland, The Great Lakes Science Center, The Ohio Community Rights Network, The Global Alliance for the Rights of Nature, the Mountain Watershed Association, and The David Suzuki Foundation.

"EVERYTHING IS ALIVE. EVERYTHING HAS A PURPOSE. IN WESTERN CULTURE, WE ARE TAUGHT VALUE. IF SOMETHING IS 'VALUABLE', THEN THE LESS OF IT YOU HAVE, THE MORE VALUABLE IT IS."

Sundance, ED
American Indian Movement Cleveland

HELLBENT

The Little Mahoning Creek is a branch of a network of life moving from Grant Township, Pennsylvania to mixing with the collected water of the Allegheny River. In the way capillaries, veins, and arteries form a life network for our bodies, so do springs, creeks, and rivers to the benefit of people and whole ecosystems. Like with our own health, we often underestimate the significance of the small, not realizing that what we find grand is only so because of what it is connected to. Look up Little Mahoning Creek and you will find a handful of postings describing it as worthy for trout fishing, but otherwise, its significance seems to slip into the shadows. Within those shadows of the Little Mahoning Creek lives the Eastern Hellbender salamander. An elusive and ancient species, the Hellbender is a guardian, a beacon, a sentry for clean water. Coal miners had canaries, and the people of Grant Township have the Hellbender.

GIVING YOUR ALL

WHEN YOU GET THE OIL AND GAS LOBBYISTS TO SAY THIS, "THE COMMUNITY RIGHTS MOVEMENT IS THE BEGINNING OF A SOCIAL MOVEMENT THAT IS GREATER THAN JUST THE OIL AND GAS INDUSTRY, IT IS A POTENTIAL GAME CHANGER FOR ALL OF CORPORATE AMERICA.", YOU MUST BE DOING SOMETHING RIGHT. HOW WAS THIS POSSIBLE? BECAUSE PEOPLE LIKE YOU DONATE TO CELDF.

In 2013, near the waters of Little Mahoning Creek, alarm bells went off, dramatically changing lives for many in Grant Township (pop. 700) including Judy Wanchisn and Stacy Long. The mother-daughter residents of Grant Township have worked tirelessly to defend the quality of life for Grant Township from being a targeted toxic waste dump orchestrated by the gas drilling industry, specifically Pennsylvania General Energy Company (PGE). Over the last ten years, the onslaught of threats, lawsuits, and sanctions has made for many sleepless nights for these two. The fear, from day one, has been that if the toxic waste is allowed to be injected a mile below ground, in that darkness hell would be unleashed, eventually poisoning the water for Grant Township, the water the Hellbender needs for life and to do its job of protecting others.

The innate drive to face that fear and to protect where they live and what they love has, for Judy and Stacy, always been about more than just human needs. The trees, the land, the creek, and the Hellbender are family, just as their own family, friends, and neighbors. Going up

against the fossil fuel industry and its collaborators in the Pennsylvania Department of Environmental Protection (DEP), as well as the federal and state court system, required a resoluteness, stubbornness, and a sense of deep resilience that few possess. They needed a fitting name for the citizen action group that could match the grit, sensitivity, and resilience that the Hellbender itself has shown, so they called themselves the East Run Hellbenders Society.

It's only appropriate to the unfolding Grant Township saga that the latest documentary film, joining *Invisible Hand* from a few years ago, is titled *Hellbent*. The multiple award-winning film produced by Mathew Podolsky and directed by Justin Grubb and Annie Roth is an exceptionally well-done film that weaves together the story of the Eastern Hellbender salamander and Grant Township's stance of resilience and resistance. "It brings out the beautiful duality of the notion of 'giving voice to the voiceless', where the community speaks for the endangered salamander and the salamander provides the soul for the community's fight as an indicator species of water quality and a symbol of resistance," said one reviewer of the film.

Struggles of this kind, of this magnitude, rarely give way to the vindication deserved. Like the Hellbender itself, Grant Township and the dozens upon dozens of communities CELDF has partnered with over the years, have each engaged in community rights work to keep their communities safe and to sound the alarm as to darker realities we are facing from government weaponized corporations. Though it took years, over very rough waters, consistently overcoming that nagging feeling of vulnerability, Grant Township, Judy and Stacy, and the Hellbender have had a taste of victory.



In the spring of 2023 the injection well, the one that was designated to take in the toxic waste in tiny Grant Township, was plugged. Plugged means filling it with concrete, and permanently sealing it off from use. The well was discovered to be faulty, according to the DEP, and therefore PGE took the well out of commission. This vindicated what Judy, Stacy, and others who worked tirelessly knew from the beginning: that the injection well was a terrible and flawed (literally) idea, and that if it had been allowed to proceed it would have had dire consequences to the human and natural communities in the Township. Summed up simply, not a single drop of toxic frack waste will poison that well in Grant Township.

There is a scene towards the end of the *Hellbent* documentary where Stacy holds an Eastern Hellbender salamander for the first time. Almost immediately she is overwhelmed with emotion. You feel the kinship. You see the connection. You are humbled by witnessing that we are not separate from but living with nature as nature. The Hellbender will do what it does to protect the waters. Judy and Stacy will do all they can to protect Grant Township. It is a beautiful and powerful partnership that should inspire all of us to connect with and protect the places we call home.

Learn more about Grant Township by visiting celdf.org

NY GREAT LAKES BILL OF RIGHTS: A NEW BEGINNING

In February of 2022, New York State Assemblyman Patrick Burke introduced legislation into the state Assembly that will create a Great Lakes Bill of Rights with the goal of securing legal rights for the entire ecosystem, recognizing that all of the Great Lakes are interconnected, and any harm done to one, affects them all.

The language was drafted with the assistance of (CELDF) at the invitation of Assemblyman Burke's office. The Great Lakes Bill of Rights recognizes "that the people and the natural environment, including each ecosystem of the state of New York, shall possess the right to a clean and healthy environment, which shall include the right to clean and healthy Great Lakes and the Great Lakes ecosystem." The bill has also opened dialog with many diverse groups with varying perspectives. Of particular importance are Indigenous views on recognizing legal rights for what we call "nature."

The bill addresses past and ongoing government complicity in environmental destruction. Regulating ecosystem destruction has not resulted in the overall preservation of the natural world, as the very logic of harm regulation is fatally flawed. CELDF was early to recognize the diversion from actual environmental protection in the fevered efforts of environmentalists to make regulation of Nature's destruction work. We laid the groundwork and changed the conversation at the community level across the United States. And today we survey how far we've come since we drafted

and organized the very first community anywhere to enact a Rights of Nature Law. That was in 2006 in a little Pennsylvania town called Tamaqua. Now we have begun to introduce our work for the Rights of Nature at the level of the state.

What can you do? For new ideas and new rights to take hold and flourish, there must be brave and creative people willing to be the first in their community to act. What Tamaqua and Pittsburgh, Pennsylvania and Toledo, Ohio and scores of other communities have shown us, by engaging with CELDF and being among the earliest U.S. communities to codify Rights of Nature in law, remains a pioneering path to forge and follow. Before your state considers Rights of Nature legislation, the voices of communities aspiring to a better path forward must be heard.

To make the Great Lakes Bill of Rights a reality, New York communities who are part of the Great Lakes Ecosystem must build on what has been started. Your community can even join in this effort by proposing and



enacting laws like the New York Great Lakes Bill of Rights for enactment in municipalities and counties and by other Great Lakes states.

We understand that laws themselves don't change how people relate to the world around them, and so legal rights for ecosystems can be a starting place, where colonized minds can begin to internalize the new paradigm necessary for us to create that "better world" we are told is possible. Dr. Dave Reilly of Niagara University put it this way: "A Great Lakes Bill of Rights is a logical and important step toward acknowledging our collective responsibility as stewards of our environment. Our actions as contributors to a kind and compassionate world must reflect the first law of ecology: that everything is connected to everything else. Healthy ecosystems promote healthy communities. Promoting biodiversity starts with respecting the essentiality of each species and the intrinsic value of nature. To ensure ecological balance, we need to establish the Rights of Nature and to reorient our values and behavior to reflect a holistic perspective that integrates our social and ecological systems in a sustainable manner."

The bill was resubmitted during the 2023 Assembly session, and its language is now being improved, with Indigenous input. Everyone can publicly support moving Assemblyman Burke's bill out of committee and into law when it is reintroduced for the 2024 session. Perhaps other legislators in other states and provinces will emulate this effort, and it just may be that you are the one we've been waiting for to get a campaign started. Let all the people and the whole of the Great Lakes ecosystem and beyond be heard loud and clear!

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