



SUSQUEHANNA

A Publication of the Community Environmental Legal Defense Fund

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CELDF: FORGING A MOVEMENT FOR RIGHTS

It's not every day that a public interest law firm and the communities it serves begin a movement! But what began over twenty years ago as an effort to help communities enforce the nation's environmental laws, has now fully evolved into a resistance movement focused on driving rights for local self-determination and nature into the highest levels of law.

CELDF and our partner communities are leading the charge!

This year was marked by several historic firsts —

- The adoption by Lafayette, Colorado's City Council of the nation's first "Climate Bill of Rights." The ordinance bans fracking for natural gas in the City as a violation of the right of residents to a healthy climate, and the right of the climate itself to exist and flourish;

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RIGHTS OF NATURE — 2017 SYMPOSIUM AND BUILDING A MOVEMENT

CELDF has pioneered the movement for recognition of legal rights of the natural world.

In partnership with people and communities, grassroots groups, and governments, in just over a decade, we've helped advance the first "Rights of Nature" laws passed at the local level in the U.S. Communities in more than ten states have now enacted such laws.

The first countries have secured the Rights of Nature into law, beginning with Ecuador, which enshrined the Rights of Nature in its constitution in 2008.

In October 2017, CELDF and our International Center for the Rights of Nature, with Tulane Law School, hosted the first *Rights of Nature Symposium* in the U.S. We brought together leaders on the Rights of Nature from around the world to present on their work and strategize on next steps forward. This included leaders from the U.S., Ecuador, Nepal, Australia, Sweden, and from the Ponca Tribe, the Ho-Chunk Nation, and the Navajo Nation. Conference proceedings and videos

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- CELDF litigated a case resulting in a landmark ruling: The Ohio Supreme Court overturned an Ohio statute — adopted by the Ohio legislature last year — that enabled local election boards to unilaterally deny ballot placement for local, rights-based laws;
- CELDF's International Center for the Rights of Nature met with Parliamentarians in Nepal and Sweden. Further, CELDF helped to draft new constitutional amendments and laws in India and Nepal that would recognize legal rights for ecosystems and nature;
- CELDF helped to draft and file the first lawsuit brought by the Colorado River, *Colorado River v. State of Colorado*. The River seeks constitutional recognition for its rights to exist and flourish;
- With Tulane Law School, CELDF co-hosted the first U.S. "Rights of Nature" Symposium, featuring speakers from Nepal, Australia, Ecuador, Sweden, tribal nations, and local communities. These key leaders spoke about the movement towards expanding legal rights for ecosystems and nature. Karena Gore delivered the keynote at the conference;
- In New Hampshire, Ohio, and Oregon, CELDF Community Rights Networks continued to advance state-level constitutional amendments. The rights-based amendment would explicitly recognize the local authority of communities to adopt local bills of rights limiting corporate "rights" and recognizing rights for ecosystems and nature;
- The Arizona Journal of Environmental Law and Policy published "A Phoenix from the Ashes: Resurrecting a Constitutional Right of Local, Community Self-Government in the Name of Environmental Sustainability." This is a CELDF law review article that explores the legal doctrine behind the Community Rights movement;
- CELDF led several workshops for tribal nations, including the tribes of the Colorado Plateau, the Chippewa in Minnesota, and the Ho-Chunk in Wisconsin, focused on establishing legal rights for ecosystems and nature within their tribal constitutions.

Along with these new initiatives, CELDF continues to support and defend those community partners who we've been fighting alongside over the past decade. Those include the people and elected officials of Grant Township, Indiana County, Pennsylvania — recently featured in *Rolling Stone* magazine — who have steadfastly refused to allow an oil and gas company to inject fracking fluids into their Township. For the past five years, that epic battle between the company and the Township has raged, with the company forcing a jury trial on its claims against the Township for violating the company's constitutional "rights." On May 14, 2018, the people of Grant will collide with the oil and gas company in that trial, and CELDF will represent them.

Right down the road, the people of Highland Township, Elk County, are traveling a similar path. Unwilling to allow an oil and gas company to use their Township as a dumping ground for fracking waste, they too have made a stand of their own. CELDF stands with them.

There have been other "firsts" as well, which show the system in its true light. In response to Grant Township standing up against the oil and gas companies that seek to use Grant and other localities as dumping grounds, Grant was hit with another lawsuit from an unexpected source — the state itself. In March, the State's Department of Environmental Protection sued Grant, seeking to overturn the Township's ban on frack injection wells. Grant Township is fighting back, and CELDF stands with them.

A big thank you to everyone who has stood with CELDF over the years. Your support allows us to do what we do in the name of Community Rights and nature. If you're not a supporter, please consider becoming one; and becoming part of this resistance movement that is changing both the law and our culture.

Stand with us, so that we can continue to stand with the people across this country — and beyond — who are making a difference.



AFTER THREE YEARS, GRANT TOWNSHIP'S DAY IN COURT

— Photo credited to Mike Belleme

If you're a regular reader of *Susquehanna*, you've seen Grant Township, PA, frequently in these pages over the past few years. Grant Township has been fighting to protect their community from a frack wastewater injection well since 2013. The injection well is proposed by Pennsylvania General Energy (PGE), which has a history of permit violations. Injection wells threaten drinking water supplies and have caused earthquakes in other states, including Ohio and Oklahoma.

It's been a hell of a battle between Township residents, PGE, and the Pennsylvania Department of Environmental Protection (DEP), and there's more to come. Here is a brief recap of what has transpired to this point:

- June 2014, Grant Township enacts a CELDF-drafted Community Bill of Rights ordinance banning injection wells
- August 2014, PGE sues Grant Township, claiming that Grant has violated the corporation's "rights"
- October 2015, a federal judge rules against the Ordinance, claiming that the Township lacked authority to enact the ban
- November 2015, Township residents vote in a new Home Rule Charter — a local constitution — that reinstates the ban on injection wells
- May 2016, Grant Township enacts a first-in-the-nation ordinance that legalizes nonviolent direct action to enforce the Charter and protect the community from injection wells, if the courts fail to do so
- March 2017, DEP sues Grant Township, attempting to invalidate the Charter; DEP claims that the Charter interferes with Pennsylvania state oil and gas policy

Throughout the years, Grant Township residents were never granted a day in court — until October 10, 2017. On that date, the Commonwealth Court heard arguments in the *DEP v. Grant Township* case, and residents showed up in force to defend their Charter. They made it clear to the court that they're not going away.

Even more clear for Township residents: They will enforce and defend their democratically-enacted Charter, even if the courts will not. As of press time, no decision has been issued.

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A WIN FOR PEOPLE'S DEMOCRATIC RIGHTS IN THE OHIO SUPREME COURT

For three years, Ohio state government and the oil and gas industry have been relentless in their efforts to quash Community Rights. For three years, communities have not only pressed on, but built momentum, refusing to sacrifice their communities to industry. And for three years, CELDF has fought along their side, doggedly fighting for the people's right to direct democracy through citizen initiative.

This fall, some of the people were victorious in their fight for democratic rights.

The Story Begins Here

The story begins in 2015 and 2016, when Athens, Medina, Portage, Fulton, and Meigs Counties worked with CELDF to draft Home Rule county charter initiatives. County residents, like hundreds of other communities across the state, are threatened by fracking infrastructure projects. In response, they advanced citizen initiatives to propose county charter forms of government. The charter initiatives included bans on fracking activities as a violation of communities' rights to clean air and water, the right to local community self-government, and the Rights of Nature to exist and flourish.

In both years, Ohio Secretary of State Jon Husted blocked the duly qualified measures, claiming "unfettered authority" to do so in 2015. (Husted receives campaign contributions from the oil and gas industry.)

In both years, the Ohio Supreme Court — while denying Husted's claim to have authority to block the initiatives — kept them off the ballot based on ambiguous technicalities.

Ohio Legislators Get Slippery

Ohio legislators wanted to help the oil and gas industry stop the growing efforts to block fracking activities. In

December 2016, they did what legislators do: They got slippery.

HB 463 was a foreclosure bill. Taking direct aim at Community Rights initiatives, legislators quietly added a section granting the Ohio Secretary of State and the county Boards of Elections (BOEs) authority to invalidate citizen initiatives based on substantive content. (Husted appoints the BOEs.)

The fall out was swift.

Advancing Rights in 2017

In 2017, Athens and Medina County residents advanced rights-based county charter initiatives that included fracking infrastructure bans. Youngstown residents — for the seventh time! — advanced not one, but two Community Rights initiatives. The first, to protect their water from fracking. The second, to protect their elections from outside interests.

And Bowling Green State University students led the charge in their City, working with CELDF to draft the state's first *Right to a Livable Climate* initiative.

Athens, Medina, and Youngstown residents were thwarted by their own Boards of Elections. While the Athens and Medina BOEs skirted HB 463, the Mahoning BOE unfurled the HB-463-flag shamelessly. Each of the communities was stripped of their right to vote on their own ballot measures.

Heading to the Ohio Supreme Court

CELDf represented Athens and Medina residents in the Ohio Supreme Court as they challenged the BOEs decisions.

In the county cases, just as in 2015 and 2016, the oil and gas industry, the Chamber of Commerce, and the Farm Bureau submitted briefs on behalf of corporate interests. Regardless of the will of the people, industry and their allies are determined to site fracking infrastructure across Ohio. They are fighting like hell to keep residents from voting on charter governments that would protect the people from harms posed by fracking, pipelines, and injection of waste into their communities.

This year, however, there were two strong dissenting voices from the bench. Justices Fischer and O'Neill stated:

"I would hold that the Medina and Athens County Boards of Elections exceeded their authority and thereby abused their discretion in refusing to place the proposed county charters on the ballot. Whether

the proposed county charters are constitutional are decisions for the courts, and as we have consistently held, those decisions should be made only after the election, if the measures pass."

Next Up: Youngstown

Youngstown residents were determined to challenge their BOE decision as well. CELDF went with them to the Ohio Supreme Court.

The Court wrestled with the case for a month before reaching their 4-3 decision. The majority led the way in making history: This marks the first time that Youngstown residents were denied their inalienable and constitutional right to amend their City Charter.



The dissenting Justices reproached the majority, while addressing the invalid arguments presented by the Mahoning BOE. The Justices recognized the state legislature's overreach with HB 463. The law, according to these dissenting Justices, violates separation of powers by allowing the Secretary of State and BOEs authority to determine the constitutionality of citizen initiatives. Determining constitutionality has long been understood to belong to the courts.

Meanwhile, under the mantra "We don't lose until we quit!" these tenacious Youngstown residents march onward in their fight to protect their water. On Election Day, they began gathering signatures to place their *Drinking Water Protection Bill of Rights* on the May 2018 ballot.

Next Up: Bowling Green

Three hours west of Youngstown, Bowling Green residents also rallied together to protect their water — with Bowling Green State University students leading the way. When BGSU students learned about the proposed Nexus pipeline threatening the City's water source and contributing to climate change, they didn't hesitate.

"We quickly realized our City officials were not going to effectively protect us after attending a few of their meetings. It's clear our state government isn't going to protect

us. And the federal government is supporting fossil fuel projects as fast as it can rubber stamp them," said Brad Holmes, BGSU Senior and President of Environmental Action Group (EAG) on campus.

Students worked with Bowling Green residents and CELDF to draft a *Right to Livable Climate* citizen initiative. The measure bans pipelines and compressor stations as a violation of the right to a livable and healthy climate.

Challenging the Wood County BOE

This time, a BOE stood by the people's right to vote. The Wood County BOE voted to place the Right to Climate initiative on the ballot. One resident challenged the decision, arguing in part that the substance of the initiative was unconstitutional and, under HB 463, should be kept off the ballot. When the BOE stood its ground, the challenger appealed to the Ohio Supreme Court.

Gaining Traction for Rights: Bowling Green Residents Declare Victory!

Following the growing numbers of dissenting judges in the county charter cases and the Youngstown case, CELDF and Bowling Green residents gained traction in their fight to protect citizen initiative, and their challenge to HB 463.

The Ohio Supreme Court refused to accept the resident's arguments against the Right to Climate initiative. The Court struck parts of HB 463 down as a violation of the separation of powers, and ordered the charter amendment on the ballot.

The Court stated, "To the extent that [HB 463] authorizes and requires boards of elections to make substantive, preenactment legal evaluations, it violates the separation-of-powers doctrine and is unconstitutional."

The Ohio Supreme Court affirmed the right of Bowling Green residents to vote, ordering their first-in-the-state Right to Climate charter amendment on the November ballot.

Moving Forward

Ohio Community Rights activists and their allies are under no illusion that the advancement of rights is complete. "The current generation in government, and those ruling through corporations, seem oblivious to how their actions drive forward irreparable harm — including climate change. They may not have to worry about being around for the catastrophic end of life as we know it. But my generation — we do. This is our future. And we're in jeopardy," said Daniel Myers, 2017 BGSU Graduate.

“ENOUGH!” SAY RESIDENTS OF NEWMARKET, NH



What do you get when you dump toxic waste in waterways? It isn't pretty. And so in the 1970s, the New Hampshire legislature adopted laws to protect waterways. But they decided not to *stop* the dumping. Instead, they changed *where* the dumping took place.

Welcome to Newmarket, a coastal mill town established in the 1700s in the Seacoast region of New Hampshire. Historically, it has been a recipient of toxic waste from industry and mills on the Lamprey River. Today, development and waste in and around this Town have begun to take their toll. Humans and nature are struggling to recover their health and well-being.

In addition, the Coakley Landfill Superfund site, Pease Air Force Base, and other industrial locations have been leaking perfluorinated chemicals (PFCs) and trichloroethylene (TCEs) into the air, soil, and water for many decades — all while under the supervision of state and federal environmental agencies. The region's water and communities' health are threatened by these toxins. Newmarket community members are coming together to learn what they can do about it.

As part of their organizing and education, residents recently hosted a screening of *We the People 2.0 - The Second American Revolution*, to hear the stories of communities across the country that are organizing against harmful corporate activities. These communities are confronting our structure of law, which elevates the rights of corporations over the rights of people, communities, and nature. Today, Newmarket residents are inspired to act — and they understand their health and safety depend on it.

The New Hampshire Community Rights Network (NHCRN) and CELDF are partnering with Newmarket residents to secure a healthy future for people and nature through rights-based organizing strategies. They are joining dozens of other New Hampshire communities that have challenged corporate claimed “rights” and

state efforts to force harms into Towns. Granite Staters are elevating Community Rights to clean air, water, local self-government, and the Rights of Nature, over corporate “rights” that are backed by state and federal government.

NEW HAMPSHIRE COMMUNITY RIGHTS AMENDMENT IN STATE LEGISLATURE

For the second time in the U.S., a state legislative committee will hold a public hearing on a Community Rights state constitutional amendment. New Hampshire House Representative Ellen Read of Rockingham County is sponsoring the proposed amendment, which has received bi-partisan support. The Community Rights amendment guarantees local communities the authority to protect the health, safety, and welfare of individuals, communities, and nature.

The amendment, [Article 40. Right of Local Community Self-Government](#), was drafted by the New Hampshire Community Rights Network (NHCRN) with assistance from CELDF.

Representative Read said she is proud to sponsor the amendment to “ensure protections for the people and ecosystems of the Granite State that currently do not have governing authority over decisions that directly affect them.”

The legislation grew out of New Hampshire residents' frustration as they worked to protect themselves from harmful projects such as gas pipelines and compressor stations, high voltage transmission lines, industrial wind ventures, and water extraction projects. In their work to safeguard their right to local self-government, clean air and water, individual property rights, community identity, and local ecosystems, they are routinely preempted by state and federal governments, in partnership with corporate special interests. State elected officials and state agencies approve the projects, which are forced into Towns without their consent and without regard for their welfare.

A growing number of Granite State communities have protected themselves by passing Community Rights, or Rights-Based Ordinances (RBOs), at their town meetings. RBOs are developed by community members with CELDF's assistance. They are grounded in the people's

unalienable right to govern themselves. This right is affirmed in the Declaration of Independence and the New Hampshire State Constitution, and it includes the right to protect clean air and water. The Community Rights amendment is the next step in protecting those rights by securing them explicitly in the New Hampshire Constitution.

When the NHCRN and residents advanced the amendment in 2016, the House Legislative Administration Committee nixed it, despite the amendment having broad community support across the state. The Committee gave a unanimous recommendation vote to the full New Hampshire House of “inexpedient to legislate” (ITL). While the state legislature stood in the way of the right of local community self-government, participants of the NHCRN remain undeterred, bringing the Community Rights amendment back for the 2018 legislative session.

Representative Read said that when NHCRN brought the amendment proposal to her attention, she immediately saw the need to step up and set an example for other

elected officials to follow. She stated,

“I truly hope my colleagues join me in supporting the Community Rights Amendment because it means doing exactly what we came to Concord to do — protect the people and resources of New Hampshire. This Amendment is needed to reestablish the inherent and inalienable rights of individuals, their communities, and nature. Too often, big out-of-state corporations, that come in looking to profit off of Granite Staters and our land, are given MORE rights than our own people and ecosystems! This amendment places power back into the hands of the governed...the very thing our Revolutionary ancestors fought for.”

Over the next several months, the NHCRN will be educating elected officials on the people's right to local community self-government, and how the Community Rights amendment codifies that right. Through the amendment, the NHCRN is working to empower all residents, such that the people's authority to secure and protect their rights to economic, social, and environmental justice — including the rights of nature — is recognized.

RIGHTS OF NATURE - CONTINUED FROM PAGE 1

of the panels and speakers will be made available on the celdf.org website.

The Symposium comes as our work with communities and in states across the U.S., with tribal nations, and with countries abroad is growing. With your support, we can make the fundamental change that is needed to address what we know today is a fact — nature is suffering.

Today, around the world, ecosystems are collapsing. Coral reefs are experiencing bleaching and die-off. The oceans are acidifying. Species are going extinct at more than 1,000 times natural background rates. And of course, climate change is accelerating, with 2016 the hottest year on human record — the third record-setting year in a row.

It is clear that fundamental change is needed. CELDF, our International Center, and our partners, are building a movement for fundamental change, driving forward a paradigm shift in humankind's relationship with the natural world.

In 2017, our work on the Rights of Nature made big steps forward with communities and in states across the U.S., with tribal nations, and abroad.

Our first Climate Bill of Rights was enacted — recognizing rights of both people and nature to an unpollut-

ed climate system. The first community in Oregon enacted a Rights of Nature law. Constitutional amendments are now advancing in several states that would secure the legal authority of communities to enshrine the Rights of Nature in local law.

We've met with parliamentary members and government officials from Sweden, Nepal, Bolivia, and other countries on the Rights of Nature. CELDF is serving as legal adviser for the first-in-the-nation lawsuit in which an ecosystem — the Colorado River — is bringing a case to secure and defend its own rights. We've launched a series of Rights of Nature workshops with tribal nations. And more.

This movement is building as more and more people, communities, and even governments are recognizing that existing environmental legal systems, which authorize human use and exploitation of nature, are not able to protect nature. These environmental laws are giving way to new legal frameworks that recognize the need to change our relationship with nature.

We need your help to grow this work. Thank you for your support!



OREGON

The Siletz River Speaks as Timber Industry Sues



Lincoln County, OR, residents didn't blink when the timber industry and their allies outspent them 20 to 1 to defeat *The Freedom from Aerially Sprayed Pesticides* Community Rights ballot measure last spring. Corporate money didn't buy this election. The measure was adopted by Lincoln residents in May.

CELDF assisted community members in drafting the initiative, which today bans aerial spraying in order to secure rights of people and natural communities to clean water and to be free from toxic trespass. It is the first community rights and rights of nature law in the state, and the first rights-based ban on aerially sprayed pesticides.

However, folks in the timber industry financially benefit from spraying pesticides on industrial forests — regardless of the costs borne by residents and local ecosystems absorbing the toxins. Despite the democratic will of the people exercised at the ballot, front men of the timber and chemical industries filed a lawsuit to override them.

Their argument: state laws preempt communities from protecting themselves from pesticide use. The state's preemptive power and the claimed "rights" of corporations to spray pesticides override the people's rights. This includes their right to adopt a law protecting rights to a healthy environment and the Rights of Nature.

The Siletz River, located in Lincoln County, is directly harmed by aerial spraying. CELDF filed for intervention in the case on behalf of the River — the third ecosystem in the U.S. to do so. While the judge denied the River access, she spoke prophetically that there will be a time when nature will be seen by the law and will argue on its own behalf.

A hearing in the case was held October 9th. A CELDF-supported attorney representing the community group countered plaintiffs' argument that Lincoln County residents had no right to adopt a law that is preempted by state law. The attorney argued that the right to self-determination is protected in the Oregon constitution, and that the state's constitution allows the court to recognize unenumerated rights, particularly when grounded in protecting the health, safety, and welfare of a community.

A decision is expected by the end of the year.

For more information visit: www.yes-on-21-177.org and www.lincolncountycommunityrights.org

Banning Aerially Sprayed Herbicides in Lane County, OR

Like their neighbors to the north in Lincoln County, residents of Lane County are threatened by the industrial use of aerially sprayed poisons. The timber industry sprays herbicides multiple times throughout clearcutting and replanting cycles, exposing human and natural communities to toxins.

Lane County residents responded. They worked with CELDF to draft two Community Rights home rule charter amendments. To date, they have gathered nearly 30,000 signatures to place the measures on the ballot. The first initiative establishes the right to clean air and water, and bans aerially sprayed herbicides as a violation of those rights. The second secures the right to local community self-government. The petition committee associated with the local group, Community Rights Lane County, submitted signatures for the amendments in early fall.

In a tale repeated across the country, powerful and established interests are looking to interfere and deny the right to vote. A local supporter of the timber industry convinced the courts that an unused — and most likely non-applicable — review of the amendments should take place. This review may delay the vote past May 2018, or succeed in keeping the amendments off the ballot.

Lane County residents are undeterred. For five years they have worked to advance Community Rights, facing opposition at every turn. As the legal proceedings play out,

Community Rights Lane County is actively building their campaign for an eventual vote. They are ready to become the second county in the state to ban aerial spray of toxic herbicides.

For more information visit: communityrightslanecounty.org and www.freedomfromaerialherbicides.org

Other Oregon Happenings

Yamhill County residents are advancing Community Rights to protect the Greater Yamhill River watershed. The community group, Community Advocates Protecting Our Watershed (CAPOW) is working with CELDF, filing a rights-based water protection initiative to defend the vibrancy of the watershed and to protect drinking water across the county. CAPOW is aiming for the November 2018 ballot. Learn more at: www.facebook.com/YamhillWaterCAPOW

State and corporate interests in Oregon and across the U.S. are increasingly using state preemption to suppress the just and necessary changes our communities want and need. As those interests continue accelerating environmental and economic injustices, they are fueling interest in and support of the Right to Local Community Self-Government state constitutional amendment.

The Oregon corporate state interfered with the amendment initiative, dragging it through an appeal process. CELDF, which assisted Oregonians in drafting the measure, also defended the right of the people to gather signatures. Despite corporate state efforts to stop the amendment, CELDF was successful in having the Oregon Court of Appeals clear the petition for signature gathering.

To qualify for the November 2018 ballot, 145,000 signatures must be collected by early July. More information can be found here: oregoncommunityrights.org

Pulitzer-Prize winning journalist Chris Hedges will be on a three-stop tour of Oregon in March 2018. The tour is hosted by the Oregon Community Rights Network and local Community Rights chapters. Hedges has written and spoken on war, corporate power, capitalism, and the need for a people's movement against the corporate state. His book, *Days of Destruction, Days of Revolt*, highlights how our legal and governing system establishes the corporate state, which uses communities as sacrifice zones and plunders the natural world for corporate profit. Hedges will be giving talks in Portland (March 7th), Eugene (March 8th), and Medford (March 9th). More information can be found at www.orcrn.org



WASHINGTON

Salish Sea Rising

The Salish Sea, also known as the greater Puget Sound, is under tremendous stress from ship traffic, pollution, military operations, introductions of non-native species, and climate change. This is threatening commercial oyster fishing, orca whale pods, and native salmon. It is endangering human and natural communities that are dependent on the Salish Sea ecosystem.

In response, communities are beginning to organize and educate, seeking to advance laws securing the rights of the Salish Sea in order to protect the endangered ecosystem. This fall, community groups hosted Democracy Schools, Community Rights talks, and a screening of *We the People 2.0*, in Bellingham, Gig Harbor, Lopez Island, and in Snohomish County. Community awareness of the growing risk to the Salish Sea is driving a resurgence of Community Rights work on the west side of Washington.

COMING EARLY 2018: CELDF PUBLISHES OUR COMMUNITY RIGHTS PAPERS IN BOOKLET FORM!



THE GOVERNMENTS WE WANT, OR THE GOVERNMENTS WE GET? NEW CONSTITUTIONS IN PA



— Photo credited to Mike Belleme

What kind of a government do you live under? Who created it? And what were their priorities? We promise this won't be boring.

In Pennsylvania, for example, there are three broad categories of local governments: cities, boroughs, and townships. And there is a "code" for each type of government. The code outlines the procedures for how that government must operate. For example, most townships use the Second Class Township Code, which was originally written in 1933. It hasn't changed much since then.

Of course, this means that most Pennsylvania residents are living under local systems of law that were written decades ago by legislators and bureaucrats. They had very different priorities, and were facing different conditions, than those our communities are up against now. And we're not even getting into the problems with our state and federal laws and constitutions.

In short, most of us are trying to make do with the governments *we've been given*. And most of us haven't even considered what it would be like to envision a government that *we want* — one that is tailored to protect our rights and that gives us the tools we need to deal with the increasingly dire problems facing our communities.

But recently in Pennsylvania, two townships threatened with frack wastewater injection wells — Grant and Highland — stepped up to write new constitutions for their communities. They are blazing a trail towards a future of their own making. Both Townships worked for over a year on the process, which included convening Government Study Commissions to study their old forms of government, and draft a new form of government that would later be approved by Township voters at the ballot box.

It's worth taking a minute to think about just how remarkable that is: When was the last time someone asked you, or you thought deeply about, what kind of a government you want? And when was the last time you had the opportunity to participate in creating that government, and voting it into existence?

Grant and Highland adopted constitutions that are now providing inspiring models for a sane and sustainable future, including the Rights of Nature, and the right to a sustainable energy future.

When will you begin to work on the government that you want?

WELCOME CELDF'S NEW STAFF MEMBERS

CELDF is pleased to announce that Elsa Dooling has joined us as an Outreach Assistant! Elsa is a seasoned community organizer and fundraiser, nonprofit consultant, communications and marketing specialist, personal development guide, Democracy School grad, passionate environmentalist, and dedicated mother. From startups to nonprofits, Elsa has helped businesses, schools, churches, children and families make positive impacts in their lives, communities, and industries. She met CELDF and helped introduce Community Rights to Monterey and Santa Cruz Counties from 2008-2010 in an effort to better protect local communities from toxic pesticide sprayings. Now living in the Sacramento Valley, she can be found hiking and watching the salmon run on the American River, advocating for Waldorf Education and supporting CELDF and our communities!



CELDF is pleased to introduce Lisa Kochheiser as our second Ohio Community Rights organizer. Lisa was inspired to get involved with Community Rights work in 2013 after listening to a talk given by CELDF Ohio Community Rights organizer, Tish O'Dell. She went to work with communities in Northwest Ohio facing various harms such as pipelines and an impending water crisis. This included supporting Waterville, OH, residents as they advanced and adopted their Waterville Community Bill of Rights charter amendment. The measure bans pipelines as a violation of Community Rights. She is currently involved with the 2018 Lake Erie Bill of Rights (LEBOR) effort which, if adopted, will recognize enforceable rights for Lake Erie. She is a founding member of the OHCRN and the NCRN. In her spare time Lisa enjoys backpacking, kayaking, bicycling, and teaching world history to her grandchildren. Lisa lives in Bowling Green, Ohio.



Happy Holidays
from All of us at
CELDF



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

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