



# SUSQUEHANNA

*A Publication of the Community Environmental Legal Defense Fund*

## IN THIS ISSUE

**GRANT TOWNSHIP:  
FOUR YEARS, NO INJECTION WELL**  
PAGE 3

**JUSTICE LIES WITH US**  
PAGE 4

**BARNSTORMING THE  
CAPITOL FOR COMMUNITY RIGHTS  
AMENDMENTS**  
PAGE 5

**RIGHTS OF NATURE 2018:  
A YEAR OF GROWTH AND  
CELEBRATION**  
PAGE 6

**RECOGNIZING RIGHTS OF THE  
GREAT BARRIER REEF**  
PAGE 6

**GROWING ROOTS AND RIGHTS FOR  
JUST COMMUNITIES**  
PAGE 7

**OHIO COMMUNITIES FORGE ON —  
WON'T TAKE NO FOR AN ANSWER**  
PAGE 7

**OREGON: "RAGTAG" COMMUNITY  
RIGHTS GROUP FEATURED IN  
THE INTERCEPT**  
PAGE 9

**WASHINGTON: SMELTER, SHELTER,  
AND TALES OF THE WHALES - ALL  
ABOUT COMMUNITY RIGHTS**  
PAGE 10

**IN HONOR OF DR. RAY**  
PAGE 11

## BUILDING AWARENESS, ACTIVISM, AND ALLIANCES: OUR 2018 YEAR-IN-REVIEW

As the busiest year ever for the Community Environmental Legal Defense Fund comes to a close, here's how Alternet recently described our work:

*"It's about the community having the right to protect themselves from legalized harm...it's about communities passing laws to create a society you want your children and grandchildren and great-grandchildren to live in." (Alternet, "Here's How Community Rights Could Help Save the Great Lakes," September 26, 2018).*

Since 1995, CELDF has proudly stood on the front lines with people whose cities, towns, villages, and counties across the country have taken on the world's largest agribusiness, energy, and waste corporations. In partnership with CELDF, those communities have forged the Community Rights movement to elevate the rights of communities and nature above corporate "rights," state preemption, and other key barriers to sustainability.

Here are a few of our accomplishments in 2018:

- In New Hampshire, a bi-partisan group of state legislators successfully brought our state constitutional amendment to the full floor of the state House of Representatives. The amendment would recognize the authority of over 230

CONTINUED ON PAGE 2

## TODD TOWNSHIP, PA, BANS INDUSTRIAL FARMING

*"It's About the Community, and Our Future"*

Todd Township, Huntingdon County, is the latest community targeted for a factory hog farm in Pennsylvania. Harkening back to CELDF's early work in the late '90s, this problem seems to be playing on repeat.

Yet the folks of Todd Township are writing a new script. They know that industrial farm operations threaten the environment, treat animals inhumanely, and hurt local farmers. And so they passed an ordinance in July to ban industrial hog farms.

CONTINUED ON PAGE 5

## END OF THE YEAR ARTICLE - CONTINUED FROM PAGE 1

towns and cities in New Hampshire to adopt new local bills of rights that ban harmful corporate projects. It garnered over a third of the entire House in support;

- In Grant Township, Pennsylvania, for the fourth year, CELDF and Grant residents blocked the development of a frack wastewater injection well. CELDF recently won a court ruling against the Pennsylvania Department of Environmental Protection (DEP), which sued Grant Township to overturn its ban on injection wells;
- In Oregon, CELDF and the Oregon Community Rights Network won their case against the Oregon Attorney General's refusal to allow the Community Rights constitutional amendment to circulate for petition signatures. CELDF continues to litigate the appeal brought by the Attorney General's office;
- In Todd Township, Pennsylvania, local officials enacted a Community Rights law to ban corporate factory farms by recognizing a right to sustainable agriculture for the community. With CELDF, they began to fight an action by the Pennsylvania Attorney General that challenges the authority of the community to recognize that right;
- In Ohio, Community Rights activists obtained approval from the Ohio Attorney General and the Ohio Ballot Board to begin collecting signatures for a state constitutional amendment. It would authorize local citizen initiatives to adopt bills of rights elevating rights of communities and nature above those claimed by resource extraction corporations and other harmful industries;
- In Toledo, Ohio, our partners gathered signatures to qualify a Lake Erie Bill of Rights, which would recognize certain rights of the Lake Erie watershed and ecosystem;
- In Lincoln County, Oregon, CELDF and community members celebrated the one-year anniversary of the first-in-the-nation countywide ban on aerial pesticide spraying. CELDF is currently litigating on behalf of the people of Lincoln County against a challenge filed by timbering interests that seeks to overturn the ban;
- In Oregon, CELDF and our partners hosted Pulitzer Prize-winning author Chris Hedges. He conducted a multi-city speaking tour of regions where CELDF has assisted with local initiatives, highlighting his support of Community Rights work there;
- In Australia and Nepal, CELDF assisted groups to draft constitutional amendments and laws that would

recognize rights of the Great Barrier Reef and the Himalayas. CELDF's *International Center for the Rights of Nature* is now assisting groups in India, Ecuador, Italy, and a dozen other countries with drafting and moving laws focused on recognizing legally enforceable rights of ecosystems;

- On Kaua'i in Hawai'i, CELDF created the Island's first "rights of nature" development easement, which recognizes legally enforceable rights of ecosystems on a parcel of land. The donated easement is now held by the *Terra Conservancy*, an entity created by CELDF to pioneer the advancement of rights of ecosystems through private land easements;
- At Vermont Law School, CELDF participated in the second Rights of Nature law school symposium in the U.S. The first symposium was sponsored by CELDF and Tulane Law School in October 2017, and led to the second symposium sponsored by the Vermont Journal of Environmental Law; and
- In Ecuador, CELDF participated in celebrating the ten year anniversary of the Rights of Nature constitutional provisions in the Ecuadorian Constitution, joining other Rights of Nature leaders from around the world in a Rights of Nature conference in Quito.

As global environmental crises loom ever-closer on the horizon, CELDF continues to be at the forefront of helping communities design local, rights-based solutions that directly challenge a system designed to exploit those communities. This year, the growing awareness of the need for rights-based grassroots action led to more and more media coverage of CELDF's communities. The prior year's feature story in *Rolling Stone* ("How a Small Town is Standing Up to Fracking," May 22, 2017), led to hundreds of stories in publications across the country, and to regular reporting on the work of CELDF's communities in the *Huffington Post*, *Alternet*, and *Truthout*.

Responding to calls for help generated by this new media attention, CELDF has doubled its organizing and legal staff, and anticipates that our 2019 program year will dramatically expand Community Rights and Rights of Nature organizing both in the United States and abroad.

A big thank-you to our existing supporters who have made this work possible. Our nation is in the grip of the corporate state, and communities across the U.S. are determined to break free. If you're not a supporter yet, please help us make 2019 the year that liberates more and more communities. Your contribution matters!



# GRANT TOWNSHIP: FOUR YEARS, NO INJECTION WELL

Photo credit: Mike Belleme

What happens when a fierce community with 700 residents determines it is unwilling to accept a fracking wastewater injection well from a corporation known for its permit violations?

Meet Grant Township, Pennsylvania. Community members have been working with CELDF for four years to protect their township from Pennsylvania General Energy (PGE). Many readers may be familiar with the story:

- PGE wants to operate a fracking injection well
- Injection wells receive radioactive waste, threaten drinking water, and cause earthquakes
- PGE is in the “top-10” of permit violators in the state

And so Grant Township said “No.” They adopted Community Rights laws prohibiting the injection well as a violation of democratic and environmental rights. The corporate state response has been harsh. With it have come interesting revelations:

- PGE sued the Township in federal court for violating PGE’s claimed “constitutional rights;” federal judge Susan Paradise Baxter ruled in favor of PGE
- Judge Baxter sanctioned CELDF attorneys for \$52,000 for defending Grant Township
- In 2014, Judge Baxter held stock in KBR, Inc., a division of Halliburton, until just before taking the case
- The Pennsylvania state Department of Environmental Protection (DEP) sued the Township in state court, claiming the Township is interfering with state oil and gas policy
- Recently, the DEP admitted it has never denied a permit for an injection well and it has never inspected an operating injection well

These are long odds. A federal judge, an oil and gas corporation, and a state environmental “protection” agency are working to silence Grant Township and force in a fracking injection well that threatens the existence of the community.

The people soldier on, refusing to yield their rights or surrender their community.

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# JUSTICE LIES WITH US



Many people believe the courts exist to serve justice. New Hampshire residents threatened by devastating industrial projects know otherwise. From

corporate water withdrawals, fossil fuel pipeline infrastructure, unsustainable green-energy projects, toxic waste dumping, and water contamination, residents and ecosystems are not finding justice in the courts.

New Hampshire is a Dillon's state, which means municipalities only have authority to act on a law if it is specifically authorized by the state. The state is the parent, the municipality is the child. But doesn't New Hampshire have a long history of local control as a colonial state? Yes, but...over the past hundred years or so, local control has been stripped away by the combined effort of legislators adopting corporate-lobbied laws and the courts that uphold them — even when those laws harm people and ecosystems.

## *Quality water is life. Without it, living things die.*

Residents of Nottingham, discovered the New Hampshire Department of Environmental Services (DES) seemed more concerned with protecting the business of bottling water for profit than protecting the quality of drinking water for residents. During a two week test period performed by the company, known contaminants were drawn into the community's aquifer from over two miles away. The DES granted a permit to operate anyway.

In the Seacoast and Merrimack regions, residents were told their water was contaminated with Per- and Polyfluoroalkyl Substances (PFAS). Sometimes known as perfluorinated chemicals (PFCs), these contaminants are fire resistant, and repel oil, stain, grease, and water. They were discovered in the regions' drinking water when researchers were studying a pediatric cancer cluster.

## *The courts deliver death sentences to people and regulations to polluters.*

When Nottingham residents petitioned the court to repeal the permit issued by DES and protect their water, the court ruled in favor of sacrificing the *life* of the com-

munity by upholding the issued permit.

And in Seacoast and Merrimack regions, residents were promised that the cost of their blood tests would be covered. Once the suspected sources of the cancer-causing chemicals were determined (St. Gobain; the former Pease Air Force Base; and Coakley Landfill, a superfund site), families demanded the contamination stop.

Instead, the courts determined that the polluters only had to pay to test blood within a certain radius of the source. They ordered the polluters to place filters to reduce — not stop — the public's chemical exposure. How much exposure is ok? That is defined by legislators, who enact laws legalizing acceptable limits. "Studies" continue to be conducted, polluters continue to pollute, and children continue to die.

## *Profit "rights" over human rights.*

This kind of corporate and judicial jockeying is par for the course in a state and federal decision-making system made up of a web of regulatory agencies. Those agencies operate not to protect people and planet, but to facilitate corporate applications for often harmful activities, generating profits at the cost of people and ecosystems.

## *A rights-based response.*

A growing number of New Hampshire communities are partnering with the New Hampshire Community Rights Network (NHCRN) and CELDF to advance their rights and challenge our legal and governing system. They are drafting local Community Rights laws, or rights-based ordinances (RBOs). The RBOs elevate communities' rights to local community self-government and environmental rights to clean air, water, and soil. The RBOs elevate these rights above corporate claimed "rights" and state preemption.

## *A growing movement.*

Over the past decade nearly a dozen communities statewide have adopted RBOs — not because they expected the New Hampshire legislature to agree with them, but because these rights are inherent and inalienable. Today, they are driving forward a Community Rights state constitutional amendment. The amendment empowers people to use their local governing authority to protect the health, safety, and welfare of both humans and natural environments. It removes communities' vulnerability,



safeguarding them from corporate exploitation and judicial oppression at the hands of the very government that is charged to protect them.

As corporate threats grow in the Granite State, more communities are joining the Community Rights movement. The *NH Community Rights Amendment* will be reintroduced in the 2019 legislative session because our quality of life, indeed our very lives and those of our children and future generations, depend on it.



### **TODD TOWNSHIP, PA - CONTINUED FROM PAGE 1**

Today, they're being threatened with a lawsuit by the Pennsylvania Attorney General.

Yes, you read that right: The state Attorney General is considering a lawsuit against his constituents for protecting themselves from a harmful industry. And if you're wondering what's harmful about industrial hog farms, look no further than the recent problems of flooding and animal deaths at factory farms in the south following Hurricane Florence.

But Todd Township didn't stop at banning the immediate threat posed by the industrial farm. They've also laid out a vision for what a truly local, sustainable, family-based farm system would look like for the future. Folks in Todd believe that community-based farming must include operations where:

- the food consumed by animals is produced within the community
- the animals on any farm operation are owned locally
- all farm operations maintain an aesthetic that is non-industrial and consistent with the surrounding landscape

Perhaps most significantly, Todd community members have determined that the majority of the money made by any farming operation must remain within the community.

The people of Todd have taken a stand against a harmful industry and laid out an inspiring vision for their community's future. They hope other communities will join with them.



## **BARNSTORMING THE CAPITOL FOR COMMUNITY RIGHTS AMENDMENTS**

Over the spring and summer in Pennsylvania, board members for the Pennsylvania Community Rights Network (PACRN) spent weeks getting to know the ropes in Harrisburg, the state capital. Board members met with more than 40 state representatives, and more than 40 state senators, to introduce them to two proposed state constitutional amendments:

- 1) an amendment recognizing the right of local community self-government, such that communities would have more decision-making authority to protect themselves from harmful industrial activities; and
- 2) an amendment recognizing the right of citizens to an initiative process, whereby Pennsylvania citizens could gather signatures on a petition to put legislation up for a vote of the people, when elected officials are not representing them.

Both amendments are difficult for some legislators to support, because they require our elected representatives and lobbyists to give up some power and return it to we, the people. And yet the PACRN board has also found support in some unlikely places, on both sides of the political aisle. Meetings will continue through the fall, with hopes that these amendments will begin to move in the legislature next year.



# RIGHTS OF NATURE 2018: A YEAR OF GROWTH AND CELEBRATION

This year marks the 10-year anniversary of the enshrinement of the Rights of Nature in Ecuador's Constitution. CELDF celebrated this historic moment in September, with Mari Margil presenting at the International Rights of Nature Symposium in Quito. Margil leads CELDF's *International Center for the Rights of Nature*. She and other CELDF staff assisted Ecuador's Constitutional Assembly in 2008 as members developed the Rights of Nature constitutional provisions.

## *Pioneering Rights of Nature*

CELDf has pioneered the recognition of ecosystem rights in law, codifying a paradigm shift in how nature is viewed — from property to be exploited for profit, to a living ecosystem with rights to exist and flourish. We assisted the first places in the world to take this step — from communities in the U.S. to the country of Ecuador. Since then, CELDF and our partners and supporters have driven the growing Rights of Nature movement.

Our work in 2018 has continued to build in places such as Nepal, India, Australia, and other countries.

## *Tribal Nations Advancing Rights of Nature*

Our work with tribal nations has grown this year as well. In September, the Ho-Chunk Nation's General Council voted overwhelmingly in support of a tribal constitutional amendment. We have been working with tribal members for several years. If the amendment is ratified, the Ho-Chunk will be the first tribal nation to constitutionalize the Rights of Nature in tribal law.

## *The Courts Recognizing Rights of Nature*

Major developments this year included Colombia's Supreme Court decision recognizing rights of the Colombian Amazon region, and the High Court of Uttarakhand in northern India recognizing rights of the animal kingdom.

As we engage with more communities, more tribal nations, and more countries, we are seeing a growing understanding that conventional environmental laws — which regulate, and thus allow, environmental harm — are unable to protect nature. This comes with the growing recognition that we must fundamentally change humankind's relationship with nature, particularly how we

govern ourselves toward nature. CELDF is helping to advance this fundamental shift through the recognition of legal Rights of Nature.

To learn more, please visit [celdf.org](http://celdf.org) or contact [rightsofnature@celdf.org](mailto:rightsofnature@celdf.org).

# RECOGNIZING RIGHTS OF THE GREAT BARRIER REEF

In August 2018, a campaign to recognize rights of the Great Barrier Reef was launched by our partner organization, the Australia Earth Laws Alliance.

CELDf helped develop model local, state, and national laws to secure legal rights of the Reef. This includes the right to a healthy climate free from human-caused global warming pollution; the right to a healthy environment, including the right to clean air and water; and the right to naturally exist, flourish, regenerate, evolve, recover, and restore itself.

## *Rights of the First Nations*

Rights of the First Nations of Australia are also recognized in the model laws. The local legislation explains



that First Nations peoples “have cared for land and sea country of the Great Barrier Reef for millennia,” and thus they “have the right to speak for country and defend their ancestral lands from unwanted developments and environmental harm.”

### *Reef Die-Off*

Today, the Reef is experiencing significant die-off and bleaching due to warming ocean waters from climate change, as well as pollution. Reports are dire, as efforts under conventional environmental laws to protect the Reef and the millions of species for which it provides habitat are proving inadequate. Like the United States, the legal system in Australia holds nature as a resource — property to be extracted, bought, and sold. First Nations peoples, scientists, activists, communities, and environmental protection groups have endeavored to stop fossil fuel development, pollution, and other harms contributing to coral death. However, they are struggling under existing laws that are designed to allow these harms — not stop them.

### *It's Time to Change our Legal System*

“It’s time we got serious about transforming our legal system, and we’re starting with the Great Barrier Reef,” explained Michelle Maloney, of the Alliance in Australia.

To read the model laws, visit the campaign website: [rightsofnature.org.au/gbr-campaign/draft-laws-for-the-gbr](http://rightsofnature.org.au/gbr-campaign/draft-laws-for-the-gbr). To learn more about the Rights of Nature, please visit [celdf.org](http://celdf.org) or contact [rightsofnature@celdf.org](mailto:rightsofnature@celdf.org).

## **GROWING ROOTS AND RIGHTS FOR JUST COMMUNITIES**

The first state-wide Ohio Community Rights conference was held on September 29th in Columbus, entitled *Growing Roots and Rights for Just Communities*. More than 100 residents attended and tabled, representing a broad range of environmental and social justice areas. While seemingly working on separate single issues, participants left understanding much more unites than divides us in our struggles for justice.

Conference keynote speakers were Mari Margil and Dr. Melina Abdullah. Margil is an Associate Director and leader of CELDF’s *International Center for the Rights of Nature*. Abdullah is Chair of Pan African Studies at California State University, Los Angeles, and co-founder of *L.A. Black Lives Matter*. Margil and Abdullah spoke of the



system we live under that oppresses communities — including people and nature. They inspired consideration of collaborative action to resist, challenge, and change this system to create and protect healthy and just communities.

The program included five breakout Community Conversations and a large group panel discussion. Participants and activists held dynamic conversations about mass incarceration, marijuana legalization, the opioid crisis, fair elections, sustainability, labor and living wage issues and police accountability.

The message throughout was clear: No matter the issue, we are struggling under the common oppressive corporate state system that prevents us from creating the fair, healthy, sustainable, safe, and just communities we envision. What’s next? Participants are continuing the conversation and further exploring Community Rights through CELDF’s education and outreach programs, including screenings of *We the People 2.0*, *Democracy Schools*, and *Ohio Community Rights Workshops*. The movement is building!

## **OHIO COMMUNITIES FORGE ON — WON’T TAKE NO FOR AN ANSWER**

More than 30,000 people in Columbus and Toledo signed petitions to place Community Bills of Rights on their November ballot to protect water, air, and soil. Eight appointed members of Franklin and Lucas County Boards of Elections (BOE) blocked the people’s initiatives, denying hundreds of thousands of people the right to vote on the measure.





### Toledo's Lake Erie Bill of Rights

Water is life. Toledo community members proposed their *Lake Erie Bill of Rights* following a severe algae bloom caused by industrial agriculture in 2014. They partnered with CELDF to draft their rights-based charter amendment, recognizing the right of Lake Erie to exist and flourish, and the right of the community to clean water. They set to work gathering the necessary signatures and conducting education and outreach.

### Columbus' Bill of Rights for Water, Air, and Soil Protection

Columbus' watershed hosts thirteen fracking wastewater injection wells. Further, radioactive drill cuttings from fracking are permitted for disposal. Understanding the threat to clean drinking water, healthy air, and uncontaminated soil, they worked with CELDF to draft their *Bill of Rights for Water, Air and Soil Protection* and gather more than the required number of signatures. They held trainings and workshops to share with city residents the purpose of the ordinance.

### The Rules don't Matter

Both communities duly qualified their initiatives, following the rules set by their local charters. The BOEs disregarded the technical qualifications. With monarchical authority granted to them by the state, they violated the voting rights of community members.

### No Justice with the Justices

CELDf represented both communities as they filed lawsuits with the Ohio Supreme Court. The Court decided against communities and water, indifferent to compelling arguments for the right to initiative and the right to alter and reform government when the people deem it necessary. They sided with the state, where supposed government "representatives" of the people are determined to force harms into communities on behalf of corporate actors.

*"We will protect our communities!"*

It's increasingly clear to more and more Ohio communities: all three branches of "their" government are more concerned with protecting polluters' "right" to harm rather than protecting the people's rights to self-govern and to a healthy environment. It's increasingly clear how our legal and governing system makes it "legal" to pollute the water and "illegal" for the people to pass a law protecting the water.



"We will protect our communities!" declare residents from both cities resolutely. Toledo supporters are gathering signatures for their next initiative while Columbus supporters are determining their next steps. History and innumerable Community Rights activists have their backs.

**3rd Edition of Common Sense Available**  
**Order Now! [celdf.org/common-sense-order-form](http://celdf.org/common-sense-order-form)**

A PUBLICATION OF THE COMMUNITY ENVIRONMENTAL LEGAL DEFENSE FUND

**CELDf COMMON SENSE**  
**Community Rights Organizing**

**What is CELDF?** The Community Environmental Legal Defense Fund (CELDf) is a non-profit, public interest law firm spearheading a movement to establish rights for humans and nature over the systems that control them. Since 1995, we have assisted hundreds of communities to advance rights to a healthy environment, a right to climate, worker rights to living and family wages, and sanctuary city protections. Nearly 300 communities have adopted CELDF-drafted laws that stop shale gas drilling and fracking, factory farming, corporate water withdrawals, land application of sewage sludge, and other harms.

**What we want in our communities?** We're not just talking, we are advancing a Community Rights movement, elevating the rights of communities and nature above the claimed "rights" of corporations, and the legal and governing structures that support them.

**IS IT REALLY ILLEGAL TO CREATE THE COMMUNITY YOU ENVISION?**

**W**hat is it that keeps us from getting what we want in our communities? Why can't we say "No" to harmful practices, and "Yes" to sustainable and just ones?

**IT'S THE LAW**  
 A handful of legal doctrines make it illegal for communities to govern on important issues like fracking infrastructure and waste, factory farms, living wages for workers, immigration, predatory lending, large-scale centralized energy projects, election procedures and financing, community development, and commercial water extraction—to name a few.

While many people work hard to create sustainable, healthy communities, these legal doctrines keep us "boxed in" by routinely restricting local law-making. We are told by those who champion these doctrines that "we're beyond our authority," or "it's a state issue, not a local issue."

We'll use a select few issues (although you can insert almost any issue that your community is concerned about) to illustrate how these legal doctrines work to preempt our decision-making; legalize harms that come from varied corporate projects; and protect industry, government agencies, and others from any opposition by us, the people.

*Continued on page 3*





“creating a secret Facebook page”) to mislead the public. Their efforts also included “auditing the strategy” of CELDF in its support of the Community Rights work in Lincoln County.

### *CELDf’s Legal Support*

CELDf-affiliated attorneys are currently representing LCCR as they battle with these same corporate interests attempting to overturn the community’s law.

In neighboring Lane County, CELDF is providing legal support as well to *Community Rights Lane County* (CRLC) as they continue working to place two measures on an upcoming ballot. Both measures are being blocked by residents’ own government, the timber industry, and the courts. In addition to the aerial spray ban, CRLC is also advancing a measure securing the right of local community self-government.

For more information, visit:

Lincoln County Community Rights, [lincolncountycommunityrights.org](http://lincolncountycommunityrights.org), Community Rights Lane County, [communityrightslanecounty.org](http://communityrightslanecounty.org).

### *Community Rights Constitutional Amendment Arrives in Salem*

While the chemical industry attempts to undermine Community Rights locally, growing numbers of Community Rights activists and the Oregon Community Rights Network (ORCRN) are advancing a state constitutional amendment to secure democratic and environmental rights. The measure was drafted in partnership with CELDF, and was introduced by Senator Laurie Monnes Anderson (D), a senior senator, and Representative Ronald Noble (R), a junior house member. With bi-partisan support, the proposed amendment is under review by legislative counsel.

Oregon is the second state legislature in the nation to consider placing the constitutional amendment before voters. The most recent state legislative effort came through the New Hampshire house of representatives in winter 2018.

As CELDF provides education and organizing assistance, Community Rights activists and the ORCRN are working to build support within the legislature and across the state to drive the amendment to the ballot.

For more information, visit: [www.orcrn.org](http://www.orcrn.org) or [www.oregoncommunityrights.org](http://www.oregoncommunityrights.org)

## OREGON

### *“Ragtag” Community Rights Group Featured in The Intercept*

Photo credit: Beth Nakamura

What does industry do when threatened by the growing Community Rights movement?

The Intercept answered this question in September, featuring CELDF’s community partner *Lincoln County Community Rights* (LCCR). The story, entitled “*How a Ragtag Group of Oregon Locals Took on the Biggest Chemical Companies in the World — And Won,*” revealed the lengths the corporate chemical industry is going as it attempts to discredit LCCR’s efforts to protect their community’s right to clean air, water, public health, and Rights of Nature. To read the full article: [theintercept.com/2018/09/15/oregon-pesticides-aerial-spray-ban](http://theintercept.com/2018/09/15/oregon-pesticides-aerial-spray-ban)

### *At Stake: Profits*

LCCR adopted a first-in-the-nation law banning aerial spray of pesticides in 2017. The Intercept’s investigative journalism uncovered documentation that millions of dollars were spent by CropLife America, the principal lobbyist group for chemical companies. Lincoln County community members’ efforts were labeled by the industry as a “tier 1 concern” to their corporate control.

The Intercept uncovered the industry’s analysis of threats to their operations across the U.S. for global chemical corporations like DuPont, Monsanto, and Syngenta. Further, the article revealed that CropLife America hired a propaganda firm to carry out a comprehensive array of counter-community activities in Lincoln and Lane Counties. Lane is also a CELDF partner, advancing Community Rights initiatives that include a ban on pesticides.

### *Anti-Community Rights Activities*

The industry analysis included referring to local Community Rights groups like LCCR as “brush fires.” Industry used push-polls, template letters to the editor, direct mail campaigns, and social media campaigns (including

# WASHINGTON

## *Smelter, Shelter, and Tales of the Whales - All About Community Rights*

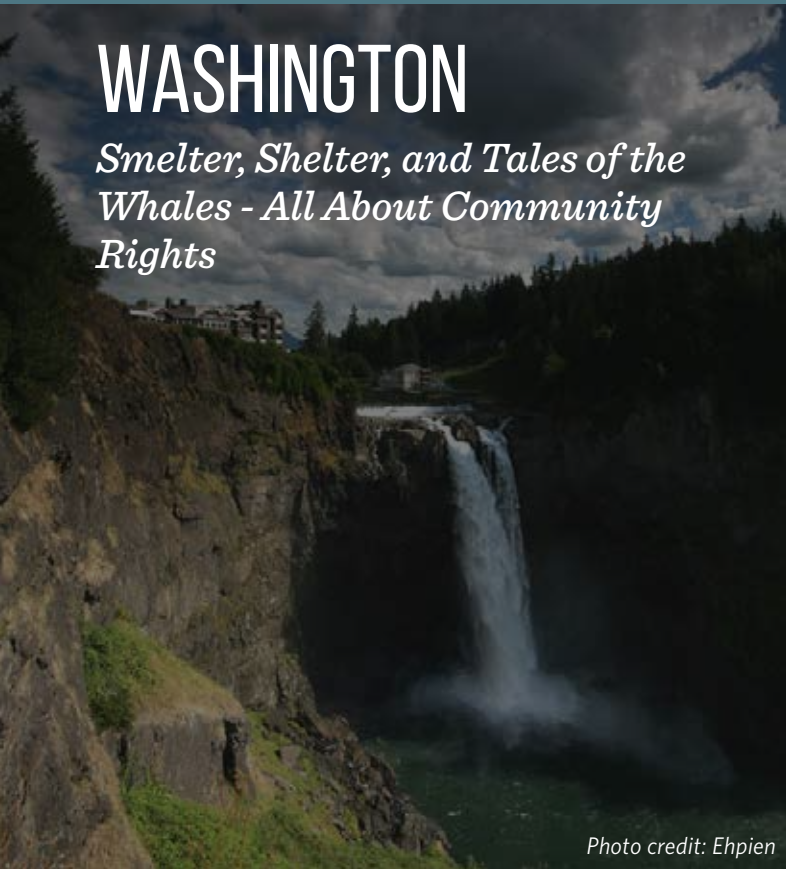


Photo credit: Ehprien

### *Rural Northeast Washington Battles Industrialization*

A smelter proposed by a Canadian corporation in rural, non-industrial Pend Oreille County has ignited first-time activists and generated a sense of community not seen before in the region.

PacWest Silicon plans to site the smelter south of Newport, WA. The plant would produce a raw form of silicon through a high-heat intensive process requiring coal and hard rock. In addition to a variety of environmental and public health impacts, experts forecast it will produce 320,000 tons of greenhouse gases annually. The local Community Rights group, *Responsible Growth Northeast Washington*, is working with CELDF to draft a local law banning the smelter and securing a sustainable future for Pend Oreille County through Community Rights — including advocating for an overhaul of their government.

### *Community Rights: Bringing Sanity Back to Snoqualmie*

Snoqualmie, WA, is situated at the convergence point of three forks of the Snoqualmie River. There it forms a splendorous, world renowned 276-foot waterfall. The local tribe believes the falls contain powerful magic for peace. The small city grew up on a legacy of logging, but has since transitioned into a quaint tourist destination and home to hundreds of elk who graze and bed down on the open space at the edge of town.

Today, the City of Seattle's population is bursting at the seams, threatening Snoqualmie's way of life. Corporations intent on developing Snoqualmie to meet Seattle's overflow for their own profit have meant explosive and unbridled new construction. This is destroying the natural habitat and the integrity of Snoqualmie for the sake of short-term profits, with no long-range planning on how to sustain the community's needs into the future.

*Snoqualmie Community Action Network* is partnering with CELDF to anchor greater control and power with community members to protect the community — including the natural environment — and create the sustainable future they envision.

For more information, visit: [www.facebook.com/SnoActionNet](http://www.facebook.com/SnoActionNet)

### *Salish Sea Bill of Rights Being Championed on the San Juan Islands*

The plight of the orca residing in the Salish Sea made national headlines over late summer. First, a newborn orca died. Her mother, Tahlequah, carried her dead baby through the waters of the Salish Sea for 17 days.

Following this tragedy, a juvenile orca named J50 died, intensifying the stress levels of the pod and heightening their already high level of alert. The pod is under extreme threat.

"Traditional environmental groups, state government, and corporations all call for more studies, more evidence, and urge the forming of new task forces and commissions," said Elisabeth Robson of *Community Rights San Juan Islands*, a local group partnering with CELDF to advance rights for the Salish Sea. "This is pretending that it's not clear what is happening — the Salish Sea ecosystem is being decimated — and it diverts attention away from deep and meaningful action."

The rights-based group recognized this even before the recent high-profile tragedies of the orca. Community members are advancing a *Salish Sea Bill of Rights* charter amendment with CELDF's support.

The local law would not only protect the orca, but transform the current paradigm for protection and advocacy for the whole of the Salish Sea. Rather than continuing to regulate the real and growing impacts of pollution and climate change on orca pods, salmon, kelp forests and local livelihoods such as commercial fishing and native fishing rights, the proposed charter amendment recognizes the democratic and environmental rights of community members, and the Rights of Nature to exist and flourish.



The Community Rights group on the San Juan Islands is hosting CELDF in early December to teach Community Rights workshops, hold Rights of Nature discussions, and provide education and organizing support to move the Salish Sea Bill of Rights campaign forward.

To learn more, visit:  
Pend Oreille County responsiblegrowthnewashington.weebly.com, Snoqualmie facebook.com/SnoActionNet, San Juan Islands, facebook.com/CommunityRightsSJI.

## IN HONOR OF DR. RAY

Dr. Ray Beiersdorfer (pronounced buy-ers-door-fur), known to most people simply as Dr. Ray, was a leader in the growing Community Rights movement in Ohio. He passed away unexpectedly in October.



Dr. Ray spent 13 years in college earning bachelor's, master's and PhD degrees in Geology. His PhD was from the University of California Davis. He was a Distinguished Professor of Geology in the Department of Geological and Environmental Sciences at Youngstown State University (YSU) in Ohio, where he was on the faculty since 1993. In the early 1980's he worked as an Exploration Geologist for Gulf Oil in California. He knew the risks were real, and became an

anti-fracking activist.

Dr. Ray's advocacy for Community Rights and Rights of Nature helped lead the Youngstown community group efforts to place Community Rights charter amendments on the ballot ten times. Dr. Ray was tireless in his fight for justice. He routinely warned elected officials that the people were watching them. He led the YSU Speaker Lecture Series to host myriad films and speakers, engaging both students and community members on issues affecting the community. He was a five-time winner of YSU's Distinguished Professor Award and a winner of the National Science Teachers Association Ohaus Award for College Science Teaching. Dr. Ray is survived by his wife, Susie Beiersdorfer - also a geologist at YSU and a committed Community Rights activist - and his twin daughters Crystal and Rochelle. Ray will be missed and always remembered for his passion and courage in standing up for people and the planet.



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