

Protecting Communities and Special Places

e-Newsletter December 20 , 2013



**"By any responsible account, the exploitation of the Marcellus Shale Formation will produce a detrimental effect on the environment, on the people, their children, and future generations, and potentially on the public purse, perhaps rivaling the environmental effects of coal extraction."
~ Pa. Supreme Court**

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ACT 13 RULED UNCONSTITUTIONAL!!!

GAS INDUSTRY TAKEOVER LAW DECLARED UNCONSTITUTIONAL BY PA SUPREME COURT

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Edited from the [Delaware Riverkeeper press release](#)

UPCOMING EVENTS

**Keep It Wild
Holiday Hike**

**Christmas Day
December 25**

2:00 p.m.

There's no better way to de-stress from the holiday craziness like a walk in the woods. Join us on Christmas Day at Rider Park for some fresh air and walk the Katy Jane trail.

The PA Supreme Court has ruled Act 13 is unconstitutional on the grounds that it violates the Environmental Rights Amendment to the Pennsylvania Constitution. Notably, the Court stated, "As the citizens illustrate, development of the natural gas industry in the Commonwealth unquestionably has and will have a lasting, and undeniably detrimental, impact on the quality of these core aspects [life, health, and liberty: surface and ground water, ambient air, etc.] of Pennsylvania's environment, which are part of the public trust..By any responsible account, the exploitation of the Marcellus Shale Formation will produce a detrimental effect on the environment, on the people, their children, and future generations, and potentially on the public purse, perhaps rivaling the environmental effects of coal extraction."

The Pennsylvania Supreme Court has ruled that Act 13 violates the Pennsylvania Constitution. In doing so, the Court struck down the shale gas industry's effort to force every municipality in the state to allow gas drilling and related industrial operations in every zoning district. The Court's decision

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www.keepitwildrda.org

Film Screening

"Elemental"

**Saturday
January 25, 2014**

2:00 p.m.

Campus Theater
Lewisburg, PA 17837

[Elemental](#) tells the story of three individuals united by their deep connection with nature and driven to confront some of the most pressing ecological challenges of our time.

[Find more information](#)

upholds the ability of local governments to protect their local communities and natural resources through zoning. Chief Justice Castille authored the historic majority opinion. Justices Todd, McCaffrey and Baer joined in the result.

"The Court has vindicated the public's right to a clean environment and our right to fight for it when it is being trampled on.

Today the environment and the people of Pennsylvania have won and special interests and their advocates in Harrisburg have lost. This proves the Constitution still rules, despite the greedy

pursuits of the gas and oil industry. With this huge win we will move ahead to further undo the industry's grip of our state government," said Maya van Rossum, the Delaware Riverkeeper.

"This is a great historic victory for local democracy, for public health, and for the health of our environment. The shale gas industry overreached, greedily wanting to operate without respecting local concerns and without playing by the same set of rules everyone else has to play by. The Corbett Administration and the General Assembly went along with it and tried to give away our rights to the gas industry. The Supreme Court has made it clear that what they were trying to do violates our state Constitution. It's a great day for the Constitution and the people of the Commonwealth," said Jordan Yeager, counsel for the plaintiffs.

"The gas industry tried to take over every inch of every municipality in Pennsylvania for drilling, regardless of the zoning rights of local governments and the residents they represent. The industry and their backers in Harrisburg overreached when they thought they could literally takeover the state, turning it into one big drilling and gas infrastructure site. We fought this law because it was illegal and because it spelled ruin for public health and the environment, even though we, as plaintiffs, didn't have nearly the resources our powerful and well-funded opponents had. This proves, when you have the law and environmental rights on your side, it's worth fighting and you can win," said Tracy Carluccio, Deputy Director, Delaware Riverkeeper Network.

The Court has been deliberating the case since argument was heard more than a year ago.

This court decision gives local residents more decision-making power with regard to the location of gas drilling operations, such as this one on Rt. 87 north of Montoursville, just over 1,000 feet from Loyalsock Valley Elementary School.

Join the effort: Join RDA

We welcome your active participation and are in need of help for special events, publicity, research, and other projects. Click the RDA logo to join, or contact RDA at responsibledrillingalliance@gmail.com or call 888-332-1244 (toll free). For more information, check out the [RDA web site](#) or visit us on [Facebook](#).



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Thank you for your support!

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Please note: The RDA newsletter includes reporting on a variety of events and activities, which do not necessarily reflect the philosophy of the organization. RDA practices only non-violent action in voicing the organization's beliefs and concerns.

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