



**CHESAPEAKE**  
LEGAL ALLIANCE



# 2012 Annual Report



## About Us

**The Chesapeake Legal Alliance, Inc. (CLA)** is the only organization dedicated exclusively to legal action on behalf of the Chesapeake Bay and its watershed. CLA, a 501(c) (3) nonprofit organization founded in 2009, leverages the legal talents of active and retired attorneys who care about the health of the Bay on behalf of those who cannot afford legal representation.



## Our Vision

The problems afflicting the Chesapeake Bay are due largely to inadequate enforcement of the laws designed to reduce pollution and protect the Bay. This situation is compounded by the fact that the health of the Bay, as well as the human and wildlife populations that inhabit its watershed, are often subject to the agendas of interest groups represented by well-paid attorneys. CLA seeks to level the playing field by finding lawyers who will help citizens and organizations—*pro bono*—participate in government decision-making processes and enforcement of underutilized laws and regulations.

Assistance is provided throughout the Bay's 64,000-square-mile watershed on a wide range of matters that affect the health of the Bay. These matters are addressed through litigation, administrative hearings, development of regulatory comments and legislation, advocacy, strategic advice, and assistance with corporate matters.

CLA's goals are to bring about systemic change in compliance and enforcement and improve upon and create more effective laws, regulations and policies.



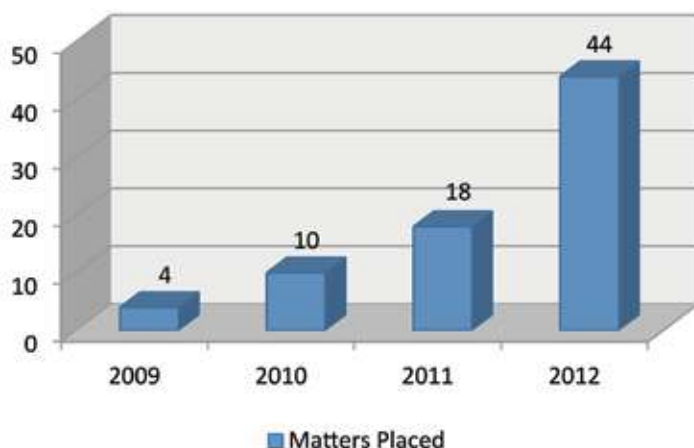
*Biohabitats, Inc. floating island wetlands in Baltimore Harbor.*





**CLA** has secured legal assistance for 66 clients since its inception in 2009. CLA volunteer attorneys have provided thousands of *pro bono* hours—valued at nearly \$5 million—on 76 matters for various individuals, groups and organizations that share a common concern for the Bay. In the past year alone, CLA placed 44 new matters with volunteer attorneys—a 144% increase over 2011 placements.

### Matters Placed



In 2012, CLA worked with 25 new clients and added 30 new individual attorneys/law firms to its volunteer network. This growing group of volunteers increases significantly our capacity to match our clients with representation. Last year, CLA achieved a 95% placement record of matters that fall within its mission, and CLA volunteer attorneys provided \$1,933,131 million in services to clients who would not otherwise have been able to afford legal representation.

In 2012, CLA's Board grew to 23 with the addition of six new members, bringing to the organization a wealth of legal, advocacy and corporate experience from public and private sectors.

The CLA staff continues to expand as a part-time administrative assistant joined the team last year, and an outreach coordinator position was created.



*CLA summer interns and Severn Riverkeeper touring the Severn River.*

Last summer, CLA benefited from the talents of three summer legal interns, one more than the previous summer when the program was started. These young professionals worked with volunteer attorneys to assist with county hearings and advocacy strategies for community groups; research critical area, wetland and forestry law; prepare legal memoranda and sample pleadings; and contribute to CLA's website and quarterly newsletter. They also had opportunities to view firsthand the challenges facing the watershed by touring local rivers and the Bay. CLA will continue to invite interested students to explore career paths in the environmental community.

In August 2012, CLA held its first attorney training seminar, *Development and the Chesapeake Bay Watershed: Zoning, Permits and Environmental Law Issues*. Developed by the CLA staff and Board members, this program was held in collaboration with the District of Columbia Bar. The course provided an introduction to relevant laws, regulations and programs, with special focus on the District of Columbia, Maryland and Virginia. This well-received seminar was the first in the history of the District of Columbia Bar to address legal issues specific to the Chesapeake Bay and its watershed.

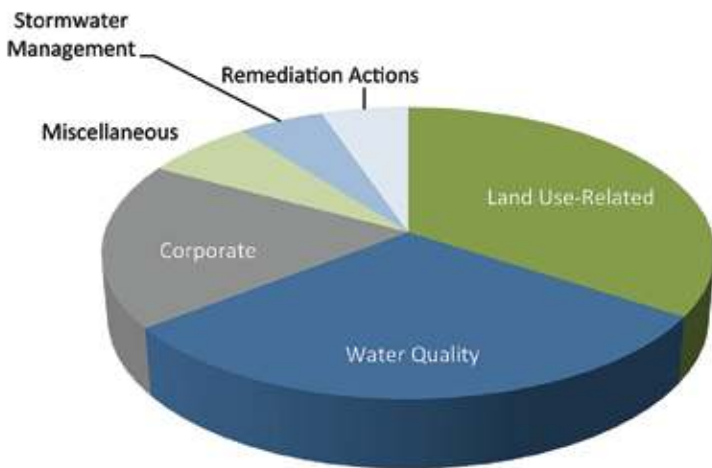


**CLA**'s volunteer "Lawyers for the Bay" fill the gap where individuals and organizations lack the legal expertise and/or resources to address vital Bay recovery issues. Projects range from inquiries about the application of the law and

maneuvering through county hearings to large scale federal litigation and development of regulations and statutes. CLA volunteers also provide legal expertise on matters of regional importance such as nutrient trading, best management practices, and forest protection. Armed with high quality representation, CLA clients are able to work towards real and lasting change for the Bay.



### Nature of Matters



- Land Use-Related (26)
- Water Quality (23)
- Corporate (14)
- Miscellaneous (5)
- Stormwater Management (4)
- Remediation Actions (4)

### Wins for the Bay Watershed in 2012:

- **Pollution Control:** Ruling that migration of offsite pollution from a former steel plant operation in Baltimore Harbor will be addressed as part of the cleanup; environmental claims were protected when plant owners filed for bankruptcy.
- **Critical Area Protection:** Denial of plans for development that ignored critical area requirements, Forest Conservation Act requirements and zoning laws in Maryland. The result was preservation of pristine waterfront areas and protection of wetlands and important forests.
- **Forestry Concerns:** Significant concessions on forest management, runoff controls and environmental impact mitigation by a quarry operator in West Virginia planning to clear cut a mountaintop.
- **Wetlands Protection:** Abandonment of a project to build a large scale energy transmission project that would have involved and impacted negatively the largest, historically, combined area of wetlands located in Delaware, Virginia and Maryland.
- **Remediation:** A lawsuit brought by the State of Maryland against the owner of a closed landfill, and intervention in the lawsuit to clean-up the site and prevent offsite migration of pollutants.
- **Stormwater Controls:** Implementation of stormwater runoff controls from Interstate 495 construction in Virginia.





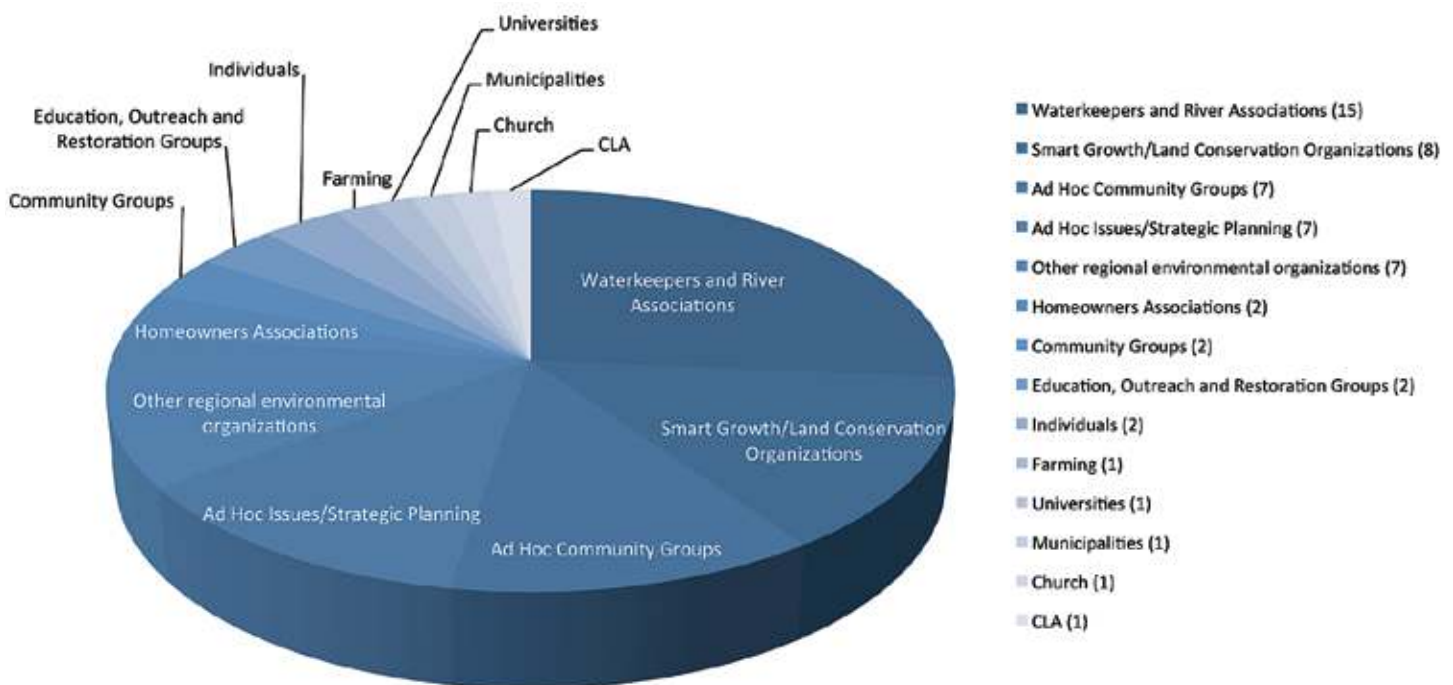
**CLA** strives to educate and empower Bay watershed citizens and organizations by providing them with legal resources to make their voices heard and actions count in the fight to protect and restore the Bay. We work with individuals, riverkeepers, land conservation and environmental organizations, homeowner associations, ad hoc groups, coalitions and municipal entities.

In 2012, CLA volunteer attorneys provided legal assistance to numerous clients including:

- **1000 Friends of Maryland** with smart growth advocacy.
- **Annapolis Environmental Commission** with advice regarding Forest Conservation Act requirements associated with property development.

- **Maryland Nutrient Trading Work Group** with development of proposed water quality trading regulations to achieve a viable, enforceable and transparent trading program protective of natural resources.
- **Citizens to Protect Bluff Point** with strategy development, permit comments, testimony and advocacy regarding development of a conservation area and dredging creeks and oyster bars on the western shore of the Chesapeake Bay in Kilmarnock, VA.
- **Biohabitats, Inc.** with acquisition of a patent for floating wetland islands used in Baltimore Harbor and other locations.
- **South Arundel Citizens for Responsible Development** with testimony before county government tribunals regarding opposition to development of wetlands in Deale, MD, and appeal to Anne Arundel County Circuit Court.

## CLA Clients







# CLA Has Assisted:

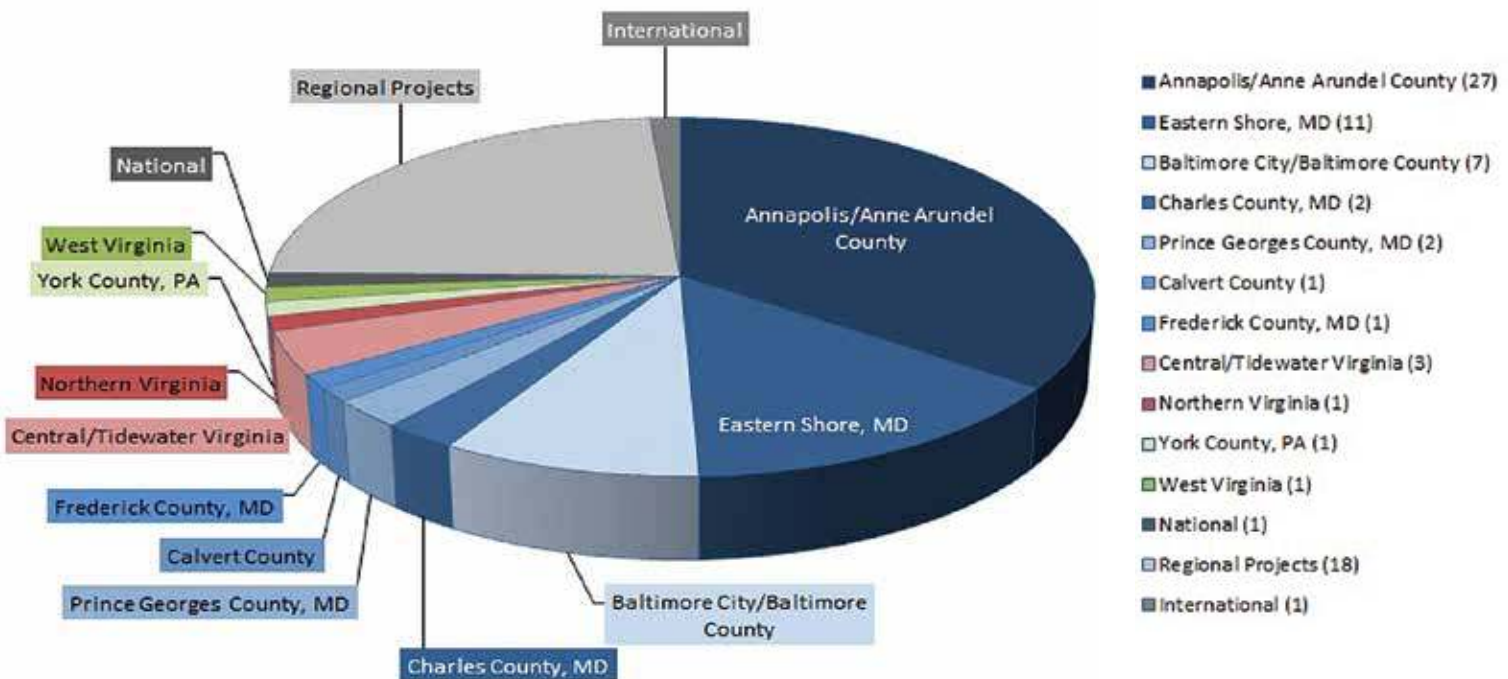
1000 Friends of Maryland  
 Alliance for the Chesapeake Bay  
 Alliance to Restore Northwest Creek  
 Alliance to Save the Rappahannock  
 American Chestnut Land Trust  
 AMP Creeks Council  
 Annapolis Environmental Commission  
 Annapolis Green  
 Anne Arundel County Watershed Stewards Academy  
 Assateague Coastkeeper  
 Audubon Maryland—DC  
 Audubon Naturalist Society  
 Berrywood Community Association  
 Biohabitats, Inc.  
 Blue Water Baltimore  
 BMAT Restoration Work Group  
 Breton Beach Road Residents  
 Chapman Forest Foundation  
 Chesapeake Bay Foundation  
 Chester River Association  
 Choose Clean Water Coalition

Citizens for a Better Charles County  
 Citizens of Deep Cove  
 Citizens to Protect Bluff Point  
 Citizens to Save Little Pimmit Run  
 City of Annapolis, Maryland  
 Clean the Creeks of District 2  
 Clean Water Action  
 Conservancy for Charles County  
 Dividing Road Property Owners  
 Frederick County Citizens Group  
 Friends of Oxon Hill  
 Future Harvest—CASA  
 Gunpowder Riverkeeper  
 HazNa, Inc.  
 HOPE Impacts  
 Lower Susquehanna Riverkeeper  
 Magothy River Association  
 Maryland Bass Federation Nation  
 Maryland Coastal Bays Program  
 Maryland Conservation Council  
 Maryland Nutrient Management Trading Work Group

Mason Springs Conservancy  
 Mattawoman Watershed Society  
 Midshore Riverkeeper  
 Miller Island Community Association  
 Nanjemoy-Potomac Environmental Coalition  
 Port Tobacco River Conservancy  
 Potomac River Association  
 Potomac Riverkeeper  
 Queen Anne Conservation Association  
 Riva Woods Homeowners Association  
 Sassafras Riverkeeper  
 Save Your Annapolis Neck  
 Scenic Rivers Land Trust  
 Severn River Association  
 Severn Riverkeeper  
 Shenandoah Riverkeeper  
 Sierra Club, Maryland Chapter  
 South Arundel Citizens for Responsible Development  
 South County Citizens Group  
 Southern Maryland Audubon Society  
 South River Federation  
 St. Mary's River Watershed Association  
 String of Pearls  
 Waterkeepers Chesapeake

## Geographical Areas Served

*CLA's goal is to provide legal services throughout the Chesapeake Bay watershed. In 2012, CLA continued to broaden its client base as illustrated below.*





# Finances

Fiscal Year Ended December 31, 2012

## Support and Revenue

Foundation Contributions	\$165,550
Individual Contributions	37,815
Law Firm Contributions	16,025
Other Income	852
<b>Total Support and Revenue</b>	<b>\$220,242</b>

## Expenses

Management and General	\$58,813
Program Services	115,100
Fundraising	68,730
<b>Total Expenses</b>	<b>\$ 242,643</b>
<b>Change in Net Assets</b>	<b>\$(22,401)</b>
<b>Net Assets, January 1, 2012</b>	<b>\$172,175</b>
<b>Net Assets, December 31, 2012</b>	<b>\$149,774</b>

# Sponsors

In 2012, CLA was supported by sponsors who share our vision of realizing a clean Chesapeake Bay that can be enjoyed for recreation and responsible food harvest, and that will sustain vibrant aquatic and wildlife populations:

Crowell & Moring LLP • Dealy Foundation • Finnegan, Henderson, Farabow, Garrett & Dunner LLP • Goodell, DeVries, Leech & Dann LLP • Hollingsworth LLP • Latham & Watkins LLP • Rauch Foundation • RBC Wealth Management-The Etergino Group • The Abell Foundation • The Campbell Foundation • Town Creek Foundation • Venable LLP Foundation • South River Federation • Steptoe & Johnson LLP • and Wiley Rein LLP.

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*Executive Director*

**Terri Bartos Eckert**  
*Outreach Coordinator*

**Heather Ballew**  
*Administrative Assistant*



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**“American Chestnut Land Trust is extremely grateful for the assistance provided by the Chesapeake Legal Alliance. We applaud their efforts to contribute to important cases impacting the Chesapeake Bay. It is so important that small land conservation organizations like ACLT and environmental organizations throughout the watershed have a place that they can turn to for legal assistance. The need is great and their contribution is significant.”**

*—Karen H. Edgcombe, Executive Director, American Chestnut Land Trust*

**“As a lawyer and a Riverkeeper, I have long believed that additional legal muscle was needed to back up the efforts of community groups and riverkeepers working to protect the Bay and its tributaries. I am thrilled that CLA has taken the lead in empowering citizens with the same high quality legal firepower that the industries they challenge have enjoyed.”**

*—Fred Kelly, Severn Riverkeeper*

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