



**C H E S A P E A K E**  
LEGAL ALLIANCE



# 2013 Annual Report



# CHESAPEAKE

LEGAL ALLIANCE

## About Us

The Chesapeake Legal Alliance, Inc. (CLA) is the only organization dedicated exclusively to *pro bono* 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

CLA's goal is to achieve a clean, healthy Chesapeake Bay that can be enjoyed safely by humans, sustain viable fishing harvests, and support thriving and diverse aquatic and wildlife populations. By empowering citizens and environmental organizations with "legal muscle" and expertise crucial to successful advocacy, CLA provides a missing resource in the efforts to save the Bay and its watershed. *Pro bono* legal representation levels the playing field in participation in government decision making processes and the enforcement of laws and regulations. We believe that our efforts can achieve systemic change in the attention paid by government and elected officials to proper implementation of and adherence to laws and regulations and compliance by the regulated community.



# 2013 Growth and Accomplishments



**As of the end of 2013, CLA has secured legal assistance for 119 clients (individuals and organizations) on 148 matters.** 72 of those matters were placed with volunteer attorneys in 2013. This represents a 64 percent increase in matter placement from 2012 and a 300 percent increase from 2011. CLA has met its goal of working on matters important to all six states of the Bay watershed and Washington, D.C.

CLA's growing network of volunteer attorneys is at the core of our ability to connect those in need of legal aid with high quality legal representation. We currently work with 140 individual attorneys and law firms. 70 of these attorneys/law firms joined our volunteer network in 2013. **Collectively, the efforts of these attorneys in 2013 yielded 3,161.2 hours of work, valued at \$1,535,619.70, on behalf of CLA referred clients.**

In addition to providing traditional legal services, CLA attorneys also provided training and education to Bay watershed stakeholders. A seminar, *Opposing Environmentally Unsound Practices and Permits*, was presented during the Alliance for the Chesapeake Bay's Watershed Forum, training was provided on Internal Revenue Service rules on lobbying by





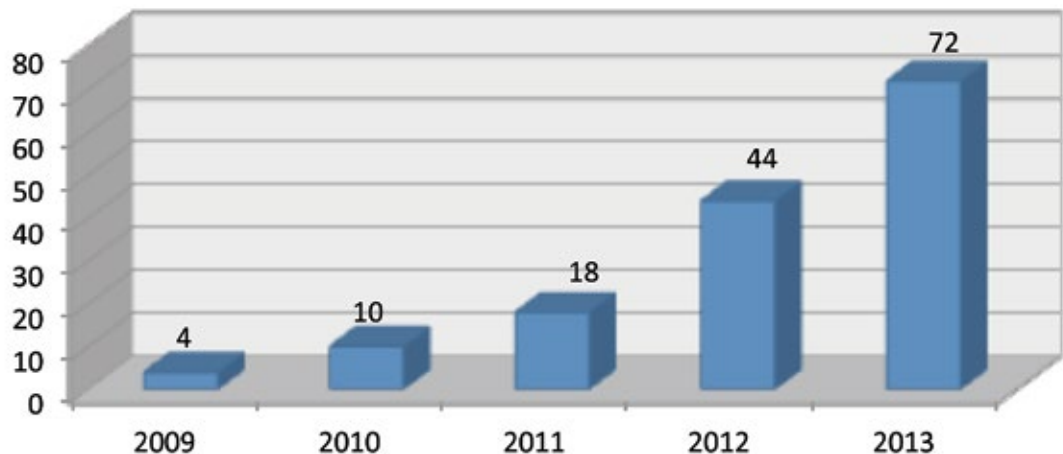
nonprofits in preparation for Chesapeake Bay Day on Capitol Hill, information on the Bay Total Maximum Daily Load or “Chesapeake Bay Clean Water Blueprint” was presented at the Choose Clean Water Coalition conference, and opportunities for citizen involvement in government decision making

were explained during the first Susquehanna River Summit, which was organized by the National Wildlife Federation and sponsored by CLA. CLA also hosted its third class of summer legal interns. These law students worked directly with clients and experienced firsthand the challenges facing the Bay’s recovery.



*CLA summer interns and  
CLA Executive Director with  
the South Riverkeeper.*

## Matters Placed



“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.”

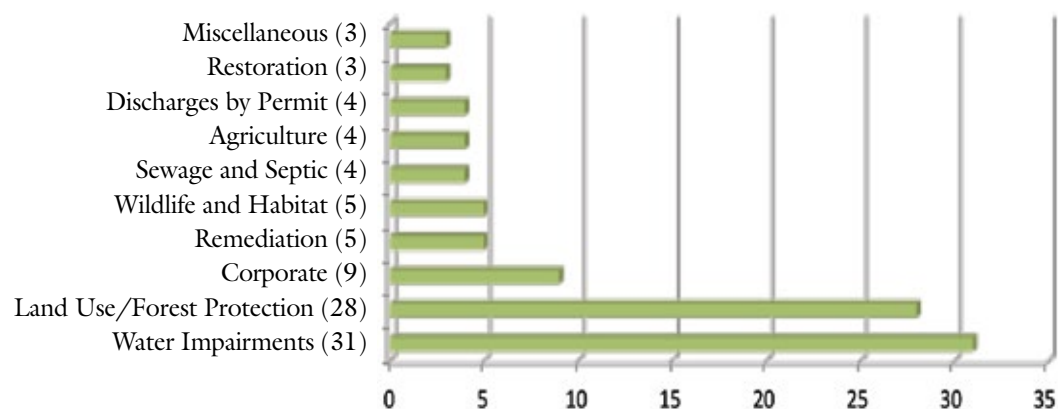
—Karen H. Edgecombe, Executive Director, American Chestnut Land Trust



# Our Work

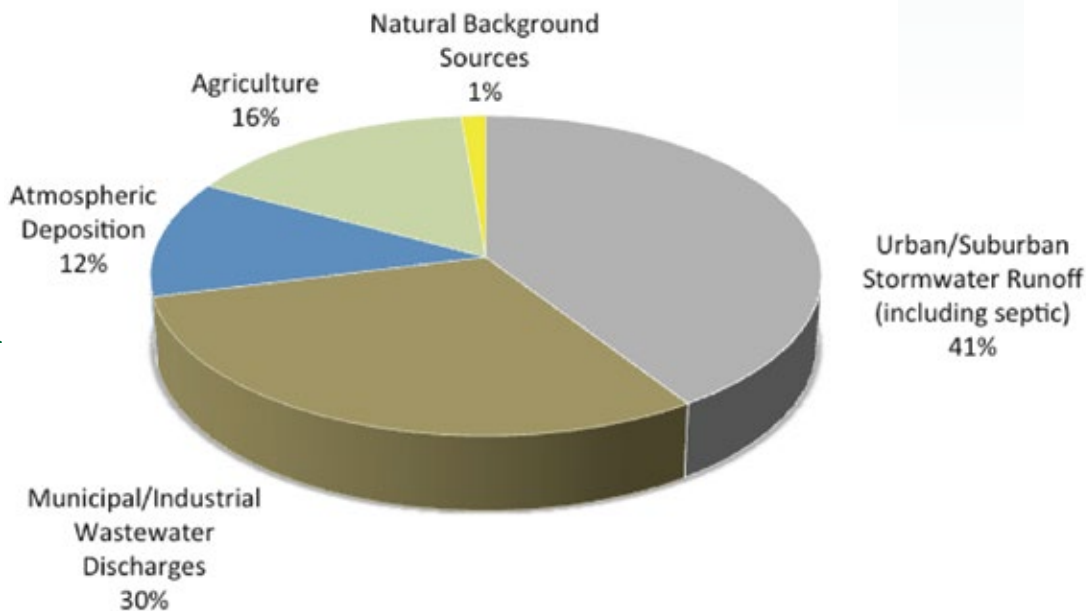
CLA's network of volunteer attorneys fills the gap where individuals and organizations lack the legal expertise and/or resources to address Bay recovery issues and projects. This work includes providing advice on applicable statutes and navigating county hearing processes to multi-year litigation battles and development of laws and regulations. CLA volunteers also provide their expertise on matters of regional importance including nutrient trading to achieve water quality standards, best management practices for farmers, and mitigation offsets to preserve wetlands and forests.

## Nature of Matters



CLA's clients range from individuals, home owner associations and local groups to regional coalitions and national organizations. The specific interests of these groups include water quality, land conservation, smart growth, air emissions and climate change, wildlife protection, public health, stream restoration, and agricultural practices. Collectively, their efforts improve the overall health of the Bay as well as the Bay's subwatersheds, with benefits to human and wildlife inhabitants.

## Matters Addressing Major Sources of Bay Pollution





## 2013 Wins for the Bay Watershed

**Chesapeake Bay Clean Water Blueprint Upheld:** The most effective means to restore the Bay and its tidal rivers, the Bay Total Maximum Daily Load (TMDL) or “Chesapeake Bay Clean Water Blueprint” was upheld by a federal judge after being challenged by the American Farm Bureau and other special interest groups. CLA volunteer attorneys were active in providing comments on the draft Bay TMDL proposed by the Environmental Protection Agency and submitted an *amicus brief* on behalf of the City of Annapolis during the legal challenge to the final Bay TMDL. CLA volunteers have provided expertise during state efforts to develop implementation plans and in developing policies and regulations to address the requirements of the Bay TMDL.

**Ecological and Health Protection:** The work of a CLA volunteer attorney, on behalf of the South River Federation (SRF), prompted a state enforcement action against a former dump and landfill operator in Crownsville, MD. Subsequently, SRF became a party to the lawsuit which resulted in an order to remove over 100,000 scrap tires, restore wetlands and other compromised natural areas, and an agreement to place the bulk of the land into conservation. The site posed a fire hazard with associated health and environmental risks.



*Crownsville, MD dump site*



### **Conservation Area, Oyster Bars, and Migratory Bird Habitat Saved:**

Instead of a major residential and commercial project being constructed on the Bay, hundreds of acres of conservation area in Northumberland County, VA will be placed in preservation and land was donated to James Madison University for a biological observatory. The proposed project would have destroyed migratory bird habitat, oyster bars and other wildlife habitat and degraded inland waterways. Victory comes after a protracted series of hearings, meetings, and negotiations on behalf of the Citizens to Protect Bluff Point. CLA volunteer attorneys were pivotal in providing assistance to the citizens group in achieving a much greater victory than anticipated.



*Members of Citizens to Protect Bluff Point with petition to save conservation area*

**Forest and Wetland Protections:** Application of the Maryland Forest Conservation Act and requiring the City of Annapolis, MD to promulgate criteria as required by the Act have resulted in the denial of a permit to build one large scale development and significant alterations to a proposal to eradicate the bulk of a second forested site. A cadre of CLA volunteer attorneys brought to bear ignored laws and developed the legal theories that resulted in establishing precedent useful to other efforts to protect large forest stands in Maryland and other states.



*Site of development battle in Deale, MD*

**Zoning Applications:** One of the last pristine, waterfront areas of Anne Arundel County, MD was saved due to the perseverance of a CLA volunteer on behalf of South Arundel Citizens for Responsible Development. County government refused to transfer zoning densities to waterfront lots and disallowed variances for decreased setbacks in sensitive waterfront areas. In other Maryland litigation, challenges by residents to comprehensive zoning amendments have withstood procedural objections; these lawsuits have the potential to establish useful precedent limiting the ability of elected officials to deviate from zoning plans.



“Thanks so much for your efforts at securing us pro bono legal aid with such powerful attorneys. You gave us added determination to fight for Bluff Point and protect such a sensitive environmental property and the Bay. The Citizens to Protect Bluff Point thank you for all that you are doing and have done to enable citizens groups to have a better chance in being taken seriously and be successful in our fight to protect properties like Bluff Point. Thank you so much for your help. We wish your organization continued success in getting pro bono legal aid for citizens. It does make a difference.”

—*Ida Hall, Citizens to Protect Bluff Point*





*Mountaintop removal  
acid drainage*



**Mountaintop, Creek and Town Saved:** A team of CLA volunteer attorneys assisted the Potomac and Shenandoah Riverkeepers and Gerrardstown, WV in preventing the mountaintop clear cutting for operation of a surface mine, required forest replanting, protection of streams, and reduction of trucking through Gerrardstown, as well as implementation of other noise and air emission controls.

#### **Paving of Bay Front Baltimore County**

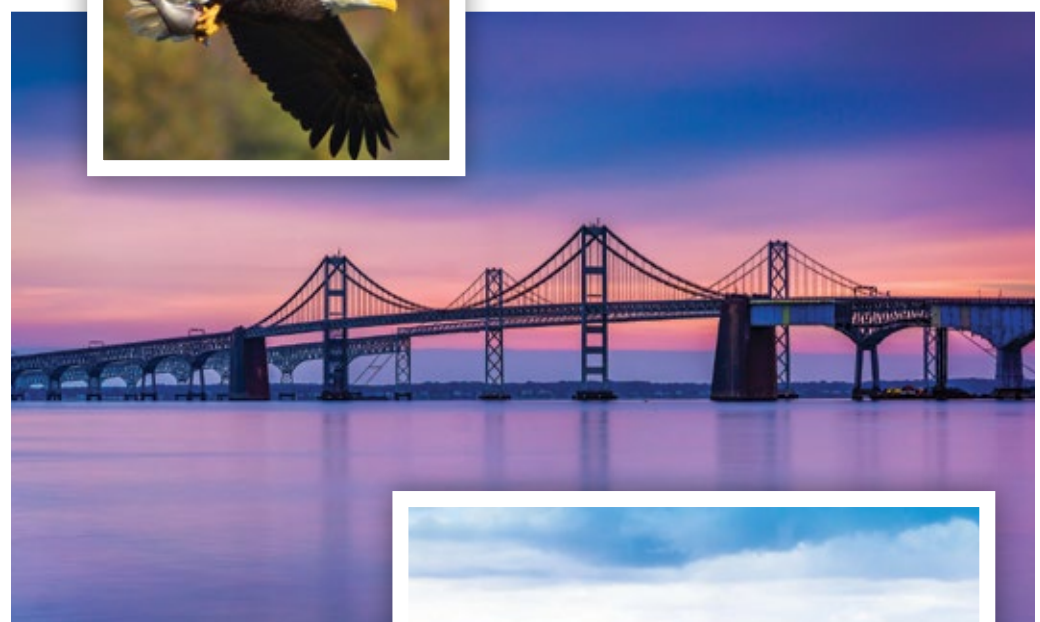
**Avoided:** A proposal to develop the Fort Howard site on the North Point Peninsula, fronting on the Bay, was brought to a halt once a CLA volunteer attorney assisted the Millers Island Community Association and others in organizing for public meetings and demanding adherence to environmental assessment requirements and closer scrutiny by Baltimore County of the commercial development that would eradicate nearly all green space on the site. In responding to stormwater and other concerns, the County's subsequent requirements forestalled any further action on the site.



*Pollution on shores of  
Baltimore Harbor*



**Agricultural Certainty:** Maryland legislation was passed that seeks to encourage farmers to implement a high level of best management practices (cover crops, stream buffers, no-till) on their farmland in order to accelerate improvements in water quality in exchange for protection for a 10 year period from additional environmental regulation. A CLA volunteer worked towards strengthening the requirements of the agricultural certainty law and testified before the Maryland General Assembly. This same volunteer was subsequently appointed by the Maryland Secretary of Agriculture to an Agricultural Oversight Certainty Committee to develop implementing regulations and conduct ongoing evaluation of the program established under the law. This type of legislation has the potential to speed up the Bay's recovery by addressing the largest source of pollution to the Bay.





# Finances

Fiscal Year Ended December 31, 2013

## Support and Revenue

Foundation Contributions	\$187,850
Individual Contributions	\$43,181
Law Firm Contributions	\$10,100
Other Income	\$7,150

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<b>TOTAL</b>	<b>\$248,281</b>
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## Expenses

Management and General	\$36,417
Program Services	\$166,815
Fundraising	\$32,653

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<b>TOTAL</b>	<b>\$235,885</b>
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<b>Change in Net Assets</b>	<b>\$12,396</b>
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<b>Net Assets, January 1, 2013</b>	<b>\$149,774</b>
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<b>Net Assets, December 31, 2013</b>	<b>\$162,170</b>
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*CLA wins challenge grant through Anne Arundel Cares Campaign*



# CLA Clients

- 1000 Friends of Maryland
- Smarter Growth Alliance for Charles County ♦
- Agricultural Certainty Work Group ♦
- Alliance for the Chesapeake Bay ♦
- Alliance to Restore Northwest Creek
- Alliance to Save the Rappahannock
- American Chestnut Land Trust
- AMP Creeks Council ♦
- Anacostia Riverkeeper ♦
- Anacostia Watershed Citizens Advisory Committee ♦
- Anacostia Watershed Society ♦
- Annapolis Environmental Commission
- Annapolis Green ♦
- Annapolis Neck Peninsula Federation ♦
- Assateague Coastal Trust
- Assateague Coastkeeper ♦
- Audobon Maryland-DC ♦
- Audobon Naturalist Society ♦
- Berrywood Community Association ♦
- Blue Water Baltimore/Baltimore Harbor Waterkeeper ♦
- BMAT Restoration Work Group
- Breton Beach Road Residents
- Campaign to Reinvest in Oxen Hill, MD ♦
- Caroline County Conservation Alliance ♦
- Chapman Forest Foundation ♦
- Chesapeake Bay Foundation
- Chesapeake Climate Action Network ♦
- Chesapeake Legal Alliance ♦
- Chester River Association
- Choose Clean Water Coalition ♦
- Citizens for a Better Charles County ♦
- Citizens to Protect Bluff Point ♦
- Citizens to Save Little Pimmit Run
- Citizens to Save Valley Park & Whetstone Run ♦
- City of Annapolis
- Clean Water Action ♦
- Clean the Creeks District 2
- Coalition for Smarter Growth ♦
- Conservancy for Charles County ♦
- DC Bar Association
- Dividing Road Property Owners
- Eyes of Paint Branch ♦
- Federal Hill Residents ♦
- Frederick County Citizens Group
- Friends of Cabin John Creek Watershed ♦
- Friends of Hillmead Park ♦
- Friends of Jug Bay
- Friends of Oxon Hill
- Friends of Rock Creek's Environment ♦
- Friends of Sligo Creek ♦
- Friends of the Earth ♦
- Future Harvest—CASA
- Greater Goshen Civic Association ♦
- Group of Waterkeepers of Waterkeepers Alliance Chesapeake
- Grove Park Neighborhood Association ♦
- Gunpowder Riverkeeper ♦
- HasNa, Inc.

♦ = *New 2013 Client*

• = *New 2013 Matter with Existing Client*



HOPE Impacts

Little Falls Watershed Alliance ♦

Lothian Civic Association ♦

Lower Susquehanna Riverkeeper

Magothy River Association •

Maryland Bass Nation ♦

Maryland Coastal Bays Program

Maryland Conservation Council ♦

Maryland Native Plant Society ♦

Maryland Pesticide Network ♦

Mason Springs Conservancy ♦

Mattawoman Watershed Society

MD Nutrient Management Trading Work Group •

Midshore Riverkeeper

Millers Island Community Federation

Montgomery County Civic Association ♦

Nanjemoy-Potomac Environmental Coalition ♦

National Wildlife Federation ♦

Natural Resources Defense Council ♦

Neighbors of Northwest Branch ♦

Northwood-Four Corners Civic Association ♦

Patuxent Riverkeeper ♦

Pines on the Severn Community ♦

Port Tobacco River Conservancy ♦

Potomac Conservancy ♦

Potomac River Association ♦

Potomac Riverkeeper •

Queen Anne Conservation Association

Residents of Easton, MD ♦

Riva Woods Homeowners Association

SACReD

Sassafras Riverkeeper

Save Your Annapolis Neck •

Scenic Rivers and Bay Land Trust

Scenic Rivers Land Trust •

Seven Oaks-Evanswood Community Assoc. ♦

Severn River Association

Severn Riverkeeper •

Severn School Area Residents

Sierra Club (Maryland Chapter) •

Sierra Club (Southern Maryland Group) ♦

Shenandoah Riverkeeper ♦

Smart Growth America ♦

South County Citizens

South Hampton HOA ♦

Southern Maryland Audubon Society ♦

South River Federation

Steve Bristow Dairy Farm ♦

St. Mary's River Watershed Association ♦

String of Pearls

TAME Coalition

Town Creek Federation

University of Maryland School of Law

Upper James Riverkeeper ♦

Waterkeepers Chesapeake •

Watershed Stewards Academy ♦

West Montgomery County Citizens Association ♦

West/Rhode Riverkeeper ♦

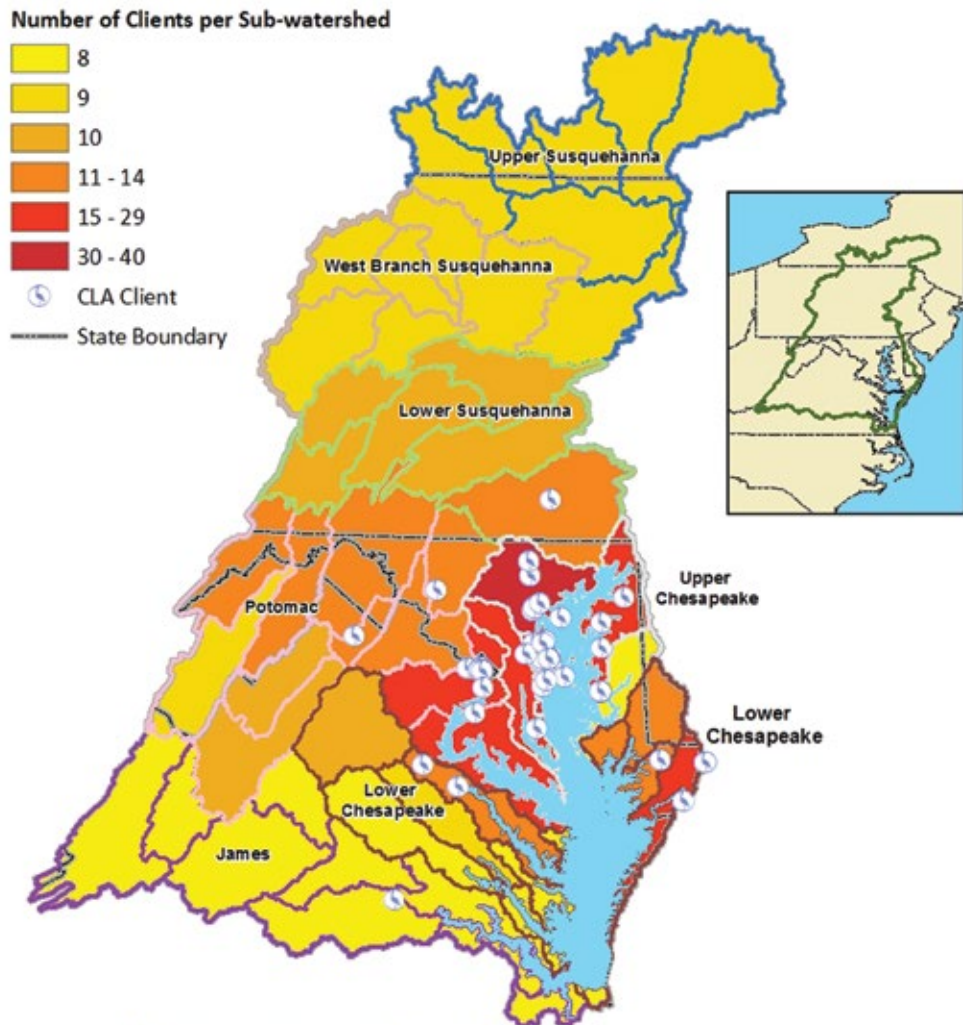
Westport Residents (Baltimore, MD) ♦

William Chandler/Sherwood Forest

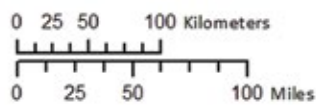
♦ = New 2013 Client      • = New 2013 Matter with Existing Client



## Distribution of CLA Client Matters in Chesapeake Bay Watershed



14 Matters of importance to entire Bay Watershed are not depicted on map



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Bay Land Trust, Inc.

Bird Family Fund

Blaxall Fund

Geico

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Hollingsworth LLP

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Environment

Lenzener Family  
Foundation

MARPAT Foundation

Rauch Foundation

RBC Wealth

Scenic Rivers Land Trust

Shared Earth Foundation

The Abell Foundation

The Dealy Foundation

The Helena Foundation

The Steptoe Foundation

Town Creek Foundation

Wiley Rein, LLP

“[CLA] has assisted the Anacostia Watershed Society and other local watershed groups with outstanding pro bono legal support. Many of our issues require detailed legal review and interpretation. We are so very appreciative of this incredible organization for their efforts to restore the Chesapeake Bay by working with watershed groups to help them resolve environmental permitting, regulatory, and land use issues.”

—James R. Foster, President, Anacostia Watershed Society

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