This past year has been one of change both in the political environment in which we are operating and internally at CLA. These changes brought challenges and opportunities to us as an organization and to those we serve. As we look back on 2016, it is your support that enabled us to emerge stronger as an organization and ready to keep the tide turning towards the Bay’s recovery.

You helped CLA hit its stride in providing pro bono legal services to the Bay’s communities and advocates by adding a second Staff Attorney to our team and three new Board members with a wealth of environmental law experience.

You helped us achieve favorable decisions on zoning, citizen standing, wastewater treatment, and development issues; preserve conservation areas, oyster sanctuaries, and wildlife habitat; influence new regulations and laws to address agricultural pollution; and move forward EPA’s Bay Clean Up Plan.

You helped us expand our reach throughout the Bay watershed, partnering with new organizations, coalitions and individuals, and adding new law firms and individual attorneys to our volunteer attorney network.

Enforcement and understanding of environmental laws will be even more critical as we face new challenges with a new President and a new Congress. Together, we can keep the momentum going at the local, state, and federal government levels with projects, policies, and new laws that are making a difference in the health of the Bay and its lands and waterways.

Thank you for everything you have done to make this past year successful and for the progress being made in 2017. We look forward to sharing our new wins for the Bay.

Sincerely,

Jacqueline Guild
Executive Director
Moving Forward the Chesapeake Bay Clean Up Plan

The progress of the Chesapeake Bay Total Maximum Daily Load (TMDL) or “Chesapeake Bay Clean Up Plan” will be assessed at its mid-point implementation mark in mid-2017. This effort will evaluate the overall progress the six Bay states and Washington, D.C. are making toward the 2017 goal of having practices in place to achieve 60 percent of the necessary reductions of nitrogen, phosphorus, and sediment loads needed to achieve Bay clean up goals. In 2016, CLA supported projects aimed at meeting these reductions and efforts to determine work needed to reach the ultimate 2025 pollutant reduction goals.

Responding to new political challenges

The November 2016 election raised immediate concerns regarding the forward progress in the Bay’s recovery. CLA provided an analysis to partner organizations on how the Trump Administration may impact pollution reduction efforts, permitting programs, and enforcement of the Chesapeake Bay TMDL and related programs. CLA continues to support advocacy efforts that are generating greater state responsibility for compliance and enforcement of environmental laws, including more enforcement staff, and will continue to support our partners’ work to protect funding for Bay programs and critical federal support.

U.S. Supreme Court declines to hear challenge to Chesapeake Bay Clean Up Plan

On February 29, 2016, the U.S. Supreme Court declined the request by the American Farm Bureau and its allies for review of the Bay Clean Up Plan, thereby upholding the Third Circuit Court of Appeals decision that the Plan is legal. Plan supporters were finally allowed to focus all their attention on ensuring that the Plan – the most ambitious attempt to clean up a watershed ever created under the Clean Water Act – is implemented successfully. CLA volunteer attorneys filed amicus briefs supporting the Chesapeake Bay Clean Up Plan in both the district and appellate court challenges.

Helping Pennsylvania meet Chesapeake Bay Clean Up Plan goals

Two thirds of Pennsylvania drains to the Chesapeake Bay via the Susquehanna River and its tributaries. The state contributes more than one quarter of all nitrogen pollution to the Bay and is lagging in meeting Chesapeake Bay Clean Up Plan goals. In 2016, CLA launched an initiative to reach more Pennsylvania partners and provide needed legal assistance to meet this key Bay state’s environmental challenges.

Our work included drafting comments submitted by the Lower Susquehanna Riverkeeper to the Pennsylvania Department of Environmental Protection advocating for listing the lower Susquehanna as an impaired waterway under the Clean Water Act due to pollutant levels destroying its small mouth bass population. The listing would trigger requirements to reduce pollutant levels in the river. Other work included an analysis of potential actions by the Trump Administration that may affect water quality in Pennsylvania, development of a citizen guide to understand common property rights and environmental impacts.
associated with natural gas leases, and helping local citizens understand how to advocate for better enforcement of laws governing common urban and suburban pollutants. CLA continues to explore how citizens may utilize the Pennsylvania Environmental Rights Amendment to address sources of pollution.

Improving nutrient trading programs

Nutrient trading is allowed in several Bay states to achieve Bay pollution reduction goals through credits generated by those who can more cost-effectively reduce nutrient loads. CLA has assisted in evaluating state nutrient trading programs and advising our partners on needed reforms and advocacy strategies, including participation in a coalition that has provided input to federal and state agencies on polices, draft regulations, and supporting technical memoranda. These programs must include safeguards including legal mechanisms to ensure real and verifiable pollutant reductions and provisions for citizen enforcement.

In 2016, CLA worked to protect:

- Forest – 1,807 acres
- Critical Area – 1,012 acres
- Shoreline/River Bank – 586 miles
- Oyster bottom – 10,378 acres
- Smart Growth – 44,011 acres
- Habitat Protection – 11,117 acres
- Open Space Protection - 235 acres
Standing Up for Waterways and Critical Habitat

Chesapeake Bay’s rivers and streams provide drinking water and recreational use, and serve as the engine for local economies. They also provide food, protection, and nesting areas for more than 3,600 species of plants and animals vital to the overall health of the Chesapeake Bay. CLA addressed pollution sources, overdevelopment, and other harmful activities to protect and conserve these critical resources so important to the Bay’s health and its communities.

Assisting with Anacostia River Clean Up

The bottom of the Anacostia River bottom is contaminated with heavy metals and other pollutants from years of industrial discharges along its shoreline. The D.C. Department of Energy and the Environment conducted a remedial investigation and feasibility study as part of developing a cleanup plan for the Anacostia. CLA assisted the Anacostia Riverkeeper in evaluating this study for adequate consideration of environmental and community health concerns. CLA will stay involved in this project as it progresses to ensure that affected communities have a strong voice in the cleanup process.

Protecting Critical Area Habitat

A coalition was built in partnership with the Magothy River Association to assess and develop a strategy to hold local governments accountable for failure to map and protect habitat protection areas as required by Maryland’s Chesapeake Bay Critical Area law. The efforts of this coalition will establish a blueprint for similar actions throughout Maryland and other states with similar laws.

Establishing Citizen Rights to Voice Concern over Oyster Sanctuary Management

Local citizens challenged a proposed harvesting lease in an oyster sanctuary in the St. Mary’s River in Maryland. The citizens contended that the Department of Natural Resources was unable to provide a scientific basis demonstrating that the proposed aquaculture was compatible with ongoing restoration efforts in the sanctuary. When the citizen’s standing to bring the case was challenged, an administrative law judge found that the citizens had standing because they lived near and were regular users of the waters at issue. Setting useful precedent on standing encourages more citizens to challenge government decisions and incentivizes more thorough analyses of water use by local communities.

Preventing Overfishing

Menhaden is a small fish with a big impact on the health of the Bay. They have been called "the most important fish in the sea" because of their critical role as forage fish for species such as striped bass, tarpon, bluefish, dolphins, whales, osprey and many more who feed on them. Overfishing is causing a serious health decline in the health and populations of menhaden dependant species. Strategic support was provided to a group of recreational fishermen relating to efforts to encourage the Atlantic States Marine Fisheries Commission to establish scientifically based “ecological reference points” for determining the annual allowable catch of menhaden.
Protecting Green Spaces

Green spaces create natural buffers that stem pollution carried by stormwater runoff and preserve areas for habitat and recreation. CLA works to conserve natural forested areas and hundreds of acres of open space and shoreline.

Key 2016 projects include:

Successful challenge to attempt to rezone open space to residential space along Stony Run in northern Anne Arundel County. Thanks to a CLA volunteer attorney, the open space buffer around this stream will continue as a vegetated area acting as a natural filter for stormwater and will prevent shoreline erosion.

Continuing fight to save McMillan Park. CLA is supporting community advocates in their efforts to preserve this historic, Washington, D.C. landmark proposed for high-density mixed-use buildings. D.C. government agencies must meet all applicable environmental regulations and historic preservation requirements as the District considers the future use of the park.

Preservation through long-term conservation agreements. Placing land into conservation easements preserves thriving natural spaces and agricultural lands, which promote healthy waterways and natural plant and wildlife habitat. In 2016, CLA assisted two land trusts in reviewing conservation easements for enforceability and defending easements from challenges.

“The Chesapeake Legal Alliance plays an absolutely critical role in the effort to restore the Bay. CLA connects communities and concerned citizens with top notch legal representation. And the expert law and policy guidance they provide is essential for the success of other advocates like me. If the organization didn’t exist, we’d have to invent it.”

Evan Isaacson, Center for Progressive Reform
Reducing Agricultural Pollution

Raising animals for consumption produces large amounts of animal manure. This manure contains nutrients - phosphorus and nitrogen - useful as fertilizer. However, when manure is applied to land already saturated with nutrients, these nutrients end up in waterways as pollutants that increase algae blooms and reduce oxygen needed to sustain aquatic life. In 2016, CLA assisted with 18 projects aimed at curbing agricultural pollution and/or increasing transparency surrounding sources of agricultural pollution.

Increasing transparency surrounding the Maryland Manure Transport Program

This program provides grants to farmers to remove manure from farm land already saturated with nutrients. CLA volunteer attorneys provided research, drafting, and analyses to support advocacy campaigns of the Maryland Clean Agriculture Coalition.

Reducing health and environmental impacts from large, industrial animal operations

CLA assisted six communities on the Eastern shores of Virginia and Maryland challenge the legality of proposed pollution permits for large poultry and other animal production facilities. Legal and technical comments highlighted the adverse effects to water quality and human health posed by these operations.

Reducing land application of excess manure, increasing access to data regarding location of pollution hot spots, and encouraging sustainable farming

CLA provided legal support for efforts to encourage farmers to participate in Maryland and Virginia agricultural certainty programs that incentivize farmers to implement best management practices, counseled on the Maryland Phosphorus Management Tool to ensure data reporting is accurate and available to citizens, and supported advocacy efforts to require regulation of ammonia emissions from agricultural facilities to reduce human health effects and air deposition to waterways.

“Assateague Coastal Trust, a small non-profit environmental advocacy organization located on the Lower Eastern Shore of Maryland, has limited resources and capacity, so being able to take advantage of the legal resources afforded by Chesapeake Legal Alliance has been a great benefit to us. CLA has assisted ACT with our submission of public comments to MDE on NPDES permits and has also provided the assistance in putting pressure on local government agencies to clarify county actions and substantiate permit determinations. Our mission to protect and preserve the coastal watershed has been enhanced by the services provided through Chesapeake Legal Alliance.”

Kathy Phillips, Executive Director/Assateague COASTKEEPER, Assateague Coastal Trust
Since 2009, CLA has assisted...

1000 Friends of Maryland ▲
Action Committee for Transit
American Civil Liberties Union of Maryland
Agricultural Certainty Work Group
Allentown Residents for Clean Air
 Alliance for the Chesapeake Bay
 Alliance to Restore Northwest Creek
 Alliance to Save the Rappahannock
American Chestnut Land Trust
American University
AMP Creeks Council
Anacostia Riverkeeper ●
Anacostia Waterfront Trust
Anacostia Watershed Citizens Advisory Committee
Anacostia Watershed Society
Anglers Club of NY
Anne Arundel Patapsco River Alliance
Annapolis Citizen Group
Annapolis Environmental Commission ▲
Annapolis Green
Annapolis Neck Peninsula Federation ●
Assateague Coastal Trust ●
Assateague Coastkeeper
Audubon Maryland-DC
Audubon Naturalist Society
Back Creek Conservancy ▲
Bay Land Trust
Bay Princess Condominium Association
Bedford County Citizen Group
Beechwood Hill Homeowners Association
Berrylwood Community Association
Blue Water Baltimore/Baltimore Harbor Waterkeeper ▲
BMAT Restoration Work Group
Breton Beach Road Residents
Calvert County Citizen Group
Campaign to Reinvest in Oxen Hill, MD
Campbell Foundation for the Environment
Caroline County Conservation Alliance
Cecil County Department of Public Works
Center for Progressive Reform ●
Chapman Forest Foundation
Chesapeake Bay Commission
Chesapeake Bay Foundation
Chesapeake Bay Funders Network
Chesapeake Climate Action Network ▲
Chesapeake Commons
Chester River Association ▲
Choose Clean Water Coalition ●
Choptank Riverkeeper ▲
Citizens, Accomack County, VA (3)
Citizens, Annapolis, MD (3)
Citizens, Anne Arundel County, MD (10)
Citizens, Arlington, VA (4)
Citizens, Baltimore County, MD (2)
Citizen, Calvert County, MD (2)
Citizen, Caroline County, MD (2)
Citizen, Crownsville, MD
Citizen, District of Columbia
Citizen, Elkton, MD
Citizen, Franklin County, PA
Citizen, Marietta, PA
Citizen, Mill Creek, MD
Citizens, Montgomery County, MD (11)
Citizen, Prince George's County, MD (2)
Citizen, Queen Anne's County, MD
Citizens, St. Mary's County, MD
Citizens Against Plan for Eva Mar Development
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 of District 2
Coalition for Smarter Growth
Common Cause Maryland
Community and Environmental Defense Services
Conservancy for Charles County
D.C. Bar Association
D.C. Citizens for Reasonable Development
Dividing Road Property Owners
DMV Environmental Justice Coalition
EcoLatinos ▲
Elk and North East Rivers Watershed Association
Engage Mountain Maryland ▲
Environmental Action Center ●
Environment Maryland
Environmental Integrity Project
Eyes of Paint Branch
Federal Hill Residents
Fish 21
Food and Water Watch ▲
Frederick County Citizens Group
Friends of Bruce Monroe Park
Friends of Bryan Park
Friends of Cabin John Creek Watershed
Friends of Hillmead Park
Friends of Jug Bay
Friends of Mc Millan Park
Friends of Oxon Hill
Friends of Rock Creek's Environment
Friends of Sligo Creek
Friends of the Bohemia
Friends of the Earth
Friends of the National Arboretum ▲
Future Harvest—CASA
Good Jobs First
Greater Goshen Civic Association
Grove Park Neighborhood Association
Gunpowder Riverkeeper ●
Halt the Harm Network
Harwood Civic Association
HasNa, Inc.
HOPE Impacts
Jessup Improvement Association
Little Falls Watershed Alliance
Lothian Civic Association
Lower Shore Land Trust
Lower Susquehanna Riverkeeper ▲
Magothy River Association ●
Maryland Agricultural Certainty Oversight Committee
Maryland Bass Nation
Maryland Clean Agriculture Coalition ●
Maryland Coastal Bays Program
Maryland Conservation Council
Maryland League of Conservation Voters ▲
Maryland Native Plant Society
Maryland Pesticide Education Network
Maryland Pesticide Network
Mason Springs Conservancy
Mattawoman Watershed Society
MD-DC-DE Press Association

New 2016 Client ▲ = Existing Client Served in 2016 ● = Client with More than One Active Matter in 2016
MD Nutrient Management Trading Work Group
Midshore Riverkeeper Conservancy
Mill Creek Citizen Group
Millers Island Community Federation
Mountain Watershed Association
Montgomery County Civic Association
Myersville Citizens for a Rural Community
Nanjemoy-Potomac Environmental Coalition
National Wildlife Federation
Natural Resources Defense Council
Neighbors of Northwest Branch
North Linthicum Improvement Association
Northwood-Four Corners Civic Association
Oxford Landing Citizen Group
Patapsco River Alliance
Patuxent Riverkeeper
Patuxent Tidewater Land Trust
Pines on the Severn Community
Port Tobacco River Conservancy
Potomac Conservancy
Potomac River Association
Potomac Riverkeeper Network
Public Justice Center
Queen Anne Conservation Association
Residents of Easton, MD
Riva Woods Homeowners Association
SACReD
Sassafras River Association
Save Our Sanctuary
Save Your Annapolis Neck
Scenic Rivers Land Trust
Seven Oaks-Evanswood Community Association
Severn River Association
Severn Riverkeeper
Severn School Area Residents
Sierra Club (MD Chapter)
Sierra Club (Southern MD Group)
Shenandoah Riverkeeper
Sidney Center Improvement Group
Smarter Growth Alliance for Charles County
Smart Growth America
South County Citizens
South Hampton HOA
South River Federation
Southern Calvert Land Trust
Southern Maryland Audubon Society
St. Mary’s River Homeowner Group
St. Mary’s River Watershed Association
String of Pearls
TAME Coalition
Town Creek Foundation
Trash Free Maryland
University of Maryland
Upper James Riverkeeper
Urban Ecosystems Restorations, Inc.
Verna Harrison Associates
Waterkeepers Chesapeake
Watershed Stewards Academy
West Montgomery County Citizens Association
West/Rhode Riverkeeper
Westport Residents, Baltimore, MD
William Penn Foundation
Wylie Street Community Garden

2016 MATTERS BY LOCATION

WASHINGTON D.C. 6
MARYLAND 62
VIRGINIA 8
WEST VIRGINIA 1
DELMARVA PENINSULA (MD, DE, VA) 1
Pennsylvania 8
NEW YORK 1
ENTIRE CHESAPEAKE WATERSHED 10
FINANCIALS

Overview of the Fiscal Year Ending December 31, 2016

Support and Revenue
Foundation Contributions $ 272,000
Individual Contributions $ 16,180
Board Member Contributions $ 33,447
Client Contributions $ 1,250
In-Kind Donations $ 650
Law Firm Contributions $ 5,000
Other Contributions $ 932
TOTAL $ 329,459

Expenses
Program Services $ 259,268
Management and General $ 43,850
Fundraising $ 36,272
TOTAL $ 339,390

Change in Net Assets
Net Assets, January 1, 2016 $ 79,473
Net Assets, December 31, 2016 $ 69,542

-$9,931

Services Provided in 2016:
- Legal Analysis / Strategic Advice (58)
- Legal Research (42)
- Enforcement of Existing Laws (42)
- Permit / License Review (27)
- Litigation (25)
- Administrative Hearing (16)
- Advocacy Campaign Support (15)
- Education and Training (8)
- Legislative Support (8)
- Non-Profit Corporate Support (6)
- Public Hearing or Agency Meeting (2)
“Midshore Riverkeeper Conservancy is thankful to have CLA as a major resource for our policy and legal battles. Through CLA we’ve connected with several volunteer attorneys that have helped us strengthen the conditions and enforceability of NPDES permits for industrial processing facilities throughout the Choptank, Miles and Wye River watersheds. CLA is one of the best tools we have to fight for the protection of clean water in the Chesapeake Bay.”

Matt Pluta, Choptank Riverkeeper, *Midshore Riverkeeper Conservancy*

**CLA Thanks Our Supporters**

Our success is due to the following individuals, organizations and foundations who believe in our mission and provided financial support in 2016:

**Blue Heron**
$10,000 and up
Helena Foundation, Keith Campbell Foundation, MARPAT Foundation, Rauch Foundation, Shared Earth Foundation, Town Creek Foundation

**Blue Crab**
$5,000 to $9,999
Michael & Elizabeth Murphy, Russell B. Stevenson, David & Kathie Weinberg, Wiley Rein LLP

**Bay Oyster**
$2,500-$4,999
BGE/Back Creek Conservancy, Patrick Coyne, Steve Kurzman

**Rockfish**
$1,000-$2,499
Guy & Laura Cecala, William Chandler & Holly Gwin, Josephine Cooper, Dealy Foundation, Ridgway Hall, Joseph & Nancy Hollingsworth, Sheila Jones, George Lupton, David & Anne Menotti, Jerome Murphy, Robert Sussman, Ken Weinstein

**Terrapin**
$500-$999

**Osprey**
$250-$499

**Mallard**
$100-$249
Anonymous, Back Creek Conservancy, Melvin & Ruth Bender, Broadneck Council of Communities, Joe & Susan Bredekamp, Wells Burgess, Diane Butler, Susan Canfield, Leslie Carothers, Pat & Ted Connell, Robert Doyle, Susanne Kilby Etgen, Linda & Chuck Foster, Friends of Jug Bay, Robert Gallagher & Cate Green, Theophilus Griswold, Verna Harrison, Bruce & Suellen Keiner, Benjamin Klubes, Larry Liebesman, George Marcou & Karen Barker, Fredrick Millhiser, Edward Modell, Nancy Prendergast & Augusto Pichard, Anita Rizek, Roger Williams University School of Law, Everett & Barbara Santos, Martin Seigel, Eliza Smith Steinmeir, Dawn Stoltzfus, Elvia Thompson, Ken & Vickie Wilson, Charles Work & Veronica Haggart

**Friends of CLA**

**In-Kind Donations**
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